

PLANNING COMMITTEE Regulatory Committee Agenda

Date Wednesday 23 September 2026

Time 6.00 pm

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

- Notes
1. Declarations of Interest- If a Member requires advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Alex Bougatef or Constitutional Services at least 24 hours in advance of the meeting.
 2. Contact officer for this agenda is Constitutional Services email constitutional.services@oldham.gov.uk
 3. Public Questions - Any Member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the contact officer by 12 noon on Friday, 18 September 2026.
 4. Filming - This meeting will be recorded for live and/or subsequent broadcast on the Council's website. The whole of the meeting will be recorded, except where there are confidential or exempt items and the footage will be on our website. This activity promotes democratic engagement in accordance with section 100A(9) of the Local Government Act 1972. The cameras will focus on the proceedings of the meeting. As far as possible, this will avoid areas specifically designated for members of the public who prefer not to be filmed.

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

Please note that anyone using recording equipment both audio and visual will not be permitted to leave the equipment in the room where a private meeting is held. Recording and reporting the Council's meetings is subject to the law including the law of defamation, the Human Rights Act, the Data Protection Act and the law on public order offences.

Please also note the Public attendance Protocol on the Council's Website https://www.oldham.gov.uk/homepage/1449/attending_council_meetings

Membership of the PLANNING COMMITTEE

Councillors Akhtar, Z Ali, Brooks, Charters, Harkness, Hurley, Iqbal,
Jackson, Nasheen, Tarbuck 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 3 - 8)

The Minutes of the meeting of the Planning Committee held on 19 August 2026 are attached for Members' approval.
- 7 FUL/355686/26 - Land off Failsworth Rd, Failsworth (Pages 9 - 24)

Erection of 68 no. affordable dwellings (100% affordable housing scheme) with associated works such as access road, turning points and green infrastructure.
- 8 FUL/356274/26 - 121 Long Lane, Chadderton (Pages 25 - 54)

Change of use of hot food takeaway and first floor residential unit above to create a 7-bedroom House in Multiple Occupation (HMO) (sui generis).
- 9 FUL/355490/25 - Land at junction of Broadgate And Grimshaw Lane, Chadderton (Pages 55 - 82)

Application for full planning permission for the erection of a new two-storey multi-use commercial building comprising a restaurant at ground floor level and a function and events space at first floor level.
- 10 FUL/355201/25 - Land at Southlink, Oldham (Pages 83 - 128)

Erection of residential development units with associated access, parking, amenity spaces and landscaping.
- 11 Appeals Update Report (Pages 129 - 130)

This page is intentionally left blank

PLANNING COMMITTEE
19/08/2026 at 6.00 pm



Present: Councillor Charters (Chair)
Councillors Z Ali, Brooks, Harkness, Harrison (Substitute),
Hurley, Nasheen, Quigg (Substitute) and Tarbuck

Also in Attendance:

Alan Evans	Group Solicitor
Abiola Labisi	Senior Planning Officer
Sophie Leech	Senior Planning Officer
Martyn Leigh	Planning Services - OMBC
Kaidy McCann	Constitutional Services
Wendy Moorhouse	Principal Transport Officer
Matthew Taylor	Senior Planning Officer

1 ELECTION OF CHAIR

RESOLVED that Councillor Charters be elected Chair for the duration of the meeting.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Akhtar, Iqbal, Jackson and Woodvine.

3 URGENT BUSINESS

The Committee were advised of one item of urgent business.

The Committee was informed that on Monday 17 August 2026 the government published its revised National Planning Policy Framework (NPPF) which superseded, with immediate effect, the version of the document referenced in reports contained within the planning committee agenda papers.

Planning law required that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The national decision-making policies in the revised NPPF were a material consideration in making those decisions and should be read alongside the policies in the development plan.

Each planning application that features on the agenda had been reviewed having regard to the newly published NPPF, and a Late List entry for each application was provided in the Late List.

4 DECLARATIONS OF INTEREST

There were no declarations of interest received.

5 PUBLIC QUESTION TIME

A public question had been received from Matthew Broadbent:

“At the full council meeting in December, I submitted a question regarding the Planning Inspectorate's decision to award costs against Oldham Council for "unreasonable behaviour", for failing to meet the various deadlines to submit paperwork to them, regarding the planning committee's decision to refuse permission to a Battery Energy Storage System at Medlock Road in Failsworth. The Mayor requested an update at the next council meeting, but it was not forthcoming. Will the council explain why it didn't request a routine extension to the deadline in order to submit the necessary paperwork, and how much was awarded against Oldham Council?”

The following response was provided:

“The planning application was considered under reference FUL/353405/24 and proposed the installation and operation of a 30 Megawatt Battery Energy Storage System (BESS), together with access arrangements and associated infrastructure, on land to the south-east of Medlock Road, Failsworth.

The application was recommended for approval by officers but refused by the planning committee in April 2025 on the basis that the benefits of the proposal had not been demonstrated to clearly outweigh the identified impacts.

During the subsequent appeal process, the Local Planning Authority submitted the appeal questionnaire, committee report, and copies of the representations received in relation to the application. Officers did subsequently request to extend the deadline for submitting the Statement of Case, but the Planning Inspectorate declined that request.

Notwithstanding this, the Statement of Case could only have addressed the committee's reason for refusal and sought to explain that position to the Inspector. The reason for refusal was already a matter of public record and, in allowing the appeal, the Inspector concluded that the reason for refusal was unreasonable.

Furthermore, the Inspector made clear in their costs decision that the principal reason for the award of costs against the council was the unreasonable nature of the reason for refusal itself. The agreed costs award amounted to £12,826.95.”

6 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the meeting held on 8th July 2026 be approved as a correct record.

7 **FUL/355703/26 - 45 - 49 RIPPONDEN ROAD, OLDHAM, OL1 4EW**

APPLICATION NUMBER: FUL/355703/26

APPLICANT: Mrs Faiza Mushtaq

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

It was MOVED by Councillor Z. ALi and SECONDED by Councillor Tarbuck that the application be APPROVED.

On being put to the vote 2 VOTES were cast IN FAVOUR OF APPROVAL and 7 VOTES were cast AGAINST with 0 ABSTENTIONS.

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

On being put to the vote 7 VOTES were cast IN FAVOUR OF REFUSAL and 2 VOTES were cast AGAINST with 0 ABSTENTIONS.

RESOLVED: That the application be REFUSED for the following reason:

“The proposed House in Multiple Occupation (HMO) would result in an undue concentration of such uses in the area to the detriment of the established character of the locality. The proposal is therefore contrary to Policy 11 of the Oldham Local Plan.”

NOTES:

In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 13

8

FUL/355368/25 - 74 HAIGH LANE, CHADDERTON, OLDHAM, OL1 2TL

APPLICATION NUMBER: FUL/355368/25

APPLICANT: Footlong (Uk) Ltd

PROPOSAL: Change of use from Residential (C3) to a 5-bed House in Multiple Occupancy (C4)

LOCATION: 74 Haigh Lane, Chadderton, Oldham, OL1 2TL

It was MOVED by Councillor Quigg and SECONDED by Councillor Harkness that the application be REFUSED.

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

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

NOTES:



1. That Ward Members attended the meeting and addressed the Committee on this application.
2. In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 13

9

FUL/354250/25 - STREET BRIDGE INN, 230 ROMAN ROAD, OLDHAM, OL8 3QH

APPLICATION NUMBER: FUL/354250/25

APPLICANT: Mr Carl Garrity

PROPOSAL: First and second floor extension to existing building and a three-storey side extension in addition to front canopy and alteration extension to existing car park to form motel addition to existing Public House.

LOCATION: Street Bridge Inn, 230 Roman Road, Oldham, OL8 3QH.

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

On being put to the vote 7 VOTES were cast IN FAVOUR OF APPROVAL and 1 VOTE was cast AGAINST with 1 ABSTENTION.

RESOLVED: That the application be GRANTED subject to the conditions as outlined in the report, the amended condition 3 contained in the Late List and the following additional conditions:

14. Prior to the first use of the hotel and restaurant hereby approved, the car parking areas shown on the approved plans shall be fully laid out, surfaced, marked out and made available for use. The car parking areas shall thereafter be retained and kept available for the parking of vehicles associated with the approved development at all times and shall not be used for any other purpose. REASON: To ensure that adequate off-street parking is provided and retained in the interests of highway safety and the free flow of traffic, in accordance with Policy 5 and Policy 9 of the Oldham Local Plan and the National Planning Policy Framework.

15. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to throughout the construction period and shall include details of:

- a) Construction traffic routing and site access arrangements;
- b) The parking of contractors', operatives' and visitors' vehicles;

- c) Loading, unloading and storage of plant, equipment and materials;
- d) Measures to control dust, dirt, noise and vibration arising from the development;
- e) Wheel washing and highway cleaning measures;
- f) Site operating hours and delivery times;
- g) Measures to protect pedestrian and highway safety; and
- h) Where the existing public house remains open during the construction period, details of the measures to ensure that an appropriate area of the existing car park remains available, safe and accessible for customers, staff and deliveries associated with the public house throughout the duration of the works.

The development shall thereafter be carried out in full accordance with the approved CEMP. REASON: In the interests of highway safety, the amenity of neighbouring occupiers and to ensure the continued safe operation of the existing public house during the construction period, in accordance with Policy 5 and Policy 9 of the Oldham Local Plan and the National Planning Policy Framework.

NOTES:

1. That a Ward Member attended the meeting and addressed the Committee on this application.
2. In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 13

10

FUL/355091/25 - LAND BOUNDED BY OLDHAM ROAD, BROOKDALE STREET AND RIDGEFIELD STREET, FAILSWORTH, OLDHAM, M35 0BX

APPLICATION NUMBER: FUL/355091/25

APPLICANT: Mr Chris Twist – City Shape LLP

PROPOSAL: Erection of 28 no dwellings with associated access, parking and landscaping works.

LOCATION: Land Bounded by Oldham Road, Brookdale Street and Ridgefield Street, Failsworth, Oldham, M35 0BX

It was MOVED by Councillor Harkness and SECONDED by Councillor Harrison that the application be APPROVED.

On being put to the vote 5 VOTES were cast IN FAVOUR OF APPROVAL and 4 VOTES were cast AGAINST with 0 ABSTENTIONS.

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

NOTES:

1. That the Applicant attended the meeting and addressed the Committee on this application.
2. In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 13.

11 **FUL/355970/26 - LAND NORTH OF ELLEN STREET,
OLDHAM, OL9 6QR**

APPLICATION NUMBER: FUL/355970/26

APPLICANT: Shurgard UK Ltd

PROPOSAL: Erection of a new household and business storage facility (Use Class B8) and associated access, parking, and landscaping

LOCATION: Land north of Ellen Street, Oldham

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

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

RESOLVED: That the application be GRANTED subject to the conditions as outlined in the report and the additional conditions recommended by the Lead Local Flood Authority contained in the Late List.

NOTES:

In reaching its decision, the Committee took into consideration the information as set out in the Late List attached at Item 13.

12 **APPEALS UPDATE REPORT**

RESOLVED that the Appeals Update Report be noted.

13 **LATE LIST**

The meeting started at 6.05 pm and ended at 8.30 pm

APPLICATION REPORT – FUL/355686/26 Planning Committee 23rd September 2026

Registration Date: 6th March 2026
Ward: Failsworth East

Application Reference: FUL/355686/26
Type of Application: Full Application

Proposal: Erection of 68 no. affordable dwellings (100% affordable housing scheme) with associated works such as access road, turning points and green infrastructure.

Location: Land off Failsworth Road, Failsworth.

Case Officer: Abiola Labisi
Applicant: Redwaters Estates and Redwaters Fitfield (Failsworth)
Agent: Mr Stephen Harris (Emery Planning)

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation as the application relates to a Major development.

2. RECOMMENDATION

- 2.1 It is recommended that the application be refused for reasons set out in the report, and that the Assistant Director for Planning & Development shall be authorised to issue the decision.

3. SITE DESCRIPTION

- 3.1 The application site is located on the west side of Failsworth Road, Failsworth, and comprises of open fields. The site is stated to be 3.3 hectares in area, is gently undulating in topography, and is wholly located within the Green Belt.
- 3.2 To the immediate north and west of the site are established residential areas while Failsworth Road defines the eastern boundary of the site. To the immediate south are open fields. A stream (Lord's Brook) flows adjacent the southern section of the site and there are some public rights of way in the vicinity of the site. The site is stated to be currently used for grazing purposes.

4. THE PROPOSAL

- 4.1 The application proposes the erection of a total of 68 dwellings, access works and associated green infrastructure. The proposed dwellings would be sited within the northern part of the site while the southern section would be retained as is, with the exception of removal of some invasive species and replacing them with some tree planting.

- 4.2 The scheme would provide 100% affordable housing units and would comprise of four different house types.
- 4.3 House Type A (with an area of 73 square metres) would be a 2 bed two storey unit and would be of three types – detached, semi-detached and terraced. House Type B (with an area of 85 square metres) would be a 3 bed two storey unit and would also be of three types – detached, semi-detached and terraced.
- 4.4 House Type C (with an area of 96 square metres) would be a 3 bed two storey unit with a side entrance and would be of two types – detached and semi-detached. House Type D (with an area of 97 square metres) would be a 4 bed two storey unit and would be of two types – detached and semi-detached.
- 4.5 Access to the site would be taken off Failsworth Road.

5. PLANNING HISTORY

- 5.1 In 1992, under planning application reference PA/028478/92, outline permission was refused for a residential development comprising of the erection of 13no. dwellings for reasons relating to impact on Green Belt and substandard access.

6. RELEVANT PLANNING POLICIES

- 6.1 The adopted Development Plan is the Joint Core Strategy and Development Management Policies Development Plan Document (referred to as the Local Plan) which formed part of the Local Development Framework for Oldham when it was adopted in 2011. The site is designated as Green Belt within the Local Plan. As such, the following policies are considered relevant to the determination of this application:

- Policy 1 - Climate Change and Sustainable Development;
- Policy 3 – An Address of Choice;
- Policy 5 - Promoting Accessibility and Sustainable Transport;
- Policy 9 - Local Environment;
- Policy 10 – Affordable Housing;
- Policy 11 – Housing;
- Policy 18 – Energy;
- Policy 21 - Protecting Natural Environmental Assets;
- Policy 22 - Protecting Open Land.

- 6.2 In addition to the above, the recently adopted Places for Everyone Joint Plan forms part of the Development Plan for Oldham and so the following policies are considered relevant to the determination of the application:

- Policy JP-C1 – An Integrated Network;
- Policy JP-G8 – A Net Enhancement of Biodiversity and Geodiversity;
- Policy JP-G9 – The Green Belt;
- Policy JP-H1 - Scale, Distribution and Phasing of New Housing Development;
- Policy JP-H2 - Affordability of New Housing;
- Policy JP-H3 - Type, Size and Design of New Housing;
- Policy JP-P1 – Sustainable Places;
- Policy JP-S1 – Sustainable Development; and,

- Policy JP-S2 – Carbon and Energy.

7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Environmental Health	Formal response received. Raised no objection subject to conditions relating to land contamination as well as noise mitigation and CMP.
United Utilities	Formal response received. Raised no objection subject to the development being implemented in accordance with submitted drainage details.
Highways	Formal comments received. Recommended refusal on grounds relating to inadequate access and highway safety.
Greater Manchester Ecology Unit	Formal comments received. Raised no objection subject to conditions relating to protection of wildlife and pollution of Lord's Brook.
Coal Authority	Formal response received. Stated that the site does not fall within the Development High Risk Area and therefore raised no objection.
Planning Policy	Formal response received. Objected on grounds relating to impact on Green Belt and site not meeting 'Grey Belt' requirements.
Environment Agency	Formal comments still being awaited at the time of writing the report.
Ramblers	Formal response received. No objection subject to reinstatement of the footpath to a safe condition and provision of retaining wall adjacent the stream.
Greater Manchester Police Crime Prevention	Formal comments still being awaited at the time of writing report.
Natural England	Formal comments received. Raised no objection.
Archaeology	Formal response received. No objection raised.
LLFA	Formal comments received. No objection subject to conditions.
Tree Officer	Formal comments received. No objection subject to submission of a mitigation strategy.

8. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

- 8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised as a major development by neighbour notification letters, display of a site notice, and publication of a press notice.
- 8.2 In response, 623 objections have been received, while 2 letters of support were received. A petition against the proposal containing 273 signatures was also received. The material planning issues raised in the objection representations are summarised below:
- Impact on Green Belt – noting that the proposal would impact on openness and would be a speculative release of Green Belt land, contrary to policies (addressed in Section 10 of the report).
 - The site is not 'Grey Belt' – noting that the site had never been formally assessed or designated as 'Grey Belt' through the Local Plan process (addressed in Section 10 of the report).
 - Impact on amenity of neighbours – noting that proposal would lead to impact on privacy and outlook (addressed in Section 11 of the report).
 - Flooding and foul drainage issues – with the claim that flood risk assessment has not been based on proven local knowledge (addressed in Section 14 of the report).
 - Adverse impact on wildlife and biodiversity – stating that proposal would lead to unacceptable impact on loss of trees and wildlife including protected species (addressed in Section 15 of the report)
 - Pressure on local amenities and infrastructure – noting that proposal would increase pressure on amenities such as access to GP and road infrastructure (addressed in Section 13 of the report).
 - Housing situation incorrect – noting that this has been exaggerated to support a claim for very special circumstance (addressed in para. 10.8 – 10.9).
 - Highway Issues – noting that access would be close to an existing junction leading to potential highway safety issues (addressed in Section 13 of the report).
 - Pollution of Lord's Brook – noting that proposal would pollute the waterbody and destroy habitat (addressed in Section 15 of the report).

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

- 9.1 Section 6 of the National Planning Policy Framework highlights the Government's objective to support the delivery of a substantial increase in the supply of homes and traveller sites across the country, by ensuring that a sufficient amount and variety of land can come forward where needed. In addition, Policy JP-H1 (Scale, Distribution and Phasing of New Housing Development) of the Places for Everyone Joint Plan also recognises the need for additional housing and provides that a minimum of 175,185 net additional dwellings will be delivered over the period 2022-2039, or an annual average of around 10,305, across the nine authorities covered by the Joint Plan.
- 9.2 Specifically in relation to affordable housing, Policy HO8 (Providing affordable homes) of the NPPF provides that development proposals should meet or exceed up-to-date

development plan requirements for the proportion and mix of affordable housing tenures relevant to the location, including the minimum proportion of Social Rent.

- 9.3 The proposal would lead to an increase in local housing stock and boost affordable housing in the area, in accordance with local and national policies. In this regard, the principle of the development is considered acceptable.
- 9.4 However, the site is designated as Green Belt, and the type of development proposed is considered to represent 'inappropriate development' unless certain exceptions set out in the NPPF are met. These matters, alongside compliance with other relevant material planning considerations, are assessed further in the following sections of the report.

10. IMPACT ON GREEN BELT

- 10.1 Section 13 (Protecting Green Belt Land) of the NPPF provides that the objective of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Similarly, Policy JP-G9 (The Green Belt) of the Places for Everyone Joint Plan provides that the beneficial use of the Green Belt will be enhanced where this can be achieved without harm to its openness, permanence or ability to serve its five purposes.
- 10.2 Accordingly, Policy GB6 (Control of development in the Green Belt) of the NPPF provides that:
- (i) Development in the Green Belt is inappropriate unless it falls within one of the categories in policy GB7, and,
 - (ii) Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposed development, is clearly outweighed by other considerations.
- 10.3 Policy GB7 of the NPPF (Development which is not inappropriate in the Green Belt) provides a list of categories of development that would not be inappropriate in the Green Belt and therefore should not be regarded as harmful to the Green Belt or be required to demonstrate that very special circumstances exist. The applicant has suggested that the site meets several of these categories of development, namely:
- d) Limited affordable housing for local community needs under policies set out in this Framework or the development plan (for instance, on a rural exception site); and
 - g) Development where all of the following apply:
 - i. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
 - ii. There is an evidenced unmet need for the type of development proposed;
 - iii. The development would be in a sustainable location, with particular reference to policy TR3 of this Framework; and
 - iv. In the case of major development involving the provision of housing, the development proposed complies with policy GB8.

- 10.4 Taking each of these in turn, the site is not considered a rural exception site as it does not adjoin, nor is it adjacent to, a rural area. The proposed development would be an extension of the Failsworth urban area, and Failsworth could not be described as rural, and so the development proposed could not be considered a rural exception site. The definition of a rural exception site in the glossary of the NPPF also includes for such a site *“to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection”*. The application proposal does not propose such a local connection test for occupiers of the proposed homes and the needs of the Failsworth community are being met through several other developments within the urban area of Failsworth, so such an exception site would be unnecessary even if Failsworth was considered rural.
- 10.5 In relation to Policy GB7(g), all four of the criteria in this need to be met for a proposal to be considered appropriate development in the Green Belt. Whilst it could be argued that points i, iii and iv are met by the development proposal, point ii is not met. Point ii requires that there be an evidenced unmet need for the type of development of proposed and includes a footnote 41 in the NPPF which states:
- “in the case of applications involving the provision of housing, [point ii] means the lack of a five-year supply of deliverable housing sites, including the relevant buffer where applicable, or where the Housing Delivery Test result was below 75% of the housing requirement over the previous three years”*
- 10.6 This footnote limits the consideration of whether point ii is met to these two aspects – whether the council can demonstrate a five-year housing land supply in the borough and whether the most recent Housing Delivery Test result for Oldham was below 75%. Oldham Council can demonstrate a five-year housing land supply and the most recent Housing Delivery Test result for Oldham (2025) showed our housing delivery rate was 115% over the period 2022-2025. Therefore, point ii cannot be met.
- 10.7 It is noted that the applicant does argue that the council cannot demonstrate a five-year housing supply, and suggests that certain sites within our housing land supply should not be considered deliverable within 5 years, but the council’s published position on this is clear – that Oldham has 6.36 years’ worth of housing sites that are anticipated to be delivered within the next 5 years.
- 10.8 Given the above, the application proposal is considered inappropriate development in the Green Belt. Therefore, under policy GB6, paragraph 2 of the NPPF, it is essential that very special circumstance must exist for the proposal to be supported.
- 10.9 It is noted that the applicant has stated that they do not consider it necessary to consider whether there are very special circumstances given their conclusion that the site accords with Policy H010 (which is their primary case as set out in Section 6 of the amended Planning Statement) and also Section 7 of the Statement concludes that the site is grey belt. However, the applicant noted that notwithstanding this, if the Planning Authority deems it necessary that very special circumstance is required, the applicant would be of the opinion that very special circumstance do exist as the proposal would address a proven housing crisis, whilst also contributing to biodiversity enhancement and local economy.
- 10.10 Contrary to the applicant’s submission that there is a proven housing crisis, it is noted that the Council can demonstrate a five-year housing land supply and extant planning permissions indicate that housing needs can be met without seeing development of land within the Green Belt. Whilst the proposal would lead to biodiversity enhancement (this is a statutory requirement anyway) and potentially an uplift in local economy, these

are not peculiar to this scheme as any major residential scheme would yield similar benefits.

- 10.11 Of more relevance to the argument of very special circumstances in this case would be that the application proposal involves 100% affordable housing. There is a need for further affordable housing, especially for social rent, in the borough but the sites included in the council's housing land supply include sites from which it is anticipated a significant level of affordable and social rent housing will be provided. Therefore, the fact that the application proposals would contribute towards the delivery of affordable housing is a material consideration that should be given some weight in the consideration of very special circumstances but, on its own, that is not so significant factor in the Oldham housing supply context as to outweigh the potential harm to the Green Belt and any other harm resulting from the proposed development. As such, the Planning Authority would not consider the above factors as amounting to very special circumstances.

11. RESIDENTIAL AMENITY

- 11.1 Having regard to the requirements of Policy 9 of the Oldham Local Plan, the impact of the development on surrounding residents needs to be considered alongside ensuring that the proposals provide suitable accommodation and amenity for future occupiers.
- 11.2 The proposed dwellings would be largely set back from the site's northern and western boundaries and would not therefore give rise to any significant overbearing or overshadowing impacts on the occupiers of the existing dwellings to the north and west. The height of the proposed dwellings would also further minimise any potential overbearing or overshadowing effect. Furthermore, it is considered that by virtue of the separation distance from existing neighbours, as well as its design, the proposal would not lead to significant overlooking of neighbouring private amenity areas.
- 11.3 Therefore, the relationship of the proposed development with existing dwellings to the north and west of the site is considered acceptable in that the scale of the development, as well as the separation distance from the dwellings to the north, would minimise any potential overbearing or overshadowing effect. The design of the proposed dwellings also ensures that there would also be no significant direct overlooking of any neighbouring private amenity area.
- 11.4 Furthermore, any potential noise pollution would be addressed by relevant conditions recommended to be imposed by Environmental Health Officers.
- 11.5 In terms of acceptable internal floor areas, the nationally described space standards require that a 2-bed two-storey dwelling should have an internal floor area of between 70 to 79 square metres, depending on the number of occupants. A 3-bed two-storey dwelling to have an internal floor area of between 84 to 102 square metres. A 4-bed two-storey dwelling should provide 97 to 124 square metres. It is noted that the proposed units would comply with the requirements of the nationally described space standards.
- 11.6 Similarly, Policy JP-H3 of the Places for Everyone Joint Plan requires that new residential development shall comply with the requirements of the nationally described space standards insofar as gross internal floor area as well as bedroom sizes is concerned. As stated above, the proposal would comply with the requirements of the nationally described space standards. The policy also requires that new development should be built to the accessible and adaptable standard in Part M4(2) of the Building

Regulations unless specific site conditions make this impracticable. This requirement has not been addressed within the submission but can be adequately addressed by relevant planning conditions and through building control legislations.

- 11.7 Having regard to the foregoing therefore, it is considered that the proposal would not result in any unacceptable amenity issues.

12. DESIGN AND INTEGRATION WITH LOCAL CHARACTER

- 12.1 Policy DP3 (Key principles for well-designed places) of the NPPF sets out principles and requirements for well-designed places and these include the requirement that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings. Similarly, PfE Policy JP-P1 requires development to create high-quality sustainable places that respond positively to local character, amongst others.
- 12.2 The area is noted to be characterised by a mix of dwelling types mostly of two storeys in height. The proposed design and the scale of the dwellings would be in keeping with that of existing dwellings in the area. The proposal would also be in keeping with the existing building line as established by the existing development to the north thereby preserving the street scene along Failsworth Road.
- 12.3 Furthermore, the proposal represents a logical extension of built form as the site adjoins an existing built-up area to the north. In this regard, it is considered that the proposal would be in accordance with relevant provisions of Policy JP-P1 (Sustainable Places) of the Places for Everyone Joint Plan which require that development integrates well with and respect local character.

13. HIGHWAY ISSUES

- 13.1 Vehicular access to the site will be formed off Failsworth Road. Policy TR3 (Locating development in sustainable locations) of the National Planning Policy Framework (NPPF) seeks to ensure amongst others that network capacity and highway safety is not comprised and accordingly provides that any significant adverse impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, should be mitigated to an acceptable degree using a vision-led approach.
- 13.2 Policy JP-C8 (Transport Requirements of New Development) of the Places for Everyone Joint Plan also prioritises safe and convenient access to a new development site for all users while Policy 5 (Promoting Accessibility and Sustainable Transport Choices) of the Oldham Local Plan states that the Council will ensure the safety of pedestrians, cyclists and other vulnerable road users by ensuring appropriate highway safety measures and schemes are implemented as part of development proposals.
- 13.3 A Transport Statement prepared by Eddisons has been submitted with the application. The statement concludes largely that the proposed development would not lead to unacceptable highway issues.
- 13.4 The proposal and relevant supporting documents have however been reviewed by the Council's Highway Engineer who has advised that, whilst the proposal is unlikely to be detrimental to network capacity, it is however likely to impact on the safety of users of the highway, noting that the internal access roads to two private shared driveways are

too close to the main access road and its junction with Failsworth Road. This will result in conflict with pedestrians crossing the access road on Failsworth Road. In addition to this, it will result in conflict between drivers turning into and out of Failsworth Road and those drivers using the private shared driveways and the access road in terms of manoeuvring, slowing down and intervisibility.

- 13.5 Furthermore, the Highway Engineer has advised that the amended site layout is not acceptable to the local Highway Authority. Whilst the Applicant has worked with the local Highway Authority to address concerns about the geometry and overall layout, including parking provision, the latest iteration remains unacceptable.
- 13.6 As such, it is considered that the proposal would not be in accordance with relevant provisions of Policy TR3 of the NPPF, Policy JP-C8 of the Places for Everyone Joint Plan and Policy 5 of the Oldham Local Plan.

14. DRAINAGE ISSUES

- 14.1 In relation to planning and flood risk, Policy F7 (Ensuring development is safe from flooding) of the NPPF requires that (i). Development proposals should not present a risk from flooding to potential occupiers, users, or visitors, and should not increase flood risk elsewhere, and (ii). Where development is proposed in a location known to be at risk from any form of flooding, now or in the future, it should be refused.
- 14.2 Similarly, Policy JP-S4 (Flood Risk and the Water Environment) of the Places for Everyone Joint Plan requires that development should minimise the risk of flooding.
- 14.3 The site is located within Flood Risk Zone 1, which is the zone that is least liable to flooding. The site is approx. 3.3 hectares in area and a Flood Risk Assessment prepared by PG Consulting was submitted with the application. The report concludes that the risk of flooding in relation to the development would be low.
- 14.4 The drainage details submitted have been reviewed by the Lead Local Flood Authority and they have recommended some conditions to be attached to any grant of permission in order to ensure that the development does not lead to unacceptable flooding issues. The conditions recommended include those relating to interception of rainwater, protection of the function of historic waterbodies and the Lord's Brook as well as integration of SUDS.

15. BIODIVERSITY NET GAIN, ECOLOGY AND TREES

- 15.1 Section 19 of the NPPF addresses issues relating to conserving and enhancing the natural environment and in this regard, Policy N2 (Improving the natural environment) provides that to contribute positively to the natural environment, and support nature's recovery, development proposals should minimise any adverse impacts on biodiversity and include features which support priority or threatened species such as swifts, bats and hedgehogs. Development proposals should incorporate integrated nest boxes (commonly known as swift bricks) into their construction unless there are compelling technical reasons which prevent their use, or would make them ineffective.
- 15.2 In line with the above, 10% biodiversity net gain is mandatory under Schedule 7A of the Town and Country Planning Act, 1990 (as inserted by Schedule 14 of the Environment Act, 2021). Similarly, Policy JP-G8 (A net enhancement of biodiversity

and geodiversity) of the Places for Everyone Joint Plan provides that through local planning and associated activities a net enhancement of biodiversity resources will be sought.

- 15.3 In relation to biodiversity net gain, the applicant has submitted a biodiversity appraisal as well as a BNG Metric. The biodiversity appraisal indicates that the proposed development would lead to a net loss of 8.13 area habitat units (-33.34%), a net gain of 0.91 linear hedgerow units (+42.24%), and net gain of 0.52 watercourse habitat units (20.80%). The appraisal notes further that the trading rules have not been met for all habitat types present as the loss of medium distinctiveness other neutral grassland and bramble scrub has not been sufficiently compensated for. Accordingly, offsite mitigation will be secured through a local habitat bank/statutory credits.
- 15.4 The application was reviewed by Greater Manchester Ecology Unit and additional information was requested. The additional information has been reviewed by GMEU and they have confirmed they do not have an objection to the proposal in principle, subject to conditions relating to protection of wildlife, prevention of pollution of the Lord's Brook and biodiversity net gain. Should planning permission be granted, the recommended conditions would be attached to such permission and as such, it is considered that the proposal would be unlikely to lead to unacceptable detrimental impact on wildlife/ecology and the Lord's Brook.
- 15.5 Further in relation to the impact of the proposal on the adjacent Lord's Brook, it is considered pertinent to point out that being a Statutory Main River, Environment Agency were consulted but a formal response had not been received at the time of writing the report. However, Greater Manchester Ecology Unit had recommended a condition relating to the provision of a Construction and Environment Management Plan provision of a CEMP to detail pollution protection measures during construction, particularly for the protection of Lords Brook. It is considered that this condition would ensure adequate protection of the brook from pollution during the construction phase of the development.
- 15.6 In relation to trees, Policy JP-G7 of the Places for Everyone Joint Plan provides that where development would result in the loss of existing trees, there would be a requirement for replacement on the basis of two new trees for each tree lost, or other measures that would also result in a net enhancement in the character and quality of the treescape and biodiversity value in the local area, with a preference for on-site provision. The policy also aims to protect trees and woodland during the construction phase of development.
- 15.7 There are some existing trees and hedges on the site proposed for removal to facilitate the proposed development. An Arboricultural Impact Assessment prepared by Urban Green was submitted with the application and this has been reviewed by the Council's Tree Officer. The Tree Officer notes that the Soft Landscaping Proposal indicates that new trees would be planted to mitigate the impact of the trees removed. These would be planted on site. He notes further that to secure the replacement trees, a condition requiring a mitigation strategy be added to any grant of permission, notwithstanding any details shown on the Soft Landscaping Proposal. Accordingly, a condition requiring that the landscaping plan be implemented as detailed and maintained thereafter would be appropriate in this instance.

16. AFFORDABLE HOUSING AND PUBLIC OPEN SPACE

- 16.1 Policy HO8 (Providing affordable homes) of the NPPF requires that development proposals should meet or exceed up-to-date development plan requirements for the proportion and mix of affordable housing tenures relevant to the location, including the minimum proportion of Social Rent. Similarly, Policy JP-H2 (Affordability of New Housing) of the Places for Everyone Joint Plan provides that substantial improvements will be sought in the ability of people to access housing at a price they can afford.
- 16.2 The proposal is for 100% affordable units and would as such comply with the above policies.
- 16.3 In relation to public open space, Policy 23 of the Oldham Local Plan states that the loss of an open space will be permitted where it can be demonstrated that the development brings substantial benefits to the community that would outweigh the harm resulting from the loss of open space. The policy also requires that all Major residential schemes should contribute towards public open space. In the same vein, Policy JP-P7 of the Places for Everyone Joint Plan (Sport and Recreation) requires new development to provide new and/or improved existing facilities commensurate with the demand they would generate.
- 16.4 The site is identified within Cutler Bridge Natural/ Semi-natural greenspace. It is noted that the southern half of the site would be retained and upgraded to enhance its use by members of the public. Notwithstanding the proposed upgrading works to the southern half of the site, the development would lead to a substantial loss of open space (the northern section of the site where the proposed dwellings would be sited). It is considered that the benefits of the enhancement works to the southern section of the site would not outweigh the loss of approximately 1.6 hectares of open space.
- 16.5 In the event that planning permission is granted, a contribution towards public open space commensurate with the loss (approx. 1.6 hectares) should be sought from the applicant, and this can be secured by way of planning legal agreement (Section 106).

17. ENERGY EFFICIENCY

- 17.1 Policy JP-S2 (Carbon and Energy) of the Places for Everyone Joint Plan aims to deliver a carbon neutral Greater Manchester by 2038 and as a result, it is intended that a dramatic reduction in greenhouse gas emission is achieved within the region. In relation to new development, it is therefore expected that all new development should be net zero carbon, unless it can be demonstrated that it is not practicable or financially viable.
- 17.2 Whilst an energy statement which demonstrates how the proposal complies with the requirements of Policy JP-S2 has not been submitted with the application, it is considered that the issue can be addressed by way of relevant planning conditions should permission be granted.

18. CONCLUSION

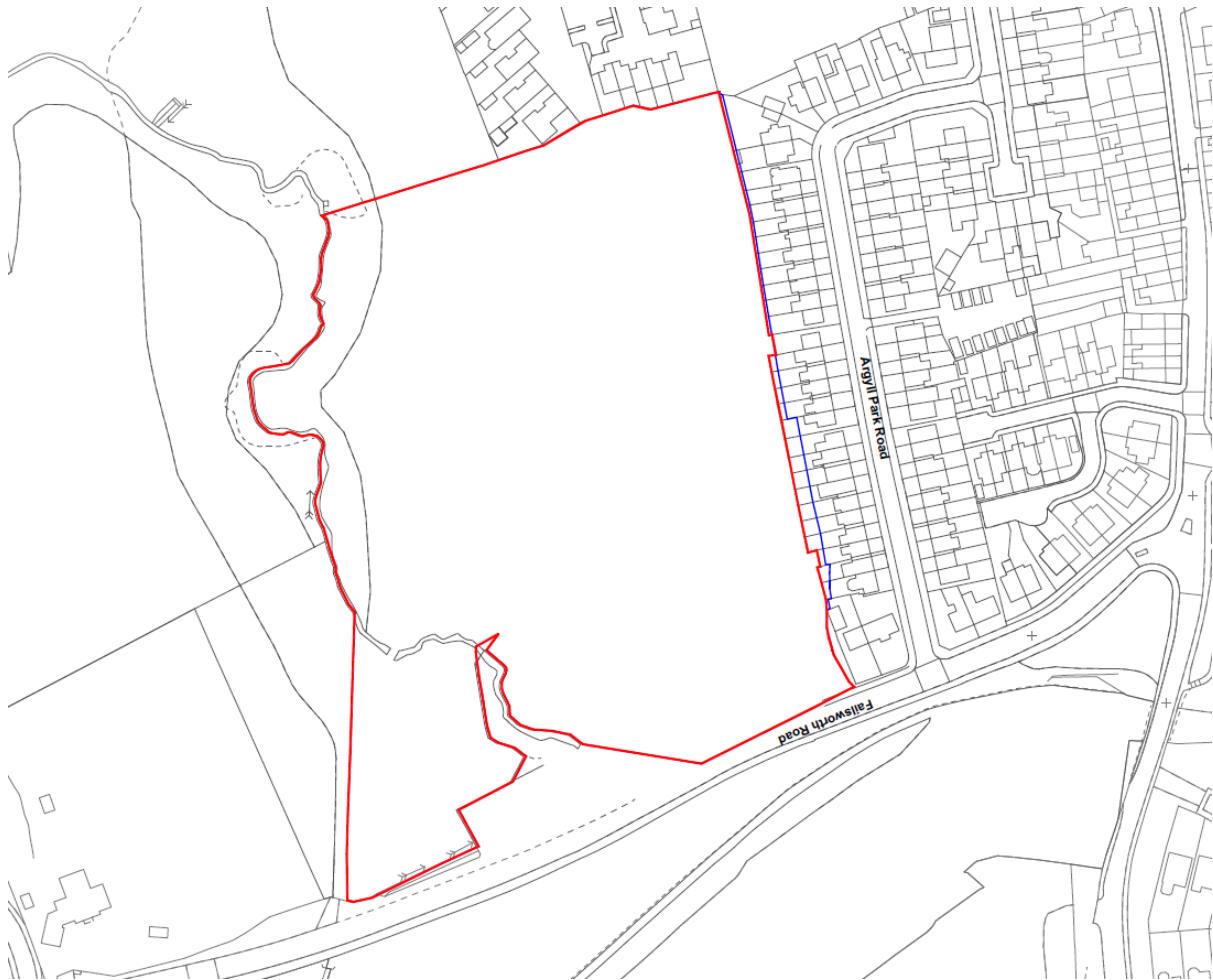
- 18.1 The site is located within the Green Belt and the proposed development amounts to inappropriate development within the Green Belt. Such development would be harmful and national policies require that they be restricted.

- 18.2 The Planning Authority advised the applicant's agent via a detailed planning policy assessment that the proposal would be contrary to relevant Green Belt policies and the applicant's agent advised that they would review their assessment of the appropriateness of the development on Green Belt land. Their revised assessment of the appropriateness of the proposal has been reviewed however, based on the assessment above, the Planning Authority remains of the view that the proposal would be inappropriate in the Green Belt.
- 18.3 It is noted that some consultees have raised concerns regarding the proposal. However, in this instance, it is not considered necessary to request or give the applicant an opportunity to address the concerns raised by these consultees as this would not resolve the identified inappropriateness of the development.

19. RECOMMENDATION

- 19.1 The application is therefore recommended for refusal for the following reasons:
1. Whilst the site comprises grey belt land, the proposal would not satisfy the requirements of Policy GB7(g)ii of the NPPF neither would the application site constitute a rural exception site as it does not adjoin a rural area. The development would as such amount to inappropriate development within the Green Belt. Such development is, by definition, harmful to the Green Belt and Policy GB6 of the NPPF provides that such inappropriate development should not be approved except in very special circumstances, which have not been demonstrated. The proposal is therefore contrary to the provisions of NPPF Policy GB6, Policy JP-G9 (The Green Belt) of the Places for Everyone Joint Plan and Policies 22 (Protecting Open Land) and 23 (Open Spaces and Sports) of the Oldham Local Plan.
 2. The applicant has failed to demonstrate that adequate vehicular access to the development has been made and this will lead to the manoeuvring of vehicles, generated by the development, within the adjacent highways to the detriment of safety of pedestrians and other highway users. The proposed development is thereby contrary to Development Management Policy 9 of the Oldham Local Development Framework.

SITE LOCATION PLAN (NOT TO SCALE):



This page is intentionally left blank

PLANNING COMMITTEE – BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING

PLANNING APPLICATIONS AND LISTED BUILDING CONSENT APPLICATIONS

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

THE BACKGROUND PAPERS

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

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

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

www.oldham.gov.uk

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

0161 770 4105 / Planning@oldham.gov.uk

ADDITIONAL BACKGROUND PAPERS

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

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

This page is intentionally left blank

APPLICATION REPORT – FUL/356274/26
Planning Committee – 23rd September 2026

Registration Date: 22nd May 2026
Ward: Chadderton South

Application Reference: FUL/356274/26
Type of Application: Full

Proposal: Change of use of vacant takeaway unit (ground floor) and residential unit (first floor) into a 7 bedroom HMO.

Location: 121 Long Lane, Chadderton, OL9 8AY

Case Officer: Sophie Leech
Applicant: MWIJ Properties Ltd
Agent: Miss Victoria Allan – Trivantage Ltd

1. INTRODUCTION

- 1.1 The application is referred to Planning Committee for determination by the Assistant Director for Planning & Development following the request of Councillor Rob Jackson and Councillor Graham Shuttleworth due to their concerns over various relevant planning matters specific to this application.

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 for Planning & Development shall be authorised to issue the decision.

3. SITE DESCRIPTION

- 3.1 The application site relates to a semi-detached property located at 121 Long Lane, Chadderton. The site occupies a position within a small terrace of mixed commercial and residential uses fronting Long Lane. Immediately adjacent to the east is The New Play Alma Mater Day Nursery at 123 Long Lane, whilst the wider area is predominantly residential in character.
- 3.2 The site is in close proximity to the Broadway/M60 Junction 21 where other retail and fast food uses exist such as Burger Eats, Subway, Boat and Horses Public House and Costco.
- 3.3 The surrounding properties comprise a variety of uses including:
- 131A Long Lane - The Ink Shack – Class E Use;
- 129-131 Long Lane - Go Local Convenience Store – Class E Use;

127 Long Lane - Received planning permission (ref: FUL/348237/21) for the change of use of ground floor shop (A1) to residential (C3) comprising one apartment, removal of existing shopfront, erection of external stairs and alterations to upper floor level window to form access door;

125 Long Lane – Planning permission (ref: PA/026974/91) for a change of use part of ground floor from office and store into bedrooms. Online records show that this property has been paying Band A Council Tax since 1st April 1993 as a single residential unit;

123 Long Lane – Received planning permission ref: PA/058407/10 for the change of use from florist to children’s private day nursery with ground and first floor extensions;

(121 Long Lane – Application Site);

119 Long Lane – Hair studio – Class E Use – No further permissions;

117 Long Lane – Mixed Use. Planning history includes:

- Change of use to first floor from sun bed shop into residential (Use class C3), and erection of a two storey rear extension (FUL/350614/23);
- FUL/351087/23 - Change of use to first floor from sun bed shop into residential (Use class C3), and erection of a two storey rear extension and a single storey side and rear extension; and,
- FUL/355441/25 - Change of use from Sunbed Shop (Class E) to Launderette (Sui Generis).

3.4 As the above planning uses above show, the application site is located within a small parade containing a mix of commercial and residential properties. The prevailing character of the surrounding area is residential, with the site sharing a boundary with an established children's day nursery.

3.5 The site is unallocated by the Local Plan Proposals Map.

4. THE PROPOSAL

4.1 The proposal seeks planning permission for the change of use of a vacant takeaway unit at ground floor level and the existing residential unit at first floor level to form a 7-bedroom House in Multiple Occupation (HMO) (Sui Generis).

4.2 The proposed accommodation would comprise:

Ground Floor:

Bedroom 1 – 8.4sqm single occupancy (ensuite at additional 1.7sqm);
Bedroom 2 – 8.7sqm single occupancy (ensuite at additional 1.9sqm);
Bedroom 3 – 7.7sqm single occupancy (ensuite at additional 1.9sqm);
Communal kitchen – 12.3sqm; and,
Communal living/dining area – 17.8sqm.

First Floor:

Bedroom 4 – 11.1sqm single occupancy (ensuite at additional 1.7sqm);
Bedroom 5 – 12.5sqm single occupancy (ensuite at additional 1.9sqm);
Bedroom 6 – 11.5sqm single occupancy (ensuite at additional 1.7sqm); and,
Bedroom 7 – 9.2sqm single occupancy (ensuite at additional 1.7sqm).

- 4.3 The property has a rear garden that measures 89.5sqm.
- 4.4 Bin storage is proposed to be standard wheeled bins that will be stored within the curtilage of the site.

5. PLANNING HISTORY

- 5.1 None. However, there was a historic planning application recorded on the Council's system for 121 Long Lane (PA/028681/92) for a change of use from shop with living accommodation to residential which was refused. However, on further inspection this actually relates to 125 Long Lane so is not relevant to the application site.

6. RELEVANT PLANNING POLICIES

- 6.1 The adopted Development Plan is the Joint Core Strategy and Development Management Policies Development Plan Document (referred to as the Local Plan) which formed part of the Local Development Framework for Oldham when it was adopted in 2011. In addition, the Places for Everyone (PfE) Joint Plan was adopted in March 2024 is part of the adopted Development Plan, and so must inform the basis of any decision 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; and,
 - Places for Everyone Policy JP-G8 - A Net Gain to Biodiversity and Geodiversity.

National Planning Policy Framework (August 2026)

7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Environmental Health	Formal response received. No objections to the proposal. Conditions required for soundproofing and acoustic recommendations within the Noise Impact Assessment
Highways	Formal response received. No objections, 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, at the time of writing this report, 64 objections have been received along with 1 neutral representation. An objection has also been received from Jim McMahon MP. The main points of concern raised by representations are summarised below:

Impact on the Adjacent Children's Nursery: (discussed at paragraph 13.3 onwards)

The most frequently raised concern relates to the site's immediate adjacency to The New Play Alma Mater Day Nursery. Objectors consider that a HMO is an inappropriate use alongside a childcare facility and express concerns regarding:

- The safety and wellbeing of children attending the nursery.
- Potential overlooking of the nursery's outdoor play areas from the proposed HMO.
- Loss of privacy for nursery users.
- Concerns regarding safeguarding arising from unrelated adult occupants living immediately adjacent to the nursery.
- Potential impacts on parents' confidence in the nursery, which some respondents consider could affect the viability of the business.

Traffic, Parking and Highway Safety: (discussed at Section 14)

Numerous representations raise concerns regarding existing traffic conditions on Long Lane and surrounding streets. In particular, objectors refer to:

- Existing traffic congestion, especially during peak periods.
- Parking pressures associated with nearby businesses and the nursery.
- The absence of dedicated parking provision for the proposed development.
- Potential overspill parking generated by HMO occupants and visitors.
- Highway and pedestrian safety concerns during nursery drop-off and collection times.

Noise and Disturbance: (discussed at paragraph 13.10)

Objectors consider that the proposed HMO could result in increased levels of activity compared with the previous uses and raise concerns regarding:

- Noise generated by multiple occupants.
- Late night arrivals and departures.
- Increased comings and goings from residents and visitors.
- Potential disturbance to future neighbouring residents and nursery operations.

Character of the Area and Concentration of HMOs: (discussed at Section 11 and 13.18 onwards)

A number of representations state that the proposal would be out of keeping with the character of the locality. Concerns include:

- The perceived over-concentration of HMOs within the wider Chadderton area.

- The introduction of a high-density residential use within a mixed-use area.
- The belief that the proposal would adversely affect the character and appearance of the local area.
- Concerns that the proposal would replace a former commercial use with a use perceived to make a lesser contribution to the local community.

Anti-Social Behaviour and Crime: (discussed at paragraph 13.22)

A significant number of objections reference experiences associated with other HMOs elsewhere in the area and express concerns that the proposal could lead to:

- Anti-social behaviour.
- Alcohol and drug-related activity.
- Increased police involvement.
- Increased crime and feelings of insecurity amongst residents.

Several representations cite concerns based on experiences at other HMO properties within the borough and fear similar issues occurring at the application site.

Residential Amenity: (discussed at Section 13)

Objections also raise concerns regarding the impact on neighbouring residents through:

- Increased activity associated with seven occupants.
- Loss of privacy.
- General disturbance and reduced enjoyment of neighbouring properties.
- Perceived overdevelopment of the site and concerns regarding living conditions for future occupants.

Waste and Refuse Storage: (discussed at paragraph 13.29)

Comments have been received regarding:

- The volume of refuse likely to be generated by seven occupants.
- Potential littering.
- Adequacy of bin storage arrangements.
- Concerns regarding cleanliness and pest infestation.

Impact on Local Businesses: (discussed at Section 17)

Some representations consider that the proposal could have an adverse impact on nearby businesses, particularly the adjacent nursery, through:

- Concerns regarding customer perceptions.
- Potential loss of nursery enrolments.
- Reduced attractiveness of the area for family-oriented businesses.

Property Values: (discussed at Section 17)

A small number of objectors express concern that the development could adversely affect local property values.

Management and Occupancy of the HMO: (discussed at paragraph 17.6)

Several representations question the proposed management arrangements and express concerns regarding:

- The future occupants of the property.
- Whether residents would be appropriately managed.
- Whether assumptions regarding low levels of car ownership are realistic.
- The ability of the Council to monitor compliance with any management commitments made by the applicant.

8.3 The main points of Jim McMahon MP's objection are as follows:

- Over intensive development causing harm to the character of the area.
- Unacceptable impact on neighbouring amenity.
- Highway safety and parking impacts.
- Failure to provide satisfactory living conditions for future occupiers.
- Failure to demonstrate that the proposal would not contribute to harmful concentrations of HMOs.
- Insufficient justification for the loss of an active commercial use.

8.4 Matters raised above will be covered in subsequent sections of this report.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

9.1 The revised National Planning Policy Framework (NPPF) (August 2026) contains a suite of National Decision-Making Policies (NDMPs) which form a material consideration in the determination of planning applications. Central to these policies is the presumption in favour of sustainable development, which seeks to support development proposals that accord with the Development Plan and the relevant NDMPs.

9.2 Policy S3 (Presumption in favour of sustainable development) establishes that planning permission should be granted without delay where proposals comply with both the Development Plan and the decision-making policies of the Framework.

9.3 Section 1a of Policy S3 states that Policy S4 in the Framework should be applied when considering development proposals within settlements. Policy S4 (Principle of development within settlements) states that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

9.4 In applying Policy S4, the circumstances in which the benefits of approving development are likely to be substantially outweighed by adverse effects include (but are not restricted to) situations where the development proposal would:

a) Have a substantial adverse impact in relation to:

- i) The allocation or safeguarding of land or buildings for particular uses in the development plan, unless there is no reasonable prospect of an application coming forward for the allocated use, or there is evidence that the safeguarding is no longer appropriate; or

- ii) The application of the policies in this Framework for existing recreational land and facilities (HC7), Local Green Space (HC8), areas of particular importance for biodiversity and geodiversity (N6), Protected Landscapes (N4) and development within residential curtilages (L2(1)(d)).
 - b) Involve the whole or partial loss of undeveloped land which is used for a cemetery or burial ground; or for water storage and/or flood risk management (unless suitable compensatory provision is made that does not increase the risk of flooding either on or off-site); or,
 - c) Fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.
- 9.5 The application site has operated as a takeaway use for a number of decades and forms part of a small parade of commercial premises along Long Lane. Whilst the proposal would result in the loss of a commercial unit, the premises was vacant and then marketed for sale since April 2024, according to the marketing assessment. The site is situated within a mixed-use row where commercial and residential uses co-exist. The principle of the loss of the takeaway use and its conversion to residential accommodation is therefore considered acceptable, subject to compliance with the relevant development plan policies.
- 9.6 The first floor of the building has historically been used for residential purposes, although there is no recorded planning history detailing the original formation of the residential accommodation. This residential accommodation has 4 bedrooms at first floor, a lounge and a bathroom.
- 9.7 The proposal seeks to utilise both the ground and first floors to create a 7-bedroom House in Multiple Occupation (*sui generis*). The reuse of the vacant building for residential accommodation would bring the property back into active use as it has remained vacant for some time.
- 9.8 The site occupies a sustainable location on Long Lane, within easy walking distance of local shops, services, employment opportunities and public transport links. The site is therefore considered to be in an accessible and sustainable location, having regard to the requirements of Local Plan Policies 3 and 5 and Places for Everyone Policy JP-P1.
- 9.9 Overall, the proposed development is considered acceptable in principle, subject to detailed consideration of its impacts on residential amenity, the character of the area, highway safety, the living conditions of future occupiers, and all other relevant local and national planning policies, which are assessed in the following sections of this report.

10. MARKETING ASSESSMENT

- 10.1 Policy 14 of the DPD sets out that it is important Oldham has a range of sites to support the local economy. Development proposals which would result in the loss of a site currently or most recently used for employment purposes should include measures to outweigh the loss of the site and support Oldham's economy and the regeneration plans of the borough.

- 10.2 The Applicant's marketing statement was submitted at the start of the application and states that the property was most recently used as a takeaway with residential accommodation above and has been actively marketed for sale. They state the marketing evidence demonstrates that the site has been exposed to the open market through recognised commercial property channels, including Rightmove and the agent's website, attracting approximately 35 enquiries, 25 viewings and 9 offers.
- 10.3 The Applicant's marketing statement states that whilst there was a level of interest in the property, none of the initial offers resulted in a completed transaction. The reasons provided included insufficient offer values, withdrawal by prospective purchasers and inability to secure the necessary funding. Importantly, prospective purchasers considered a range of commercial and employment-generating uses, including offices and takeaway uses, but did not proceed due to concerns regarding the building's layout, condition and asking price.
- 10.4 The evidence therefore indicates that there has been an adequate period of marketing and genuine attempts to secure a continuation of employment-related uses. Despite this, no viable commercial operator was secured.
- 10.5 Furthermore, the site is not allocated as a retail or employment designation within the adopted Local Plan Proposals Map (adopted November 2011). Whilst this does not remove the need to consider Policy 14, it reduces the strategic importance of the site in maintaining the Borough's employment land supply.
- 10.6 Policy 14 requires proposals resulting in the loss of employment premises to include measures which outweigh that loss and support Oldham's economy and regeneration objectives. In this case, the proposal would bring a long-marketed and constrained property back into beneficial use. The marketing evidence demonstrates that the premises have failed to secure a viable employment occupier despite extensive marketing and numerous enquiries. The proposed residential use would ensure the continued occupation and maintenance of this vacant building, secure investment in the property, improve the appearance and condition of the site, and contribute towards housing delivery within the borough.
- 10.7 Policy L2: Making effective use of land of the NPPF (August 2026) states that substantial weight should be given to the benefits where a development proposal would achieve one or more of the following:
- a. Remediating despoiled, degraded, derelict, contaminated or unstable land;
 - b. Making better use of vacant and underutilised land and buildings (such as by bringing back into residential use empty homes and other suitable buildings; converting space above shops; redeveloping underutilised retail and business sites; and building on or above service yards, lock-ups, car parks and other transport infrastructure which are no longer required);
- 10.8 The policy also states that new development should:
- a. be consistent with the overall street scene, other than where: it is appropriate to have larger buildings (such as at street corners, or where building upwards would not cause substantial harm to the character of a building and its surroundings); the development would not be visible from the street frontage; or where specific changes are provided for through a design code which forms part of the development plan;

- b. Maintain safe access and egress for occupiers and users, and acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space; and
 - c. Where the development would involve the use of residential curtilages, not occupy more than twice the footprint of all the existing buildings on the site, and, following development, would retain at least 50% of the non-developed area within the curtilage of the existing buildings unless additional development can be accommodated without harm to the overall character of the area, and taking into account the availability of infrastructure and the importance of locating development in sustainable locations (in accordance with Policy TR3).
- 10.9 The proposal would comply with the above points and would also support the local economy through construction activity associated with the conversion works and by increasing the resident population within the area, thereby supporting nearby businesses and services. Given the limited scale of the employment use previously operating from the site, together with the evidence demonstrating that continued commercial occupation is no longer viable, it is considered that the benefits of bringing the property back into productive use outweigh the loss of the former employment use. The proposal is therefore considered to accord with the aims of Policy 14 of the DPD and Policy L2 of the NPPF.

11. HOUSES IN MULTIPLE OCCUPATION ASSESSMENT

- 11.1 Policy 11 of the Oldham Local Plan (2011) states that Houses in Multiple Occupation (HMOs) will only be permitted where it can be demonstrated that the proposal would not have an adverse impact on:
- the character of the local area;
 - the residential amenity of existing and future occupants, or the amenity of nearby workplaces; and,
 - traffic levels or highway safety.
- 11.2 The policy further requires all residential development to be appropriate to its surroundings, accessible to public transport and key services, and aligned with the Council's wider objectives for the area.
- 11.3 The Council's Publication Plan Housing Topic Paper published January 2026 states that, as of the most recently available data, in July 2025 there was estimated to be 384 HMOs in Oldham. This represents a 25% increase from 2020 (306 estimated HMOs). Whilst the increase is not sharp, there has been a consistent increase between 2020 and 2025.
- 11.4 In assessing whether the introduction of an additional HMO would harm the character of the area, it is useful to utilise the policy tool proposed within the draft policy within the Publication version of the council's new Oldham Local Plan (approved by the council for submission for examination in March 2026). The draft policy supports HMOs where they do not result in an undue concentration of such uses and advises that planning permission may be resisted where HMOs would account for 10% or more of properties within a 50m radius of the application site, measured from its centre point. Whilst limited material weight can currently be attributed to the emerging policy (as the examination has only recently commenced and no hearings have taken place yet) the 50m radius assessment is a useful indicator when considering whether the proposal

would contribute to an unacceptable concentration of HMOs in the immediate locality under the current adopted policy.

- 11.5 As is set out in the Publication Plan policy H6, the evidence and the proposed 50m policy relate to all HMOs, including those licenced and unlicensed. The Council have collated the data on all HMOs using a variety of sources including licensing (i.e. licenced HMOs or those pending a licence), council tax, Local Land and Property Gazetteer (LLPG), planning and building control data.
- 11.6 Council monitoring data identifies no existing HMOs within 50 metres of the application site, with the nearest recorded HMO located approximately 74 metres away on Sycamore Avenue. As a result, HMOs currently represent 0% of properties within the 50-metre assessment area, indicating that the proposal would not contribute to an undue concentration of HMOs in the immediate locality.
- 11.7 The proposed layout and accommodation of the proposed 7-bed HMO would provide an acceptable standard of living for future residents and complies with the Council's HMO Standards document (October 2010) which is confirmed by Officer's and the Environmental Health department. There is no substantive evidence to suggest that the use would give rise to unacceptable levels of noise, disturbance, traffic generation, or other impacts detrimental to the character and appearance of the area, compared to the existing use as a takeaway with a residential unit above. The proposal would also make effective use of the existing building stock and contribute towards meeting local housing needs through the provision of flexible and affordable accommodation.

Yew Tree House, Sycamore Avenue, Chadderton:

- 11.8 Several objections have raised concerns with a building known as Yew Tree House, Sycamore Avenue, Chadderton which is approximately 135 metres away. Objectors state issues relating to anti-social behaviour, criminal behaviour and general disturbance from this building. This property has the following relevant planning history:

PA/337269/15 - 1) Change of use of care home to house of multiple occupancy 2) Single storey rear extension 3) Rear dormer (resubmission of PA/335769/14). Recommended for approval, however Planning Committee overturned the decision and refused the application on highway safety grounds. The decision was appealed to the Planning Inspectorate and was allowed on appeal.

PA/337911/15 - Change of use from a nursing home for the elderly to a residential institution for adult supported living accommodation – Refused on highway safety grounds. Recommended for approval, however Planning Committee overturned the decision and refused the application on highway safety grounds.

PA/335769/14 - 1) Change of use of care home to house of multiple occupancy 2) Single storey rear extension 3) Rear dormer. Recommended for approval, however Planning Committee overturned the decision and refused the application on highway safety grounds.

CL/337621/15 - Certificate of Lawfulness for proposed use of the premises as a Residential Institution (Class C2) – Withdrawn

- 11.9 The Council's Community Safety Team have been contacted about the claims of anti-social behaviour, criminal behaviour and disturbance and the team have confirmed that no reports or complaints of anti-social behaviour relating to either Long Lane or

Sycamore Avenue have occurred to date, either specifically directed at this address or more generally within those locations.

- 11.10 In addition to this, the Council's Temporary Accommodation team have stated that the building is currently used for temporary accommodation and residents are placed here through the Council's Homeless Register.
- 11.11 Consequently, the existing temporary accommodation use at Yew Tree House is not the same form of accommodation as proposed in this application, has not been the subject of reported anti-social behaviour, criminal behaviour and general disturbance, and a comparison between the two properties carries limited relevance when considering the potential concentration and impact of HMOs in the area. It is an important central tenet of the English Planning system that each application must be assessed on its own planning merits, and so alleged disturbance related to a separate property in the area is not relevant to the application at hand.

12. DESIGN AND APPEARANCE

- 12.1 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.
- 12.2 The proposed alterations to remove the shop front with a bricked elevation with new windows will enhance the appearance of the site and will match similarly to existing residential properties along the road. In addition, the removal of the roller shutters will promote an active street presence.
- 12.3 Minor alterations are proposed to the side elevation with a new entrance door to be installed, the removal of a ground floor side facing window and the replacement of 2 rear ground floor windows with one singular window.
- 12.4 Overall, based on these limited changes, the proposed development is considered acceptable and complies with Policy JP-P1.

13. RESIDENTIAL AMENITY

- 13.1 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.
- 13.2 Policy 11 of the Oldham Local Plan (2011) states that new residential development, including 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.

Impact on the Adjacent Children's Nursery:

- 13.3 A significant number of representations raise concerns regarding the site's proximity to The New Play Alma Mater Day Nursery next door, including issues relating to safeguarding, child welfare, privacy, overlooking and the potential impact on the nursery's operation.
- 13.4 These concerns have been carefully considered. However, there is no policy within either the Oldham Local Plan (2011) or Places for Everyone (2024) that restricts the siting of a House in Multiple Occupation adjacent to a nursery or childcare facility. This is because there is no substantive evidence to demonstrate that HMOs, as a planning use, inherently give rise to safeguarding, security or child welfare concerns.
- 13.5 Furthermore, the planning system assesses the acceptability of the use rather than the personal characteristics of potential occupants. As such, assumptions regarding who may reside within the proposed HMO, or the perceived implications arising from this, are not material planning considerations.
- 13.6 In addition, it is relevant that the application property has had a residential use at first floor level for many years, and so the change from this to another form of residential use (an HMO) cannot be said to be increasing the opportunities to overlook the nursery property simply because it is proposed to be in a residential use.
- 13.7 The proposal does not involve the insertion of new rear-facing windows, therefore there is no increase in opportunities for overlooking of the adjoining nursery or its outdoor play areas. The relationship between the two sites would therefore remain broadly unchanged from the existing situation, and it is not considered that the development would give rise to a harmful loss of privacy for nursery users.
- 13.8 Concerns regarding potential impacts on parental confidence in the nursery and the consequent effect on the viability of the business are acknowledged. However, such concerns are speculative in nature and have not been substantiated by evidence. Planning decisions must be based on demonstrable impacts rather than perceptions of future occupiers or assumptions regarding the operation of neighbouring uses.
- 13.9 Overall, having regard to the nature of the proposed use, the absence of any material changes to the existing relationship between the sites, and no policy restriction on residential use adjacent to Class E uses, it is considered that the proposal would not result in unacceptable harm to the amenities of the adjoining nursery or prejudice its continued operation.

Noise and Disturbance:

- 13.10 Several objections raise concerns that the proposed HMO could result in increased noise and disturbance arising from multiple occupants, including increased comings and goings, visitor activity and late-night arrivals and departures. Concerns have been raised vice versa of nursery children causing excess noise to future residents.
- 13.11 These concerns are acknowledged. The proposal relates to a proposed HMO within an existing mixed use commercial and residential area and the level of activity associated with the use is not considered likely to differ significantly from that which could reasonably be expected from a dwellinghouse occupied by a family or the existing residential accommodation with 4 bedrooms. Whilst some limited increase in comings

and goings from the HMO compared to the current residential unit may occur, there is insufficient evidence to conclude that the proposal would result in unacceptable noise, disturbance or harm to the amenities of neighbouring occupiers or the adjacent nursery, especially when the removal of the takeaway use is factored into this (businesses which do see far more coming and goings than a residential property and typically in the evening). Furthermore, it is recognised that a nursery itself can generate a degree of noise and activity, particularly from outdoor play areas, which is characteristic of the established use of the site.

- 13.12 A submitted Noise Impact Assessment (NIA) by Peak Acoustics, has been undertaken at 121 Long Lane, in relation to the proposed change of use of the building to a 7-bed HMO. Environmental noise monitoring was carried out at the site between Monday 2nd and Tuesday 3rd March 2026 to establish the existing acoustic environment. The assessment identified road traffic associated with the nearby M60 motorway as the dominant noise source affecting the development, together with additional contributions from local commercial uses, including the adjacent day nursery.
- 13.13 The NIA states that *“on the basis of the Stage 1 ProPG assessment, the site is considered to fall within the Medium Risk category and has therefore been subject to a detailed Stage 2 assessment. That assessment has considered the prevailing acoustic environment, the constraints of the existing building, and the scope for good acoustic design. Whilst opportunities for mitigation through site layout and room orientation are limited, appropriate acoustic design measures have been identified through the specification of the building envelope, glazing and ventilation strategy”*.
- 13.14 The NIA sets out that subject to the implementation of the sound insulation scheme as set out in their report, the proposed habitable rooms are considered capable of achieving the relevant BS 8233 internal guideline values for daytime and night-time periods. In addition, whilst the rear external amenity area would remain affected by transportation noise and would not provide a tranquil environment, it is considered to offer an acceptable standard of amenity in the context of the site and the wider mixed-use locality.
- 13.15 The assessment of nursery outdoor play noise indicates that activity associated with the adjoining day nursery would form an intermittent and localised component of the prevailing daytime acoustic environment, rather than the dominant source of noise affecting the development. On that basis, nursery activity is not considered likely to give rise to a significant adverse effect on the amenity of future occupiers or to render the proposed residential use unsuitable in planning terms.
- 13.16 The NIA states *“given the shared party wall with the adjoining day nursery/commercial unit, enhanced airborne sound insulation is likely to be required in order to protect future occupiers from noise associated with the adjacent unrestricted Class E use. At this stage, however, the precise nature and extent of any upgrade works cannot be confirmed until details of the existing wall construction have been provided. Upon receipt of this information, the suitability of the existing separating construction will be reviewed and, where necessary, additional acoustic treatment will be specified in order to secure an appropriate standard of internal amenity”*.
- 13.17 In order to secure the above matters in relation to the NIA, relevant planning conditions are proposed to ensure that the level of sound insulation is acceptable. The Council's Environmental Health department have not raised objection to this.

Character of the Area and Concentration of HMOs:

- 13.18 Several representations also object to the proposal on the grounds that it would be out of character with the area and would contribute to an over-concentration of HMOs within Chadderton.
- 13.19 These concerns have been considered. However, as referenced in Section 11 of this report, Council data demonstrates that there is not an existing over-concentration of HMOs within the 50m locality, therefore maintaining the character of the area. In addition, the proposal would not result in significant external alterations to the building and would therefore have a limited visual impact on the character and appearance of the area.
- 13.20 Whilst concerns have been raised regarding the loss of the former commercial use, the planning system does not seek to retain such uses in all circumstances, and the acceptability of the proposal must be assessed against relevant planning policy and material planning considerations.
- 13.21 Having regard to the scale and nature of the proposal, it is considered that the development would not adversely affect the character of the area or result in an unacceptable concentration of HMOs.

Anti-Social Behaviour and Crime:

- 13.22 Several objections raise concerns that the proposed HMO could lead to anti-social behaviour, alcohol or drug-related activity, increased crime, and a greater demand on police resources. Several representations also cite experiences associated with other HMOs elsewhere in the borough.
- 13.23 These concerns are acknowledged. However, the planning system assesses the land-use impacts of a proposal rather than the behaviour of potential occupants. There is no evidence before the Local Planning Authority to demonstrate that the proposed HMO would, by virtue of its use alone, result in anti-social behaviour, criminal activity, or increased demands on police services. Furthermore, concerns based on experiences at other properties cannot reasonably be attributed to this proposal and carry limited weight in the assessment of the application.
- 13.24 Any instances of anti-social behaviour or criminal activity would be matters for the police and other regulatory bodies and are not, in themselves, grounds to resist a planning application. As such, these concerns do not indicate that the proposed development would result in unacceptable planning harm. Furthermore, the Council's Community Safety Team have stated that no reports of anti-social behaviour have been received on Long Lane, Sycamore Avenue or within the immediate vicinity.

Impact on Residential Amenity:

- 13.25 Several objections raise concerns regarding the potential impact of the proposed HMO on neighbouring residents, including increased activity associated with up to seven occupants, loss of privacy, general disturbance, and the perceived overdevelopment of the site.
- 13.26 These concerns have been carefully considered. The proposal would utilise an existing building and does not involve extensions or alterations that would materially increase

opportunities for overlooking neighbouring properties. As such, it is not considered that the development would result in a harmful loss of privacy.

- 13.27 Whilst the occupation of the property by multiple residents may result in an increase in day-to-day comings and goings compared to the existing residential unit, it is unlikely that it would be in excess of the coming and goings of a takeaway (as currently permitted at this property), especially in the evening. The level of activity generated is not considered likely to result in unacceptable noise, disturbance, or loss of amenity to neighbouring occupiers. The proposed accommodation has also been assessed in respect of the living conditions of future residents and is considered capable of providing an acceptable standard of residential amenity.
- 13.28 Accordingly, the proposal is not considered to represent an overdevelopment of the site and would not result in unacceptable harm to the amenities of neighbouring occupiers or future residents.

Waste and Refuse Storage:

- 13.29 Several objections raise concerns regarding the volume of refuse likely to be generated by up to seven occupants, the potential for littering, the adequacy of bin storage arrangements, and the risk of cleanliness issues or pest infestation.
- 13.30 These concerns are acknowledged. However, waste generation is an expected consequence of residential occupation and can be appropriately managed through the provision of suitable refuse and recycling storage facilities. The application includes designated bin storage arrangements and there is no evidence to indicate that the scale of the proposed HMO would generate waste that could not be accommodated within the site. The Applicant states that it is intended to seek Council waste storage such as wheeled bins or further commercial bins. This can be reserved to condition for further details to be approved.
- 13.31 Concerns relating to littering, property maintenance, cleanliness, and potential pest infestation are largely management issues rather than matters arising directly from the proposed use. Such matters can be addressed through environmental health and waste management legislation where necessary and do not, in themselves, justify the refusal of planning permission.
- 13.32 Accordingly, it is considered that the proposal can provide adequate waste storage arrangements and would not result in unacceptable impacts on the amenity of neighbouring occupiers in respect of refuse or waste management.
- 13.33 Given the above assessment, it is considered that the proposed development complies with Policy 9.

14. PARKING AND HIGHWAY SAFETY

- 14.1 Policy 9 (Local Environment) of the Oldham Local Plan states that the Council will ensure development minimises traffic levels and does not harm the safety of road users. Policy JP-C8 (Transport Requirements of New Development) of the PfE Plan states new development is required to be located and designed to enable and encourage walking, cycling and public transport use, to reduce the negative effects of car dependency, and help deliver high quality, attractive, liveable and sustainable environments. Lastly, Policy TR4 (Street Design, Access and Parking) of the NPPF (2026) states that proposals should give priority first to walking, wheeling and cycle

movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating easy access to high-quality public transport, with layouts and densities which maximise the catchments for bus or other public transport services.

- 14.2 Several representations raise concerns regarding existing traffic conditions in the area, including congestion, on-street parking pressures, the absence of dedicated parking provision, potential overspill parking from residents and visitors, and highway safety during nursery drop-off and collection periods.
- 14.3 These concerns have been carefully considered. However, the proposal relates to the change of use of an existing building with a lawful use as a hot-food takeaway with residential above and is not considered likely to generate a significant increase in traffic movements when compared with the lawful use of the site as a takeaway or the adjacent children's nursery and its own generation of drop off and pick up. Whilst some demand for on-street parking may arise, there is no evidence to demonstrate that the proposal would result in severe residual impacts on the local highway network or give rise to unacceptable highway safety concerns.
- 14.4 The development site does not benefit from any off-road parking; however, the site is located within an established urban area with access to local services, facilities and public transport options, reducing reliance on private car travel. Furthermore, concerns regarding existing parking pressures and congestion associated with surrounding uses, including the adjoining nursery and nearby businesses, are existing conditions that cannot reasonably be attributed to the proposed development.
- 14.5 Having regard to the scale and nature of the proposal, the Council's Highways Engineer has raised no objections to the proposal, subject to a condition for secure cycle storage details. As such, the development would not result in unacceptable impacts on highway safety or result in significant demand for parking or traffic generation, therefore complying with Policy 9.

15. BIODIVERSITY NET GAIN

- 15.1 Policy JP-G8 (A Net Gain to Biodiversity and Geodiversity) of the PfE Plan and Policy N2 (Improving the natural environment) of the NPPF (2026) require new development to enhance biodiversity and the natural environment.
- 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 This development is exempt from the requirements of Biodiversity Net Gain as the proposed development does not result in any extensions or new hard surfacing covering more than 25sqm. To achieve a gain to biodiversity, a condition for a bat and bird box are to be recommended. As such, it is considered that the proposal complies with Local Plan Policy 21 and PfE Policy JP-G8.

16. ENERGY AND SUSTAINABILITY

- 16.1 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.
- 16.2 A condition is included within the recommendation for an energy statement to be provided prior to occupation of the HMO. 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.

17. OTHER MATTERS

- 17.1 The objections raise several other matters that are considered below:

Impact on Local Businesses:

- 17.2 Several representations raise concerns that the proposed HMO could adversely affect nearby businesses, particularly the adjoining nursery, through impacts on customer perception, potential reductions in enrolment levels, and a perceived reduction in the attractiveness of the area for family-oriented businesses.
- 17.3 These concerns are acknowledged; however, there is no substantive evidence to demonstrate that the proposed use would adversely affect the operation, viability or patronage of neighbouring businesses. The proposal relates to a residential use within an existing building and would not introduce activities that are inherently incompatible with the surrounding mix of uses, considering the immediate area is predominantly residential.
- 17.4 Concerns regarding how the presence of an HMO may be perceived by customers or service users are inherently subjective and speculative in nature. Planning decisions must be based on demonstrable proposed use impacts rather than assumptions regarding future occupiers or perceptions of a particular form of residential accommodation. Accordingly, there is insufficient evidence to conclude that the proposal would have an adverse impact on the operation or viability of nearby businesses, including the adjoining nursery, and the objection is afforded limited weight.

Property Values:

- 17.5 A small number of representations raise concerns that the proposed HMO could have a negative effect on local property values. Whilst these concerns are noted, the impact of a development on private property values is not a material planning consideration and cannot be considered in the determination of a planning application. Planning decisions must be based on relevant planning policies and impacts of a proposal rather than its potential effect on the value of neighbouring properties. As such, this matter carries no weight in the assessment of the planning application.

Management and Occupancy of the HMO:

- 17.6 Several representations raise concerns regarding the management of the proposed HMO, including the nature of future occupiers, the effectiveness of management

arrangements, assumptions relating to car ownership levels, and the Council's ability to monitor compliance with any commitments made by the Applicant.

- 17.7 These concerns are acknowledged. However, the planning system considers the acceptability of the proposed land use rather than the personal characteristics of future occupants. It would therefore be unreasonable to make assumptions regarding the behaviour, lifestyle or vehicle ownership of prospective residents.
- 17.8 The application must be assessed based on the proposed use and the information submitted. Should planning permission be granted, any conditions attached to the consent would be enforceable by the Local Planning Authority where they meet the relevant legal tests. Separate licensing regimes may also apply to the operation and management of HMOs, providing additional oversight where required.
- 17.9 Concerns regarding the future management of the property and compliance with management commitments are therefore afforded limited weight in the planning balance. There is no evidence before the Local Planning Authority to indicate that the proposed use could not be satisfactorily managed or that it would give rise to unacceptable planning harm.
- 17.10 The Applicant has provided a draft Management Plan setting out the measures that would be implemented to ensure the effective operation and management of the HMO. This includes arrangements for landlord contact details, property maintenance, waste management, reporting procedures for nuisance or anti-social behaviour, and regular inspections of the property.
- 17.11 Whilst a Management Plan cannot control the personal characteristics or behaviour of individual occupants, it demonstrates that appropriate measures would be in place to support the day-to-day management of the property and minimise potential impacts on neighbouring occupiers. Furthermore, the operation of the HMO would be subject to separate licensing and regulatory controls where applicable.
- 17.12 On this basis, it is considered that there is no substantive evidence to suggest that the proposed HMO could not be satisfactorily managed or that it would give rise to unacceptable planning harm. As such, the concerns raised are afforded limited weight. Given the above assessment, it is considered that the proposed development complies with Policy 9.

18. Jim McMahon MP – Objection Letter

- 18.1 An objection has been received from local Member of Parliament Jim McMahon (hereafter referred to as the MP) expressing concern about the cumulative impact of HMOs on neighbourhood character, residential amenity and the quality of the built environment. Reference is made to the increasing number of HMOs within the borough, the recently introduced Article 4 Direction, the Housing Delivery Interim Planning Position Paper (2025), relevant policies within the Places for Everyone Plan (2024), and the National Planning Policy Framework. The representation contends that the proposal has not demonstrated compliance with policy requirements relating to local character, amenity and highway impacts and therefore considers that planning permission should be refused. The objection has been broken down into 6 points:

Over-intensive development causing harm to the character of the area:

- 18.2 The MP states that the proposal represents an over-intensive form of residential development that would be out of keeping with the scale, character and function of the surrounding area. Concerns are raised that the proposed seven-bedroom HMO would result in a greater intensity of occupation and activity than the existing use and surrounding properties, adversely affecting local character and residential amenity.
- 18.3 The representation also contends that, unlike previous residential conversion schemes within the parade, the proposed front elevation fails to respect the proportions, fenestration and architectural appearance of adjoining properties, resulting in a design that does not positively contribute to the street scene. It is argued that the proposal would further erode the architectural cohesion of the parade and contribute to the incremental loss of its original character.
- 18.4 Reference is made to Policy 11 of the Oldham Local Plan, relevant provisions of the National Planning Policy Framework relating to well-designed places, and Policies JP-P1, JP-D1 and JP-S1 of the Places for Everyone Plan. The MP considers that the proposal conflicts with these policies and should therefore be refused.

LPA Comments:

The concerns raised are noted. However, as noted in previous sections in this report, it is considered that the proposal would not result in an over-intensive form of development that would cause unacceptable harm to the character of the area. The proposed change of use would take place within an existing building envelope and would not materially alter the scale, massing or footprint of the property. Whilst the occupation levels associated with a seven-bedroom HMO are likely to differ from those of the existing use, the site is located within a mixed-use neighbourhood parade where a degree of activity and comings and goings is already characteristic of the area.

With regard to design, limited external alterations are proposed. Whilst the introduction of a residential frontage would alter the appearance of the unit, the changes are not considered so significant as to result in unacceptable harm to the character or visual amenity of the parade when viewed within the context of previous changes that have occurred within the locality. The proposal would retain the overall form and appearance of the existing building and is not considered to appear incongruous within the street scene.

The impact of the proposal on the character of the area, residential amenity and design quality has been assessed against the relevant Development Plan policies and material considerations elsewhere within this report. Subject to that assessment, the proposal is not considered to cause demonstrable harm that would warrant refusal on the grounds identified by the representation.

Unacceptable impact on neighbouring amenity:

The MP states that the proposal would have an unacceptable impact on neighbouring amenity. It is argued that the proposed seven-bedroom HMO would result in a significantly greater intensity of occupation than the existing use, leading to increased comings and goings, noise, refuse generation and general disturbance affecting nearby residents and the adjoining nursery.

Particular concern is raised regarding the relationship with the neighbouring children's nursery, including the potential for overlooking of outdoor play areas, conflicts between

residential occupiers and the established operation of the nursery, and the absence of an assessment of the impact of the intensified residential use on this adjacent community facility.

The representation also raises concerns regarding refuse storage and servicing arrangements and considers that the proposal has failed to demonstrate that it would not adversely affect neighbouring amenity. Reference is made to Policy 11 of the Oldham Local Plan, relevant provisions of the National Planning Policy Framework relating to healthy and safe communities and residential amenity, and Policies JP-P1 and JP-D1 of the Places for Everyone Plan. The MP considers that the proposal conflicts with these policies and should therefore be refused.

LPA Comments:

The concerns raised are noted. However, it is not considered that the proposal would give rise to an unacceptable impact on neighbouring amenity sufficient to warrant refusal of planning permission.

Whilst a seven-bedroom HMO is likely to generate a greater level of activity than a single dwellinghouse, the site is located within an established mixed-use area comprising residential properties, commercial premises and a children's nursery. As such, a degree of activity, visitor movement and associated noise is already characteristic of the locality. There is no substantive evidence that the proposed use would generate levels of noise, disturbance or activity significantly beyond those typically associated with an HMO of this scale.

Regarding the relationship with the neighbouring nursery, the proposal does not involve significant alterations to the building envelope or the introduction of new window openings that would result in unacceptable overlooking of the nursery's outdoor areas. Furthermore, the nursery operates within an established mixed-use environment and there is no evidence to suggest that the proposed use would prejudice its continued operation.

Details of refuse storage have been submitted as part of the application and can be secured and managed through appropriate planning conditions where necessary. Environmental Health Officers have been consulted on the proposal and any potential impacts arising from noise, refuse or general disturbance have been assessed as part of the application process.

Having regard to the site's context and the nature of the proposed use, it is not considered that the development would result in unacceptable harm to the amenities of adjoining occupiers or nearby community facilities. The proposal is therefore considered to accord with the relevant requirements of Policy 11 of the Oldham Local Plan, Policies JP-P1 and JP-D1 of the Places for Everyone Plan, and the amenity objectives of the National Planning Policy Framework.

Highway safety and parking impacts:

The MP states the proposal would intensify occupation without adequately demonstrating that existing parking provision and highway capacity can safely accommodate the additional demand. A seven-bedroom HMO, together with visitors, servicing and deliveries is capable of generating significantly greater parking demand than the existing lawful use. The application proposes no off-street parking provision and provides no evidence to demonstrate that this absence of parking would not adversely affect the surrounding highway network.

The MP states the application contains no Parking Survey, Transport Assessment or assessment of existing parking demand to demonstrate that the proposal would not adversely affect highway safety or traffic conditions, as required by Policy 11 of the Oldham Joint Core Strategy.

Furthermore, the MP states that the applicant has failed to demonstrate, as required by paragraph 115(b) of the National Planning Policy Framework that safe and suitable access can be achieved for all users. Paragraph 116 requires decision makers to ensure development does not result in unacceptable impacts on highway safety.

The application appears to assume that future occupants will rely primarily on walking, cycling and public transport. However, no evidence has been submitted regarding anticipated levels of car ownership, the availability of on-street parking or the cumulative impact on surrounding highway conditions. This is of particular concern given the existing demand for parking associated with the adjoining children's nursery, neighbouring commercial premises and existing residential properties, all of which rely upon the same limited on-street parking bays. In the absence of such evidence, the Local Planning Authority cannot reasonably conclude that the proposal complies with Policy 11 of the Joint Core Strategy or with paragraphs 115(b) and 116 of the National Planning Policy Framework. Places for Everyone Policy JP-T1 (Sustainable and Integrated Transport Network) reinforces the requirement for development to demonstrate safe access, appropriate parking and no adverse impact on the transport network.

LPA Comments:

The traffic generated by HMOs is considered to be low. Similarly, car ownership levels of HMO residents are considered to be low. Transport Assessments and parking surveys are only required where a significant amount of traffic is likely to be generated. The provision of a seven bedroomed HMO does not fall into this category. For reference, the submission of a Transport Assessment is generally considered necessary when a development exceeds 50 dwellings (or where there would otherwise be considered that a significant impact on the local or strategic highway network would occur).

The Highways Engineer has stated that it is acknowledged that local residents and business owners will have concerns about a perceived increase in the demand for on street parking. There are no national or local car parking standards and given that there will not be a significant or adverse impact on the network as a result of additional parking or traffic generation, future residents of the HMO would be required to find a safe and legal place to park, if required, in the same way as all other users of the highway in the area.

An assessment was made of the sustainability of the area. There is access to public transport within walking distance, along with access to a wide range of amenities within walking and cycling distance.

Failure to provide satisfactory living conditions for future occupiers:

The MP states that Oldham Council's report Update on Proposed Planning Policy for Houses in Multiple Occupation (November 2025) recognises the importance of ensuring that HMOs provide a decent standard of accommodation and do not contribute to overcrowding. The objective is particularly relevant to larger sui generis

HMOs, where the intensity of occupation has the potential to place significant pressure on shared facilities and communal living space.

The MP states the application identifies seven letting rooms together with some details on room sizes, but it provides limited information regarding the anticipated occupancy levels or whether the proposed communal facilities have been designed to accommodate the likely intensity of occupation. The adequacy of the communal living space and kitchen facilities in particular comes into question when reviewing the proposed floorplan, with the kitchen being a similar measured size to all four of the first-floor bedrooms, with Bedroom 5 exceeding the size of the kitchen. Similarly, no robust assessment has been made of the proposed refuse storage, cycle storage, external amenity space or other shared facilities necessary to support a development of this scale.

The MP states whilst planning permission is sought for a seven-bedroom HMO, it is increasingly common for HMOs within the Borough to accommodate couples and, in some cases, households placed in temporary accommodation, resulting in occupation levels that exceed the simple number of bedrooms. This is reflected in the proposed floorplan of the application, whereby three of the first-floor bedrooms exceed the minimum room size prescribed for two-person occupancy under the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018. The applicant has provided no evidence to demonstrate that the proposed accommodation would continue to provide an acceptable standard of living should rooms be occupied by more than one person, or that the communal facilities can support that level of occupation without creating overcrowded or substandard living conditions.

Lastly, the MP states that the proposal has not demonstrated that it would provide a high-quality residential environment for future occupiers. Insufficient evidence has been provided to show that the scale and nature of the HMO would contribute positively to a balanced and sustainable community. The Local Planning Authority cannot be satisfied that the development would avoid the creation of poor-quality accommodation or support the Council's objective of improving housing standards. Concerns are informed by local experience of similar forms of accommodation within the Borough. The proposal is considered inconsistent with the aims of Places for Everyone Policy JP-H1 and the National Planning Policy Framework, which seek to secure high-quality, healthy, safe and inclusive living environments with a high standard of amenity for future residents.

LPA Comments:

The concerns raised are noted and have been carefully considered. The proposed accommodation has been assessed against the Council's adopted development plan policies, relevant HMO housing standards and other material considerations.

The submitted plans identify seven bedrooms together with shared kitchen and communal facilities. Whilst concerns have been raised regarding potential occupancy levels, planning permission is sought for a seven-bedroom HMO and the application must be assessed on the basis of the use proposed. The number and size of the bedrooms, together with the communal accommodation provided, are considered sufficient to support the proposed level of occupation. Matters relating to HMO licensing, occupancy limits and compliance with licensing standards are subject to separate legislation and controls outside the planning system.

It is acknowledged that some bedrooms exceed the minimum standards for two-person occupation under HMO licensing legislation. However, there is no evidence before the Local Planning Authority that the property would operate at a significantly greater occupancy level than that reasonably associated with a seven-bedroom HMO. Furthermore, the proposal does not seek consent for a larger number of occupants, and it would be unreasonable to consider speculative assumptions regarding future occupation patterns.

The application also includes details of refuse and cycle storage provision. Having regard to the scale of the development and the site's sustainable location within the urban area, it is not considered that the proposal would result in an unacceptable standard of accommodation for future occupiers. The adequacy of living conditions has been assessed in the context of the accommodation proposed and the supporting facilities available within the development.

Whilst the emerging Update on Proposed Planning Policy for Houses in Multiple Occupation (November 2025) carries limited weight as a material consideration, the objectives of securing good quality accommodation and avoiding overcrowding have been taken into account. On balance, the Local Planning Authority is satisfied that the proposal would provide acceptable living conditions for future occupiers and there is insufficient evidence to conclude that it would result in overcrowded, substandard or poor-quality accommodation.

Accordingly, the proposal is not considered to conflict with the objectives of the National Planning Policy Framework or Places for Everyone Policies JP-H1 and JP-D1 in respect of securing a satisfactory standard of residential amenity for future residents.

Failure to demonstrate that the proposal would not contribute to harmful concentrations of HMOs:

The MP states that no assessment has been provided of the cumulative impact of the proposed HMO in the context of existing HMOs within the surrounding area. The applicant has failed to demonstrate that the development would not contribute to an over-concentration of HMOs or harm the character, amenity and social balance of the neighbourhood. Reference is made to Oldham Council's borough-wide Article 4 Direction, which reflects the Council's concerns regarding the cumulative impacts of HMO proliferation and the need for closer planning scrutiny. The application does not provide evidence on the number, location or distribution of existing HMOs in the locality, preventing a full assessment of the proposal's effect on community balance and sustainability. As a result, there is insufficient information to conclude that the development would support the creation of a balanced and sustainable community or accord with emerging Draft Policy H6, Places for Everyone Policy JP-S1, and the objectives of the National Planning Policy Framework.

LPA Comments:

The concerns raised are noted. However, there is currently no adopted local planning policy that establishes threshold limits or separation distances for HMOs within Oldham against which the proposal can be assessed. Whilst reference is made to the Council's Article 4 Direction and emerging Draft Policy H6, these measures primarily reflect the Council's intention to exercise greater control over future HMO development and carry limited weight at this time. Notwithstanding this, an assessment of HMOs within a 50m radius has been undertaken in previous sections of this report and concludes that, with zero HMOs in this radius, there would not be an over-concentration of HMOs as a result of this proposal.

Accordingly, having regard to the evidence available, the proposal is not considered to result in a harmful concentration of HMOs or conflict with the objectives of the National Planning Policy Framework or Places for Everyone Policy JP-S1. The weight that can be afforded to emerging Draft Policy H6 is limited, but even if it was given full weight, the conclusion would be the same, and it does not, in this instance, justify withholding planning permission.

Insufficient justification for the loss of an active commercial use:

The MP states that insufficient evidence has been provided to justify the loss of an active commercial unit within an established neighbourhood shopping parade. Although reference is made to a marketing exercise, no supporting evidence has been submitted to demonstrate that the premises is no longer viable or that alternative commercial uses have been fully explored.

Concerns are raised regarding the cumulative loss of commercial frontages, which is considered to erode the vitality, viability and original function of the neighbourhood shopping parade. Previous residential conversions have already reduced the continuity of active commercial uses, and the proposal would further weaken the local service offer.

The development is also considered likely to increase pressure on limited on-street parking and contribute to a fragmented appearance through the loss of a commercial frontage, to the detriment of the character and coherence of the parade.

LPA Comments:

The concerns raised are noted. The application has been assessed having regard to the relevant planning policies relating to the retention of employment and commercial uses, the vitality and viability of local centres, and the overall planning merits of the proposal.

A marketing assessment was submitted in support of the application and has been reviewed by the Local Planning Authority. Whilst this information has not been published in full due to its commercially sensitive nature, it has been taken into account in the assessment of the application. The submitted evidence indicates that the premises has been actively marketed and that there has been limited demand for its continued occupation in its existing form. On this basis, the Local Planning Authority is satisfied that reasonable steps have been taken to explore the retention of a commercial use.

It is acknowledged that the proposal would result in the loss of a commercial unit within the neighbourhood parade. However, the parade would continue to retain a number of active commercial and community uses, and it is not considered that the loss of this individual unit would undermine the overall vitality, viability or function of the local centre, given the parade has not been allocated for employment or retail purposes in the current local plan, adopted in 2011.

The potential cumulative effects arising from previous changes of use within the parade have been considered. Whilst there has been some reduction in commercial frontage over time, the parade continues to provide a range of local services and there is insufficient evidence to conclude that the proposal would result in unacceptable harm to its overall character or operation.

Parking impacts are considered elsewhere within this report. Having regard to the scale and nature of the proposal, it is not considered that the development would give rise to severe highway impacts or unacceptable pressure on parking provision. Similarly, whilst the proposal would alter the appearance of the unit from a commercial to a residential frontage, the external changes are relatively limited and are not considered to cause significant harm to the visual character or coherence of the parade.

Overall, the Local Planning Authority is satisfied that sufficient justification has been provided for the proposed change of use and that the development would not result in unacceptable harm to the vitality and viability of the local centre or the character of the surrounding area.

19. CONCLUSION

- 19.1 The proposal seeks to bring a long-vacant former takeaway and associated residential accommodation back into beneficial use through conversion to a 7-bedroom HMO in a sustainable location close to local services and public transport. The submitted marketing evidence demonstrates that reasonable efforts have been made to secure continued commercial use without success, and it is therefore considered that the benefits of reusing the building outweigh the loss of the former commercial premises.
- 19.2 The proposal would not result in an over-concentration of HMOs, with Council monitoring data confirming no existing HMOs within a 50m radius of the site, and the limited external alterations are not considered harmful to the character or appearance of the area. The development would provide an acceptable standard of accommodation for future occupiers and, subject to conditions relating to noise mitigation, cycle storage, waste storage, biodiversity enhancements and energy efficiency measures, would not result in unacceptable impacts on neighbouring amenity, the operation of the adjacent nursery, highway safety, parking provision or the vitality and viability of the local centre.
- 19.3 Having regard to relevant development plan policies within the Oldham Local Plan, the Places for Everyone Plan and the National Planning Policy Framework, the proposal is considered acceptable and is recommended for approval subject to conditions.

20. 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. Construction works associated with the development hereby permitted shall only take place between the hours of 08:00 and 17:00 Monday to Friday and between 09:00 and 13:00 on Saturdays. No construction works, including deliveries, plant operation or other activities associated with the development, shall take place on Sundays or Bank/Public Holidays. REASON - In the interests of the amenities of nearby occupiers and to minimise noise and disturbance arising from construction activities, in accordance with Policy 9 of the Oldham Local Plan.

4. 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.
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 development hereby approved shall be carried out in full accordance with the glazing and ventilation specifications and mitigation measures as detailed within the submitted Noise Impact Assessment (Ref. 2002265), prepared by Peak Acoustics dated 31 March 2026. The mitigation measures shall thereafter remain for the life of the development. REASON - To ensure future occupiers are afforded an acceptable standard of residential amenity having regard to Policy 9 of the Oldham Local Plan.
7. Prior to first operation of the new use, one bat and one bird box 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):



This page is intentionally left blank

PLANNING COMMITTEE – BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING

PLANNING APPLICATIONS AND LISTED BUILDING CONSENT APPLICATIONS

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

THE BACKGROUND PAPERS

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

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

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

www.oldham.gov.uk

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

0161 770 4105 / Planning@oldham.gov.uk

ADDITIONAL BACKGROUND PAPERS

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

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

This page is intentionally left blank

APPLICATION REPORT – FUL/355490/25
Planning Committee – 23rd September 2026

Registration Date: 14th January 2026
Ward: Chadderton South

Application Reference: FUL/355490/25

Type of Application: Full

Proposal: Application for full planning permission for the erection of a new two-storey multi-use commercial building comprising a restaurant at ground floor level and a function and events space at first floor level.

Location: Land at Junction of Broadgate and Grimshaw Lane, Chadderton

Case Officer: Stephen Gill
Applicant: Mr Brooks
Agent: Miss Beth Carney

1. INTRODUCTION & BACKGROUND

- 1.1 The application is referred to Planning Committee for determination as it a major development.
- 1.2 The site is located adjacent to the junction of Broadgate and Grimshaw Lane, close to Middleton junction station. The site is triangular, and is bounded by Broadgate to the west, Grimshaw Lane to the north, and the Rochdale Canal (which is Special Area of Conservation (“SAC”), a Site of Special Scientific Interest (“SSSI”), and a site of Special Biological Importance (“SBI”). There is a small pumping station building in the northeast corner of the site that serves the Grimshaw Lane canal lift bridge. There is also a pylon located almost central within the site, together with an adjacent electricity equipment housing. The site is designated as sitting within the Greengate/Broadgate Business Employment Area (BEA).

2. THE PROPOSAL & BACKGROUND

- 2.1 The application seeks full planning permission for the erection of a new two-storey multi-use commercial building comprising a buffet restaurant at ground floor level and a function and events space at first floor level.
- 2.2 The two uses would operate together as a single venue, with associated parking provision, servicing areas, landscaping and a new vehicular access from Broadgate.

- 2.3 The proposal would redevelop a currently vacant parcel of land located within a Business and Employment Area (BEA). The site previously benefitted from planning permission under application FUL/346977/21 for a general industrial building with associated service yard, parking and access arrangements; however, that permission has not been implemented.
- 2.4 The proposed building would occupy the north-western part of the site, broadly reflecting the position of the building approved under previous planning approval FUL/346977/21, with associated parking and servicing areas arranged around it. Access would be taken from Broadgate via a new vehicular entrance, with separate pedestrian access points also provided. The proposed layout includes on-site parking, accessible parking spaces, electric vehicle charging infrastructure and a refuse storage area.
- 2.5 Following the submission of the application, amended plans were received during its consideration. The amendments reduced the overall scale and massing of the development, most notably through the removal of an entire floor from the originally submitted scheme. As a result, the revised proposal represents a materially smaller form of development.
- 2.6 Having reviewed the amendments, the Local Planning Authority (LPA) concludes that the revised plans would not give rise to any additional planning impacts. Accordingly, it was not considered necessary to undertake a further round of publicity or consultation, as the amendments do not materially alter the nature of the development or increase its impacts. The amendments and their implications are discussed further within the assessment section of this report.

3. PLANNING HISTORY

- 3.1 The following is a summary of the planning history attached to the site:
- FUL/346977/21 - Proposed 1040 sq.m general industrial unit to include use class B2 and B8 with associated service yard, parking and new site entrance – Granted via Planning Committee April 2022.

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:

Places for Everyone

- Policy JP-S1: Sustainable Development
- Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity
- Policy JP-P1 Sustainable Places
- Policy JP-C8: Transport Requirements of New Development
- Policy JP-J1 - Supporting Long-Term Economic Growth
- Policy JP-S2 – Energy & Carbon

Oldham Joint Core Strategy and Development Management DPD (Local Plan)

- Policy 01 - Climate Change and Sustainable Development
- Policy 09 - Local Environment
- Policy 13 - Employment Area Policy
- Policy 14 - Supporting Oldham's Economy

Other Material Considerations

National Planning Policy Framework (NPPF) 2026

- NPPF Policy E2
- NPPF Policy L2
- NPPF Policy DP3
- NPPF Policy TR4
- NPPF Policy TR6
- NPPF Policy P3
- NPPF Policy N3
- NPPF Policy P2
- NPPF Policy F7
- NPPF Policy F8

5. CONSULTATIONS

Environmental Health	No objection
Highway Engineer	No objection subject to conditions.
Greater Manchester Ecology Unit	No objection subject to conditions relating to bat box provision, external lighting and precautionary methods of working. Comments are discussed

	further in the report.
Lead Local Flood Authority	No objection
Transport for Greater Manchester	TfGM has reviewed the submitted Transport Assessment and advises that the traffic impact of the development would be negligible, with junctions operating within capacity. No objection is raised, subject to the implementation of appropriate access, parking, active travel measures and a Travel Plan.
The Canal Authority	No objection
Active Travel	No comments
United Utilities	No objection subject to condition
Environment Agency	No objection subject to condition
National Grid	No objection subject to meeting the required statutory clearance lines from the overhead power line
Canal and Rivers Trust	No objection subject to condition

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 way of site notices and a press notice. No representations have been received on the application.

ASSESSMENT OF THE PROPOSAL

7. PRINCIPLE OF DEVELOPMENT

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, to the extent that development plan policies are material, planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.
- 7.2 The site forms part of the Greengate/Broadgate Business and Employment Area (BEA) as designated within the Local Plan. NPPF Policy E2 requires significant weight to be

afforded to the economic benefits of commercial development, particularly where proposals support business investment, economic growth and productivity. In addition, NPPF Policy L2 supports the effective use of land and requires substantial weight to be given to the value of using suitable brownfield land, remediating derelict or underutilised sites, and bringing vacant land back into beneficial use.

- 7.3 Local Plan Policies 13 and 14 relate to development in BEAs and will be considered in conjunction with the requirements of NPPF Policies E2 and L2.
- 7.4 Paragraph 6.38 of the supporting text to Policy 13 explains that BEAs are designated to support a broad and diverse range of employment-generating uses. These areas are intended to meet the needs of a changing local economy and provide investment opportunities for both new and existing businesses.
- 7.5 Policy 14 sets out the acceptable uses within BEAs, which include:
- i. Business
 - ii. General Industry
 - iii. Storage or Distribution
 - iv. Restaurants and Cafés
 - v. Drinking Establishments
 - vi. Hot Food Takeaways (excluding SEAs 1 to 10)
 - vii. Hotels
 - viii. Leisure facilities up to 1,000m² gross floorspace
 - ix. Retail facilities up to 500m² gross floorspace
 - x. Building and construction-related uses
 - xi. Transport and transport-related uses
 - xii. Waste management facilities
 - xiii. Garden centres
- 7.6 The ground floor restaurant falls squarely within the types of development identified as acceptable within a BEA under Local Plan Policy 14. The first-floor accommodation would provide a flexible space for corporate events, private functions, community gatherings and associated activities operating as part of the overall commercial venue. Whilst this element is not a standalone restaurant use, it would form part of a single planning unit and would operate in conjunction with, and be dependent upon, the ground-floor restaurant operation. Whilst the first-floor events type space would not necessarily fall within the uses acceptable uses set out in Policy 14, the two elements are intrinsically linked from both an operational and economic perspective.
- 7.7 The proposal would deliver a substantial commercial development on a vacant employment site and would generate new employment opportunities during both the construction and operational phases of development. The development would also support inward investment and economic activity within the borough through the creation of a new destination venue capable of attracting customers, visitors, businesses and community organisations.
- 7.8 In addition to the relevant provisions of Local Plan Policies 13 and 14, significant weight

is attached to the requirements of NPPF Policy E2, which seeks to support sustainable economic growth and advises that substantial weight should be given to the benefits of commercial development which enables businesses to invest, expand and adapt. In this instance, the proposal would represent a significant private sector investment within an established BEA and would result in the productive use of a vacant employment site for an employment-generating commercial development, which is also strongly supported by NPPF Policy L2. The developments compliance with the objectives of the NPPF weighs significantly in favour of the development.

- 7.9 Whilst not every component of the proposal falls neatly within the individual categories listed under Local Plan Policy 14, the development must be considered in the round. The proposal comprises a single integrated commercial operation and would deliver economic benefits consistent with both the objectives of the Business Employment Area designation and the economic growth objectives of the NPPF. Having regard to these considerations, the principle of development is considered acceptable.

8. LAYOUT, APPEARANCE, & SCALE

- 8.1 In design terms, Policy DP3 of the NPPF requires (in summary) that development proposals respond positively to their context, the history, character and features of the site and it's setting so that they integrate with and enhance their surroundings through the arrangement of plots and buildings, the use of materials and architectural features. Proposals should also reflect the principles of well-designed places, including liveability, climate, nature, movement, built form, public realm and identity.
- 8.2 PfE Policy JP-P1 and Local Plan Policy 9 seek high-quality development which responds positively to local character, provides attractive and functional environments, protects visual amenity and delivers safe and sustainable places. These policies will be considered alongside the requirements of NPPF Policy DP3.

Layout:

- 8.3 The building would be positioned within the north-western part of the site and would provide active frontages onto both Broadgate and Grimshaw Lane. The majority of the car parking provision would be arranged around the building. The layout incorporates vehicular and pedestrian access from Broadgate, an additional pedestrian access from Grimshaw Lane, together with refuse storage, servicing facilities and landscaped areas.
- 8.4 As set out above, internally, the building is arranged over two floors. The ground floor is centred around a buffet restaurant and dining area, together with an ancillary bar, kitchen facilities, storage accommodation, toilet facilities, lift cores and associated circulation space.
- 8.5 The first floor contains a large function and events hall together with kitchen accommodation, storage rooms, plant areas, lift facilities and customer welfare facilities. The internal arrangement provides a logical separation between the

restaurant and function space whilst ensuring both operate as a single integrated commercial venue.

- 8.6 The site is subject to several physical and operational constraints which have influenced the proposed layout. These include the proximity of the Rochdale Canal corridor to the east, the presence of National Grid infrastructure positioned centrally within the site, and existing drainage infrastructure crossing the land.
- 8.7 In relation to the Rochdale Canal, Greater Manchester Ecology Unit (GMEU), Natural England (NE) and the Canal & River Trust (CRT) have reviewed the proposals and raise no objections to the siting and layout of the development.
- 8.8 United Utilities has confirmed that a surface water sewer crosses the site. The submitted Drainage Strategy acknowledges this constraint and indicates that the affected section of sewer would be diverted to the eastern part of the site, outside the proposed building footprint. Whilst any diversion would require separate approval from United Utilities outside of the planning process, the LPA is satisfied that sufficient space exists within the development to accommodate this requirement and that the layout has been designed having regard to this constraint.
- 8.9 CRT has also advised that the site contains the control pedestal and control cabinet used by boaters to operate the Grimshaw Lane Lifting Bridge. The Trust has emphasised the need to retain safe and unrestricted access to this infrastructure during both the construction and operational phases of development. The applicant has confirmed that access will be always maintained, and the submitted plans demonstrate that this can be achieved via the north-eastern part of the site.
- 8.10 In relation to the existing pylon, National Grid has advised that a minimum 15-metre stand-off distance must be maintained around the tower to facilitate future maintenance and operational activities. The submitted layout responds to this requirement by locating the building away from the pylon and accommodating parking and circulation areas within the stand-off zone. National Grid has confirmed that this arrangement is acceptable, provided the area can be cleared when access to the tower is required.
- 8.11 Taking the above matters into account, it is considered that the proposed layout makes efficient use of the site whilst appropriately responding to the various physical, ecological and operational constraints affecting the land. No objections are therefore raised to the proposed layout.

Scale & Appearance:

- 8.12 In terms of scale, the development comprises a substantial two-storey commercial building. The submitted elevations indicate a maximum height of approximately 13 metres. Although prominent within the site, the building occupies only part of the wider development parcel.
- 8.13 During the course of the application, amended plans were submitted which reduced the overall scale and massing of the development through the removal of an entire

upper floor. This resulted in a materially smaller building than originally proposed. The amendments were made in response to the relationship between the development and National Grid's pylon, ensuring that the necessary operational and safety clearances can be maintained. National Grid has reviewed the amended plans and confirms that it raises no objection to the revised scale of the building, provided the required safety clearances are maintained. In this regard, a minimum clearance of 7.3 metres is retained between the highest point of the building and the buffer to the lowest point of the overhead conductor swing. The amended plans demonstrate that these clearance requirements can be achieved.

- 8.14 In terms of appearance, the building adopts a contemporary commercial design characterised by extensive glazing, strong horizontal and vertical architectural features, and modern cladding systems. The principal elevations incorporate large-glazed sections, particularly around the main customer entrances, creating active frontages and visual interest.
- 8.15 These glazed elements are complemented by grey cladding panels which help to articulate the elevations, break up the massing of the building and avoid the appearance of an overly bulky structure. The roof incorporates plant areas, lift overruns and access hatches, all of which have been integrated into the overall design.
- 8.16 Whilst the final material specifications have not yet been agreed, the submitted plans indicate a palette of glazing and contemporary cladding materials that would be appropriate to the character of the surrounding BEA. In principle, these materials can deliver a high-quality appearance. The precise details of the external materials can be secured by planning condition.

Conclusion:

- 8.17 Taking the above matters into account, it is considered that the development represents an appropriate response to the constraints of the site. The contemporary design approach, use of glazing and modern materials would create a visually attractive development that is appropriate within the context of the surrounding BEA.
- 8.18 The proposal is therefore considered to accord with the objectives of NPPF Policy DP3 by delivering a well-designed, functional and attractive form of development that responds positively to its context and site-specific constraints. For similar reasons, the proposal is considered to comply with Places for Everyone Policy JP-P1 and Local Plan Policy 9.

9. ACCESS & HIGHWAYS

- 9.1 NPPF Policy TR6 requires proposals likely to generate significant movement to be supported by appropriate transport evidence and a Travel Plan where necessary. Assessment of impacts should be proportionate to the scale of development and consider likely transport effects, including cumulative impacts and opportunities to promote sustainable travel.

- 9.2 NPPF Policy TR4 requires transport considerations to be integrated into the design of development. Priority should be given to walking, wheeling, cycling and public transport, whilst ensuring that developments are safe, accessible and inclusive for all users. Appropriate servicing arrangements, parking provision and electric vehicle charging infrastructure should also be incorporated.
- 9.3 PfE Policy JP-C8 seeks to reduce reliance on private vehicles by promoting walking, cycling and public transport. Development should provide safe and convenient connections to surrounding transport networks and local facilities, together with appropriate vehicle and cycle parking provision. This policy will be considered alongside the requirements of NPPF Policies TR4 and TR6.

Highway Impact:

- 9.4 The application is supported by a Transport Statement (TS), which assesses the accessibility of the site and the likely transport impacts arising from the development. The TS confirms that the development would operate predominantly during the evening and weekend periods, outside of the traditional weekday highway peak periods. The assessment therefore concludes that the development would not generate a material impact on the local highway network during peak traffic conditions.
- 9.5 Transport for Greater Manchester (TfGM) reviewed the submitted TS and advised that a trip generation exercise would normally be expected. However, having regard to the nature of the proposed use and its location, TfGM deferred to the Highway Officer on whether additional assessment was required. The Highway Officer has reviewed the proposal and concludes that the traffic generated by the development would not have a severe impact on the local highway network and that no further trip generation assessment is necessary.

Access Arrangements:

- 9.6 The development would be served via a new vehicular access from Broadgate located towards the southern part of the site frontage. The access incorporates acceptable visibility splays, pedestrian crossing facilities and footway connections into the existing highway network. The existing access from Grimshaw Lane to the north of the site would be permanently closed and reinstated as footway.
- 9.7 Following comments from TfGM, the access arrangements were amended to incorporate a continuous 3-metre-wide footway along the Broadgate frontage together with tactile dropped crossing facilities at the site entrance (new access). TfGM confirmed that the revised arrangements satisfactorily addressed their comments, and the Highway Officer also raises no objection. It is noted that works within the adopted highway will require a Section 278 Agreement, which is a matter separate to the planning process. Overall, the proposed access arrangements are considered acceptable.

Parking and Internal Arrangements:

- 9.8 The proposal includes the provision of 89 car parking spaces, comprising 83 standard spaces and 6 disabled parking bays positioned close to the principal entrance. In addition, electric vehicle charging infrastructure is proposed within the site, which includes provision for 10 EV Charging spaces.
- 9.9 The Highway Officer has reviewed the parking arrangements and confirms that the level of parking proposed is adequate to serve the development. No objections are therefore raised in relation to parking provision, and the provision for disabled spaces and electric charging provision is supported.
- 9.10 The proposals include the construction of new internal access roads, footways, parking areas and pedestrian routes. The main vehicular access and circulation areas would comprise a conventional bituminous carriageway construction, whilst the parking bays would be formed using permeable paving. Pedestrian footways would be constructed using a hard paving finish comprising concrete paving flags, providing clear, and durable pedestrian routes. The surfacing arrangements have been reviewed by both TfGM and the Highway Officer and are considered appropriate for the scale and nature of the development.

Active Travel:

- 9.11 The site benefits from good accessibility by sustainable modes of transport. The nearest bus stops are located immediately adjacent to the site on Grimshaw Lane and would be unaffected by the development. These stops provide regular services between Middleton and Oldham. Mills Hill Railway Station is located approximately 15 minutes' walk from the site and provides rail services to both Manchester and Rochdale.
- 9.12 There is existing cycling infrastructure in the vicinity of the site, including Bee Network cycle facilities along Broadgate and routes associated with the Rochdale Canal corridor. Secure cycle parking is proposed within the development, and the Highway Officer considers that details of the final cycle parking provision can be secured through planning condition.
- 9.13 In addition, the Highway Officer recommends that a Travel Plan be secured by condition to promote sustainable travel choices for staff and visitors to the development. Subject to these measures, the proposal is considered to provide appropriate opportunities for travel by walking, cycling and public transport.

Conclusions on Highways:

- 9.14 The development would not result in severe impacts on the local highway network, having regard to the nature and operating characteristics of the proposed use. The proposal provides a safe and suitable access, adequate parking provision, pedestrian improvements, and opportunities for travel by walking, cycling and public transport. Subject to conditions, the proposal is considered to accord with the requirements of NPPF Policies TR4 and TR6 and Places for Everyone Policy JP-C8.

10. AMENITY

- 10.1 NPPF Policy P3 requires development to be appropriate for its location, taking into account the likely effects of pollution on health, living conditions and the natural environment, including cumulative effects, on or off site, and whether arising from the development itself or from pre-existing conditions nearby, and the sensitivity of occupiers, users and the surrounding population.
- 10.2 Local Plan Policy 9 requires development to safeguard the amenity of existing and future occupants, including in respect of privacy, safety, noise, security, visual appearance and access to daylight. This policy will be considered in conjunction with the requirements of NPPF Policy P3.
- 10.3 The site is separated from the nearest residential properties by at over 200m to the east and northeast of the site, which is a significant distance. The surrounding area is characterised by commercial, industrial and employment-generating uses. Given the nature and location of the development, it is not considered that the proposal would give rise to unacceptable conflicts with neighbouring land uses or result in adverse impacts upon residential amenity.
- 10.4 Environmental Health has reviewed the application and raises no objection in relation to either the construction or operational phases of the development. No concerns have been identified in respect of noise, air quality, odour or general amenity impacts. Environmental Health has recommended a condition requiring details of the ventilation and extraction systems serving the building to be submitted and approved prior to their installation.
- 10.5 Taking the above matters into account, it is considered that the proposal would safeguard the amenities of surrounding land users and future occupants of the development. Subject to condition, the proposal is considered to accord with the requirements of NPPF Policy P3 and Local Plan Policy 9.

11. TREES & LANDSCAPING

- 11.1 NPPF Policy N3 seeks (in summary) to ensure that development incorporates appropriate tree planting and landscaping to enhance visual amenity, biodiversity, climate resilience and the quality of the built environment. New trees should be integrated into developments wherever practicable, including within streets, parking areas and public spaces, whilst remaining compatible with highways, utility infrastructure and operational requirements. The Policy also requires provision for the long-term maintenance of existing and proposed trees.
- 11.2 PfE Policy JP-G7 (in summary) supports the Greater Manchester Tree and Woodland Strategy by promoting increased tree cover, protection of existing woodland, and

improved public access to nature. The Policy also states that development must replace lost trees on a 2-for-1 basis, preferably on-site, and protect existing trees during construction. This policy will be considered in conjunction with the requirements of NPPF Policy N3.

Trees:

- 11.3 An Arboricultural Impact Assessment (AIA) has been submitted in support of the application. The assessment concludes that all surveyed trees are Category C specimens, reflecting their low arboricultural quality. The site is characterised predominantly by self-seeded species and naturally regenerated scrub.
- 11.4 To facilitate the development, it will be necessary to remove Tree T1 (Laburnum), Tree T2 (Cherry) and Tree Group G2, which comprises naturally regenerated Willow, Cherry and Birch scrub. These trees and scrub are of low quality, are readily replaceable through new planting and do not represent a material arboricultural constraint to the development.
- 11.5 The AIA confirms that the development can be implemented without adverse impacts upon the health, stability or long-term retention of the trees proposed for retention. The Arboricultural Officer has reviewed the submitted assessment and raises no objection to its findings or conclusions. A planning condition is recommended requiring the implementation of appropriate tree protection measures during the construction phase of development.

Landscaping:

- 11.6 The application is supported by a landscaping scheme. The scheme includes the provision of 14 heavy-standard replacement trees, extensive native hedgerow planting around the site boundaries, native scrub planting, ornamental shrub beds and areas of wildflower meadow planting. The scheme would introduce a more structured, diverse and visually attractive landscape framework than currently exists on the site.
- 11.7 The Landscape Plan is supported by maintenance and establishment specifications which include watering, weeding, pruning, grassland management, wildflower meadow management and the replacement of failed planting. These measures are intended to ensure the successful establishment and ongoing management of the proposed landscaping.
- 11.8 The Arboricultural Officer raises no objection to the submitted landscaping proposals, including the level of replacement planting, species selection and overall quality of the scheme. The landscaping would not only compensate for the tree and scrub loss associated with the development but would also deliver enhancements in terms of visual amenity and overall landscape quality. Notwithstanding the maintenance details already provided, a planning condition is recommended requiring implementation of the approved landscaping scheme together with the replacement of any trees, shrubs or plants that die, become diseased or are removed within a period of five years following planting. This will ensure the long-term establishment and retention of the landscape

proposals.

- 11.9 Taking the above matters into account, it is considered that the landscaping provides an appropriate level of mitigation for the loss of existing trees and vegetation, whilst delivering an enhancement in landscape quality. The proposal therefore accords with the objectives of NPPF Policy N3 and PfE Policy JP-G7.

12. ECOLOGY & BIODIVERSITY NET GAIN

- 12.1 NPPF Policy N2 seeks (in summary) to ensure that development contributes positively to the natural environment by protecting and enhancing biodiversity, supporting nature recovery, strengthening ecological networks and securing opportunities for biodiversity enhancement. Development should minimise adverse impacts on biodiversity and provide for the long-term management of ecological assets.
- 12.2 Local Plan Policy 21 requires development to protect, conserve and enhance biodiversity, landscapes and Green Infrastructure, whilst ensuring that environmental assets are safeguarded as part of the development process. This policy will be considered alongside the requirements of NPPF Policy N2.

Ecology:

- 12.3 The Rochdale Canal represents the principal ecological constraint associated with the site. The application is supported by a Preliminary Ecological Appraisal (PEA), comprising a desk study, habitat survey, protected species assessment and assessment of the canal corridor. The survey identifies the site as having a moderate level of ecological interest, with habitats comprising areas of grassland, scrub, scattered trees, ruderal vegetation and developed land.
- 12.4 The PEA concludes that the majority of habitats are of relatively low ecological value and comprise common and widespread habitat types. Notwithstanding this, the site contains habitat with potential to support certain protected and notable species, including nesting birds, bats and hedgehog. No further ecological surveys are recommended.
- 12.5 A desk study identified records of badger, bats, otter and water vole within the wider area. However, no evidence of badger activity was recorded during the survey, whilst the habitats present are not considered suitable to support a resident badger population. Similarly, both the site and adjacent canal corridor were found to provide limited suitability for otter and water vole. On this basis, these species are unlikely to be affected by the proposed development, and no further assessment is required.
- 12.6 The existing buildings and trees were assessed for bat roosting potential. The assessment concludes that all buildings have negligible bat roost potential and no evidence of bat activity was recorded. The trees were also found not to contain any suitable roosting features.

- 12.7 Areas of scrub and vegetation provide suitable cover for hedgehog and other small mammals. The PEA recommends a series of Reasonable Avoidance Measures during the construction phase to safeguard these species, which can be secured by condition.
- 12.8 The assessment confirms that trees, scrub and other dense vegetation provide suitable nesting habitat for birds. Vegetation clearance undertaken during the nesting season could adversely affect nesting birds. The PEA therefore recommends that vegetation clearance is undertaken outside the bird nesting season (March to August), unless a pre-commencement nesting bird inspection is first undertaken by a suitably qualified ecologist. These measures can be secured by condition.
- 12.9 The PEA also identifies the presence of Himalayan Balsam and Japanese Knotweed, both of which are invasive non-native species listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). The report recommends that both species are managed and eradicated through an appropriate treatment strategy, which can be secured by condition.
- 12.10 GMEU has reviewed the submitted PEA and raises no objection to its findings or conclusions. The Local Planning Authority is satisfied that, subject to the recommended mitigation and conditions, the proposal would not result in unacceptable impacts upon protected species or ecological interests.

Construction Management Biodiversity:

- 12.11 In its initial consultation response, GMEU identified the need for a Construction Environmental Management Plan (Biodiversity) (CEMP) to ensure that construction activities would not adversely affect the adjacent canal corridor.
- 12.12 In response, the applicant submitted a CEMP. The submitted CEMP includes a range of mitigation measures designed to protect Rochdale Canal during construction. These measures include the installation of a continuous silt barrier along the eastern site boundary, the designation of a Biodiversity Protection Zone adjacent to the canal, the provision of spill kits, bunded fuel and chemical storage, restrictions on concrete washout activities, dust suppression measures, pollution incident procedures, and controls on machinery cleaning and site drainage.
- 12.13 Clear roles and responsibilities are assigned within the CEMP, including daily monitoring of the biodiversity protection measures by the site manager. The document also requires ecological checks for nesting birds where vegetation clearance is required during the bird nesting season. Following review of the submitted Biodiversity CEMP, GMEU confirmed that the document is acceptable. CRT have also reviewed the CEMP and support the use of a silt barrier to the canal to prevent contaminants entering the canal. A compliance condition would be attached to ensure that the CEMP is implemented in full during the construction phase of the development.

Habitat Regulation Assessment:

- 12.14 The Rochdale Canal SAC is designated primarily for its population of floating water-

plantain and associated aquatic plant communities, which are sensitive to changes in water quality, hydrology, shading and physical disturbance. As the competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended), the LPA is required to consider whether the development, either alone or in combination with other plans or projects, would be likely to have a significant effect upon the SAC.

- 12.15 A Shadow Habitats Regulations Assessment (sHRA) has been submitted in support of the application. The screening assessment concludes that, owing to the immediate proximity of the development to the SAC and the potential for effects associated with construction pollution, operational drainage, physical disturbance, dust, shading, lighting and the spread of invasive non-native species, Likely Significant Effects could not be excluded in the absence of mitigation. The assessment therefore proceeds to an Appropriate Assessment.
- 12.16 The Appropriate Assessment considers the identified impact pathways and the measures required to avoid adverse effects upon the integrity of the SAC. These include construction-phase pollution prevention and physical protection measures, control of invasive non-native species, appropriate surface-water drainage, sensitive external lighting and longer-term ecological management. The assessment also considers the potential for effects in combination with other plans and projects and concludes that there is no realistic mechanism by which the development would contribute to an adverse effect upon the integrity of the SAC in combination with other development.
- 12.17 Natural England (NE) has reviewed the sHRA and confirms that it concurs with the conclusions of the Appropriate Assessment, subject to the identified mitigation being appropriately secured. Natural England requires the implementation of a Construction Environmental Management Plan (CEMP), which has been submitted and accepted by NE and GMEU as set out above.
- 12.18 The Council has reviewed the submitted sHRA, including its screening assessment, Appropriate Assessment, mitigation measures and consideration of in-combination effects. The Council adopts the assessment and its conclusions for the purposes of its duties under the Habitats Regulations. The Biodiversity CEMP subsequently submitted with the application has been reviewed and accepted by GMEU and NE and includes measures to protect the Rochdale Canal during construction, whilst the proposed drainage strategy directs surface water away from the canal.
- 12.19 Accordingly, having regard to the conclusions of the Appropriate Assessment and the advice of NE and GMEU, the Council is satisfied that, subject to the identified mitigation being secured and implemented, the development would not adversely affect the integrity of the Rochdale Canal SAC, either alone or in combination with other plans or projects.

Biodiversity Net Gain:

- 12.20 Biodiversity Net Gain (BNG) is a statutory requirement for new development and seeks to ensure that the natural environment is left in a measurably better state than before.

Under Schedule 7A of the Town and Country Planning Act 1990, as inserted by Schedule 14 of the Environment Act 2021, qualifying developments must deliver a minimum 10% net gain in biodiversity value. Schedule 7A also provides several exemptions from the statutory BNG requirement, however, this development does not meet any of those exemptions.

- 12.21 The application is supported by a Biodiversity Net Gain Assessment (BNG Assessment). The assessment identifies a baseline biodiversity value of 3.05 habitat units. The baseline habitats comprise a mixture of grassland, scrub, ruderal vegetation and scattered trees across the site.
- 12.22 The biodiversity assessment concludes that the development would result in a reduction in habitat units due to the extent of built development and hardstanding required. The submitted metric demonstrates that the post-development site would result in a 66.43% reduction. The BNG Assessment concludes that an additional 2.33 habitat units and 0.04 watercourse units would be required to achieve the statutory 10% BNG requirement.
- 12.23 The BNG Assessment concludes that it is not possible to achieve the required gains wholly within the site and that the shortfall will need to be addressed through the purchase of off-site biodiversity units. GMEU has reviewed the BNG Assessment, and is satisfied with the methodology, and conclusions. GMEU raises no objection to the approach taken and agrees that the biodiversity shortfall can be addressed through the purchase of off-site units.
- 12.24 The statutory Biodiversity Gain Condition would apply if the application is granted, preventing commencement of development until a Biodiversity Gain Plan has been submitted and approved. Subject to compliance with the statutory BNG Condition and the provision of the necessary off-site biodiversity units, the proposal is considered capable of delivering the mandatory 10% BNG.

13. FLOOD RISK AND DRAINAGE

- 13.1 NPPF Policy F7 requires that development should not present a risk from flooding to occupiers, users or visitors, and should not increase flood risk elsewhere. NPPF Policy F8 requires development which could affect drainage on or around the site to incorporate sustainable drainage systems controlling flow rates and reducing runoff volumes, proportionate to the nature and scale of the proposal and delivering multifunctional benefits for water quality, biodiversity and amenity where possible.
- 13.2 PfE Policy JP-S4 expects developments to manage surface water runoff using sustainable drainage systems (SuDS) as close to the source as possible, aiming to achieve greenfield runoff rates unless demonstrated to be impracticable.
- 13.3 The site is located within Flood Zone 1 and is therefore at the lowest probability of flooding. The application is supported by a Drainage Strategy which proposes that surface water arising from the development would be collected via a private drainage

network and discharged at a restricted rate of 2.1 litres per second to the existing public surface water sewer. To manage runoff, the scheme incorporates below-ground attenuation measures, including geocellular storage tanks and oversized pipework, designed to accommodate up to the 1 in 100-year storm event plus a 25% allowance for climate change.

- 13.4 The strategy demonstrates that the applicant has considered the drainage hierarchy. Infiltration was initially considered as the preferred drainage option; however, ground investigation works identified significant depths of made ground, peat deposits, highly variable underlying soils. The applicant's drainage engineers therefore concluded that infiltration techniques would not represent a viable solution for the site. Following review of the supporting information, including the Phase II Ground Investigation, the Lead Local Flood Authority (LLFA) accepted this position and agreed that infiltration could reasonably be discounted.
- 13.5 In accordance with the drainage hierarchy, alternative sustainable measures have been incorporated into the scheme. These include permeable paving within sections of the parking areas, landscaping and tree planting, and on-site attenuation infrastructure designed to reduce runoff rates. The LLFA advises that further technical information is required before the detailed design and long-term management of the culverted watercourse can be fully assessed, and further investigations of the culverted watercourse will be required prior to the drainage strategy being agreed, which will be conditioned as confirmed by the LLFA.
- 13.6 Subject to pre-commencement conditions requiring further details relating to the culverted watercourse, the proposal is considered to accord with the requirements of NPPF Policy W3 and Places for Everyone Policy JP-S4

14. ENERGY

- 14.1 PfE Policy JP-S2 promotes the retrofitting of existing buildings to improve energy efficiency, the use of life-cycle carbon assessments, and a positive approach to renewable and low-carbon energy generation. The policy requires development to follow the energy hierarchy, prioritising the minimisation of energy demand, maximisation of energy efficiency, and the incorporation of renewable and low-carbon technologies wherever practicable.
- 14.2 No Energy Statement has been submitted with the application. However, given the nature of the proposed development, it is considered reasonable for this information to be secured by planning condition. Subject to this condition, the proposal is considered capable of complying with the requirements of PfE Policy JP-S2.

15. CONTAMINATION & COAL MATTERS

- 15.1 NPPF Policy P2 requires development to be suitable for its proposed use, taking account of ground conditions, land instability and contamination risks arising from

natural processes or former land uses. Any risks must be appropriately investigated and mitigated so that the site is safe for its intended use and is not capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

- 15.2 Local Plan Policies 7, 8 and 9 seek to ensure that development is appropriate having regard to site conditions, including contamination, pollution and other environmental constraints, together with any mitigation measures required to make the site suitable for development. These policies will be considered alongside the requirements of NPPF Policy P2.

Contamination:

- 15.3 A Desk Study and Walkover Survey has been submitted with the application. The site has a complex historical land use history, including former industrial uses, railway sidings, ground workings, refuse deposits, a scrapyard and historical landfill activity both on and adjacent to the site. The report also confirms the presence of made ground across the site together with historical records of industrial and waste-related activities which have the potential to give rise to contamination risks.
- 15.4 The Desk Study submitted concludes that the principal potential sources of contamination are associated with made ground, historical industrial activities, former waste disposal uses, fuel and oil handling, and historical landfill activity. Notwithstanding these potential sources, the report identifies the overall risk to future users, controlled waters and the wider environment as generally low, subject to further investigation and verification. The report recommends a new intrusive ground investigation to confirm site conditions and to obtain updated contamination, asbestos, groundwater and surface water sampling information.
- 15.5 Environmental Health has reviewed the submitted information and accepts the findings of the report. However, Environmental Health advises that the applicant will need to submit an updated site investigation together with any necessary remediation proposals, and this can be secured by way of condition/
- 15.6 Having regard to the submitted information and the consultation response from Environmental Health, there is no evidence before the LPA to indicate that the site cannot be made suitable for its proposed use. Subject to conditions the proposal is considered to accord with NPPF Policy P2 and Local Plan Policies 7, 8 and 9

Coal Risk:

- 15.7 The southern part of the site falls within a Coal Mining Development High Risk Area. The Coal Authority advises that two coal seams are beneath part of the site. However, the Coal Authority has confirmed that any coal seams are likely to be located beneath a substantial depth of superficial deposits, with rockhead anticipated to be more than 30 metres below ground level. The Coal Authority have confirmed that they have no objection to the application, and recommends that a standard informative is attached to any planning permission advising the applicant of the potential for previously

unidentified coal mining features to be encountered during construction works

16. CONCLUSION

- 16.1 The development would deliver employment-generating commercial development to a site within a BEA that has been vacant for a significant period. Whilst the first-floor events space would not fall squarely within the individual use categories identified under Local Plan Policy 14, the building overall would operate as part of a single integrated commercial enterprise intrinsically linked to, and dependent upon, the ground-floor restaurant use. The development is in line with one of the main objectives of the NPPF, which is to support sustainable economic growth, and promote opportunities for businesses to invest.
- 16.2 The development would bring a vacant brownfield site back into productive use and would deliver economic benefits through private investment, job creation and increased economic activity. These benefits attract significant weight in favour of the proposal and are strongly supported by NPPF Policies E2 & L2 and Local Plan Policies 13 and 14.
- 16.3 The proposed layout, scale, appearance and landscaping are considered appropriate to the characteristics and constraints of the site. Subject to the recommended planning conditions, no objections have been raised in relation to highways, residential amenity, trees and landscaping, ecology, biodiversity net gain, flood risk and drainage, ground conditions, coal mining risk, or energy.
- 16.4 Taking all material considerations into account, it is considered that the proposal accords with the relevant policies of the 2026 NPPF, and the Development Plan, including the PfE Plan and the Oldham Local Plan.

17. RECOMMENDATION

- 17.1 The application is therefore recommended for approval subject to the following conditions set out 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 comprising the erection of any external walls shall take place until samples of the materials to be used in the construction of the external surfaces of the development, including the roof, have been submitted to and approved in

writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details. REASON - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policy 20 of the Oldham Local Plan.

4. No development shall commence until details of the method of surface water for the site have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the design, implementation, maintenance and management of the drainage systems and shall be carried out in full in accordance with the approved scheme. The drainage systems shall thereafter be retained, managed and maintained in accordance with the approved details. REASON: To ensure the satisfactory drainage of the site, the effective management of surface water and foul water, and to minimise flood risk in accordance with NPPF Policies F7 and F8 and Places for Everyone Policy JP-S4.
5. Prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the approved surface water and foul water drainage systems have been installed and completed in accordance with the approved details. REASON: To ensure the satisfactory drainage of the site, the effective management of surface water and foul water, and to minimise flood risk in accordance with NPPF Policies F7 and F8 and Places for Everyone Policy JP-S4.
6. No development shall commence until a detailed scheme relating to the existing culverted watercourse within the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - a) A topographical survey identifying the precise alignment and location of the culverted watercourse;
 - b) Details of the culvert dimensions, construction materials, condition and structural integrity;
 - c) Longitudinal and cross-sectional drawings showing the culvert, invert levels, depth below ground level, proposed finished floor levels and the relationship of the culvert to the proposed building envelope;
 - d) A CCTV survey of the culverted watercourse between the upstream and downstream manholes;
 - e) A full structural assessment of the culvert, including the effects of proposed loading, building foundations, any interaction with the proposed development, and any mitigation or protection measures required;
 - f) A hydraulic assessment of the culverted watercourse, including the assessment of blockage scenarios, exceedance flows and flood risk implications
 - g) A long-term inspection and maintenance strategy for the culverted watercourse, including details of safe access, easement requirements, maintenance responsibilities and evidence demonstrating that future maintenance, repair or replacement works can be undertaken without

adversely affecting the development or requiring the demolition of any part of the approved building; and

- h) Risk assessments and method statements for construction works adjacent to the culverted watercourse, including details of temporary works, monitoring arrangements and contingency measures

REASON: To ensure the satisfactory drainage of the site, the effective management of surface water and foul water, and to minimise flood risk in accordance with NPPF Policies F7 and F8 and Places for Everyone Policy JP-S4.

7. Prior to the first occupation of the development hereby approved, an interim green travel plan for the whole development shall be submitted to and approved in writing by the Local Planning Authority. Following acceptance of the interim plan each individual occupier shall submit their own travel plan to the Local Planning Authority for approval and the approved plans shall thereafter be implemented within 3 months of occupation of each respective unit. The green travel plan shall, as a minimum, deal with the following key issues: REASON - To ensure the development accords with sustainable transport policies having regard to Places for Everyone Policy JP-C8
8. The use of the building 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.
9. The development hereby approved shall not be brought into use until the access to the site, car parking spaces, turning and service areas have been provided in accordance with the approved plan Ref: 1304/C-001 Rev G and with the details of construction, levels and drainage, which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the access and parking spaces. Thereafter the parking spaces, servicing and turning areas shall not be used for any purpose other than the parking and manoeuvring of vehicles. REASON - To ensure adequate off-street parking facilities are provided and remain available for the development so that parking does not take place on the highway to the detriment of highway safety having regard to Policies 5 and 9 of the Oldham Local Plan.
10. All hard and soft landscape works shall be carried out in accordance with the approved plan (Ref: 7817.01 Rev B) prior to the occupation of any part of the development or in accordance with the programme approved in writing by the local planning authority. Thereafter any trees or shrubs which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development shall be replaced in the next planting season with others of a similar size, number and species to comply with the approved plan unless otherwise agreed in writing by the Local Planning Authority. REASON - To ensure that the landscaping scheme is carried out and protected in the interests of

visual amenity and to safeguard the future appearance of the area having regard to Policy JP-G7 of the Places for Everyone Joint Development Plan

11. Prior to the commencement of any part of the development hereby approved, including site clearance, excavation or construction works or the entry of vehicles or plant into the site, all existing retained trees and hedges on and adjacent to the site, other than those indicated for removal on the approved plans, shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause. This shall be achieved by the erection of 2.3 m high fencing using vertical and horizontal scaffolding poles, or other stout fencing to Local Authority approval with the uprights driven well into the ground, erected in accordance with BS5837:2005, outside the canopy. The fencing shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas. REASON - Prior approval of such details is necessary to protect existing trees and hedges having regard to Policy JP-G7 of the Places for Everyone Joint Development Plan
12. No development shall commence until a site investigation and risk assessment have been undertaken to assess the nature and extent of any contamination on the site and a written report has been submitted to and approved in writing by the Local Planning Authority. The report shall include:
 - a. A Preliminary Risk Assessment identifying all previous uses of the site;
 - i. potential contaminants associated with those uses;
 - ii. a conceptual site model indicating sources, pathways and receptors; and
 - iii. potentially unacceptable risks arising from contamination at the site.
 - b. A site investigation scheme, based upon the findings of the Preliminary Risk Assessment, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 - c. The results of the site investigation and detailed risk assessment together with, where necessary, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - d. A verification plan providing details of the data that will be collected to demonstrate that the remediation works identified in the approved remediation strategy have been completed, together with details of any longer-term monitoring, maintenance and contingency measures that may be required.

Any remediation works shall be carried out in full in accordance with the approved details. Following completion of any remediation works, a verification report demonstrating the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of

the development.

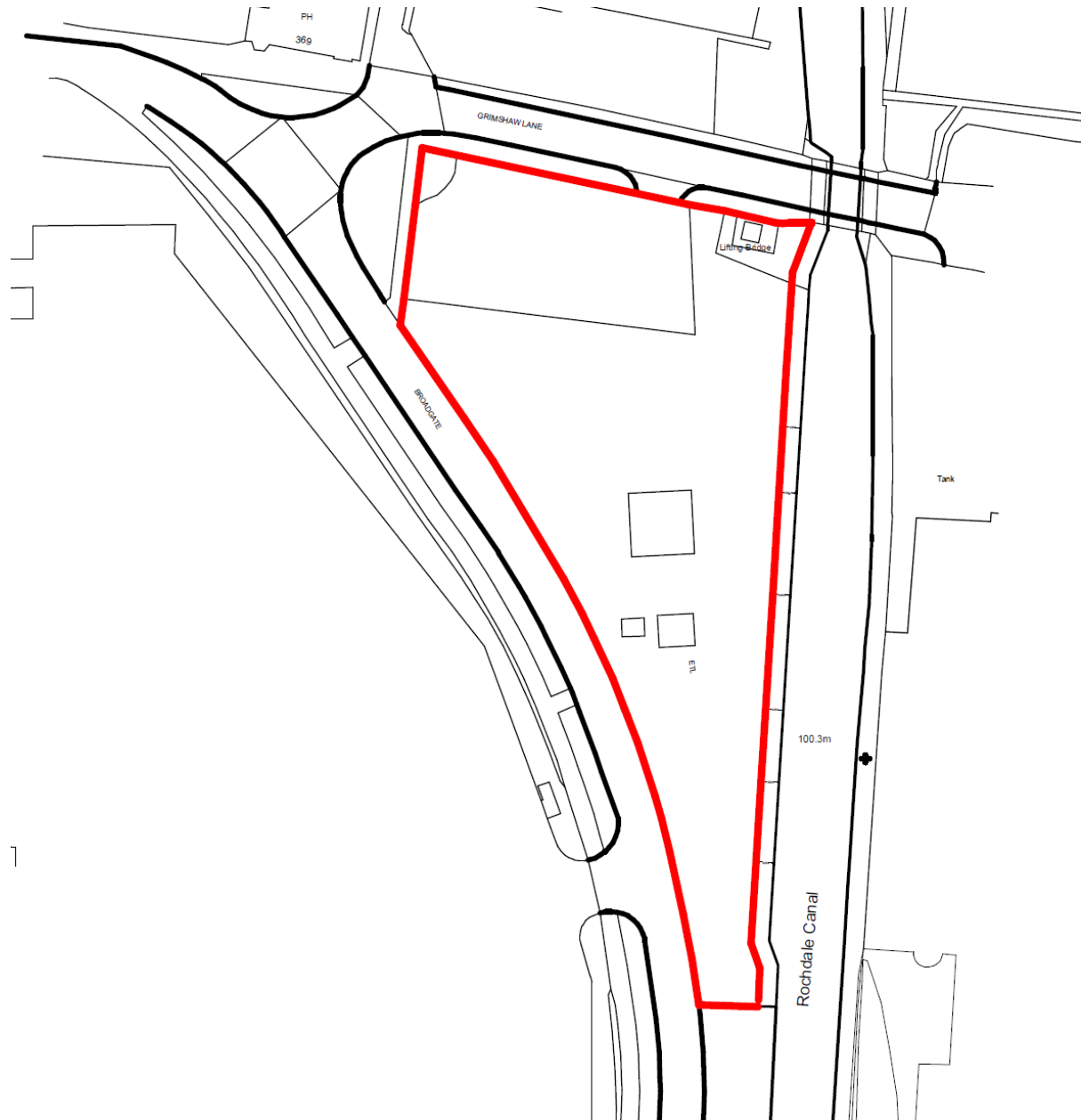
Reason: To ensure that the site is suitable for its proposed use and to protect human health, controlled waters, property and the wider environment from potential contamination in accordance with NPPF Policy P2 and Local Plan Policies 7, 8 and 9.

13. No works to trees or shrubs shall take place between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority. REASON - To ensure the protection of bird habitats, which are protected species under the Wildlife and Countryside Act 1981, having regard to Policy 21 of the Oldham Local Plan.
14. Prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for Himalayan balsam and Japanese knotweed and any other invasive species. The approved method statement shall be adhered to and implemented in full prior to the commencement of the development in that phase. REASON - To prevent the spread of Japanese knotweed, Himalayan balsam, Giant hogweed and any other invasive species having regard to Policies 9 and 21 of the Oldham Local Plan.
15. The development shall be carried out in full accordance with the measures, set out within the Biodiversity Construction Environmental Management Plan (CEMP) prepared by Rachel Hacking Ecology Ltd, Project Reference RHE.4660, revised 26 March 2026. REASON: To safeguard biodiversity during construction in accordance with Policy 21 of the Oldham Local Plan, and JP-G8 of Places for Everyone
16. No development above ground level shall take place until an Energy Statement has been submitted to and approved in writing by the Local Planning Authority. Any approved and agreed measures shall be implemented in full prior to the occupation of the development. REASON: To ensure the development complies with the carbon and energy requirements of Places for Everyone Policy JP S2.
17. The biodiversity enhancement measures shall be carried out in full accordance with the Biodiversity Enhancement Scheme prepared by Rachel Hacking Ecology Ltd, Project Reference RHE.4660, dated March 2026, unless otherwise agreed in writing by the Local Planning Authority. REASON: To enhance biodiversity in accordance with Policy 21 of the Oldham Local Plan, and JP-G8 of Places for Everyone
18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and the Town and Country Planning (Use Classes) Order 1987 (as amended), or any Order revoking and re-enacting that Order with or without modification), the premises unit 6a shall not be used for any use that does not fall within Use Class E and Unit 6b shall not

be used for any use that does not fall within Use Class E(b) unless otherwise agreed in writing by the Local Planning Authority.

19. Prior to any earthworks a method statement detailing the eradication of invasive species shall be submitted to and agreed in writing to the Local Planning Authority. The agreed method statement shall be adhered to and implemented in full. REASON: To ensure that invasive species are managed accordingly in line with the requirements of Policy JP-G8 of the Places for Everyone Joint Development Plan Document (adopted 21 March 2024).
20. Prior to any site clearance taking place, a reasonable avoidance measures statement for bats, badgers and amphibians during site clearance and construction will be provided to and agreed in writing by the LPA. Reason: In order to ensure the protection and enhancement of features and species of ecological interest having regard to Policy 21 of the Oldham Local Plan, and JP-G8 of Places for Everyone.

SITE LOCATION PLAN (NOT TO SCALE):



This page is intentionally left blank

PLANNING COMMITTEE – BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING

PLANNING APPLICATIONS AND LISTED BUILDING CONSENT APPLICATIONS

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

THE BACKGROUND PAPERS

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

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

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

www.oldham.gov.uk

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

0161 770 4105 / Planning@oldham.gov.uk

ADDITIONAL BACKGROUND PAPERS

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

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

This page is intentionally left blank

APPLICATION REPORT – FUL/355201/25 Planning Committee 23rd September 2026

Registration Date: 10th October 2025
Ward: St Mary's

Application Reference: FUL/355201/25
Type of Application: Full

Proposal: Full planning application for the erection of residential development units with associated access, parking, amenity spaces and landscaping.

Location: Land At Southlink, Oldham

Case Officer: Dave Richards
Applicant: Vistry Group (Manchester & Cheshire East)
Agent: Richard Barton, C/O AshtonHale Ltd

1. INTRODUCTION

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

2. RECOMMENDATION

- 2.1. It is recommended that the application is delegated to the Assistant Director of Planning & Development to grant planning permission, subject to the conditions set out in this report and to the completion of a Section 111 agreement, which will secure the following obligations and bind the parties to enter into a Section 106 agreement following completion of the land transfer. The Section 106 will secure:
- The full delivery of the agreed affordable housing scheme;
 - Limited financial contributions towards education provision, public open space enhancement and off-site tree planting totalling £743,607 in accordance with the conclusions of the independently reviewed viability assessment, and
 - The full delivery and long-term management of biodiversity mitigation and enhancement measures, including a 30-year Habitat Management and Monitoring Plan and payment of the GMEU Biodiversity Net Gain Auditing Fee of £7,174 (or such other sum as may be agreed in writing by the Local Planning Authority and GMEU) prior to commencement of development.
- 2.2. As the site is held in joint ownership by Oldham Council and Transport for Greater Manchester, a Section 111 agreement is necessary in the first instance because the Council cannot enter into a Section 106 agreement with itself. The Section 111 agreement will therefore bind the relevant parties to enter into a Section 106 agreement in materially identical terms once the land transfer to the applicant is completed. These obligations represent the required mitigation for the purposes of granting planning

permission and are expected to be secured through the associated land disposal arrangements.

3. SITE DESCRIPTION

- 3.1. The site covers approximately 3.92 hectares of previously developed land at Oldham Mumps. It consists of a vacant office building, areas of hardstanding used for surface car parking, and extensive brownfield ground. A disused railway cutting runs east–west through the centre of the land. Vegetation has naturally re-established across large parts of the site, including areas of young and semi-mature broadleaved trees, scrub, tall grasses and unmanaged groundcover. Several informal footpaths cross the land, and a raised public right of way runs along the western edge.
- 3.2. The site levels vary across the site, reflecting historic ground disturbance and the presence of the former railway cutting. Existing ground levels range broadly between approximately 179.7m AOD and 186.8m AOD across the developable area, with the lowest levels found at the base of the disused cutting and the highest along the northern and eastern edges. The railway cutting forms a pronounced feature running east–west through the centre of the site, with embankments rising on both sides and sloping ground falling towards the cutting floor.
- 3.3. The land is bordered by Oldham Way (A62) to the north, the Royal Mail Delivery Office to the east, Southlink Business Park to the south, and the town centre to the north-west. The Metrolink stop at Mumps lies a short distance to the north, on the opposite side of Oldham Way, and existing pedestrian and cycle routes run through and alongside the site.
- 3.4. The site lies within the defined Oldham Town Centre boundary, as set out in the Oldham Local Plan and occupies a prominent position adjacent to the A62 Oldham Way, a key arterial double carriageway taking traffic around Oldham. The site benefits from excellent accessibility to Oldham Mumps Metrolink Interchange. The site is also within walking distance of a wide range of amenities including supermarkets, schools, Alexandra Park and the town centre’s retail core.

4. THE PROPOSAL

- 4.1. The proposal is for the construction of 147 residential dwellings, all of which would be delivered as 100% affordable housing. The affordable housing will be provided in partnership with First Choice Homes Oldham and will comprise a mix of Social Rent, Rent to Buy and Shared Ownership tenures in accordance with the submitted Affordable Housing Statement. The scheme includes a mix of 1, 2, 3 and 4 bedroom homes in a range of house types, including apartments, mews/terraced, semi-detached and detached properties. The overall mix comprises 97 apartments and 50 family houses.
- 4.2. Smaller homes (1- and 2-bed units) make up 66% of the total provision, supporting affordability and access to the housing market. Larger 3- and 4-bed houses provide family-sized accommodation, ensuring the development meets a broad range of local needs.
- 4.3. The submitted Affordable Housing Statement confirms that 125 dwellings would be provided as Social Rent, 11 as Rent to Buy and 11 as Shared Ownership. The tenure

mix has been agreed with First Choice Homes Oldham and the Council's Housing Team has confirmed its support for the proposed tenure distribution.

- 4.4. Three apartment blocks of three to four storeys will front Oldham Way, creating a defined urban edge. During the application process, materials were amended to introduce a red multi-brick palette with grey interlocking roof tiles, reflecting the character of Oldham and the nearby Princes Gate development.
- 4.5. Vehicular access will be provided from Oldham Way via the existing signal-controlled junction at Prince Street. This junction includes signalised toucan crossings on three arms, enabling safe pedestrian and cycle access to and from the town centre.
- 4.6. Within the site, the internal road layout has been designed to prevent through traffic into the Southlink Business Park and prioritise walking and cycling. Shared footway/cycleways extend through the site. These routes link Glodwick with Oldham Mumps Metrolink stop, Southlink Business Park and the town centre.
- 4.7. Public open space has been refined to support informal recreation, integrating natural play features such as timber boulders and balance elements. Seating and litter bins have been added to provide resting points and enhance social interaction. Detailed design will be secured by condition.
- 4.8. The site entrance will be constructed to an adoptable standard, enabling its future incorporation into the public highway network. Beyond this, the majority of the internal road layout will remain privately managed, with long-term maintenance secured through a private management company funded by residents of the development. Foul and surface water drainage systems will be adopted by either the statutory undertaker or a New Appointments and Variations (NAV) provider. Public open space and the public footpath that crosses the site will also be maintained by the private management company.
- 4.9. The landscape strategy combines retained self-set trees with new planting. Approximately 152 new trees will be provided, including native species such as small-leaved lime, hornbeam, field maple, wild cherry and silver birch, alongside ornamental species including Himalayan birch, callery pear, sweet gum, crab apple and flowering cherry. An avenue of Lime Trees (*Tilia cordata* 'Greenspire') will be planted along Oldham Way to provide immediate visual impact and long-term structural landscaping.
- 4.10. Native hedgerows and mixed scrub planting will be arranged in double-staggered rows, with species-rich grassland and wildflower meadows incorporated across the open spaces. Natural play elements such as stepping logs and boulders will be included. The existing public right of way will be set within a newly planted green corridor. Off-site habitat units will be secured where necessary to achieve the minimum 10% statutory Biodiversity Net Gain.
- 4.11. The proposal complies with Local Plan policy requirements on Affordable Housing and Biodiversity Net Gain. The application has been subject to a viability review in accordance with Policy JP-D2. All dwellings will continue to meet the Nationally Described Space Standards and will be constructed to M4(2) accessible and adaptable standards.

Environmental Impact Assessment

- 4.12. The development would comprise an Urban Development Project within Class 10(b) of schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 4.13. It would not however exceed the applicable threshold of more than 150 dwellings or five hectares. The site is not within or adjoining a Sensitive location as defined in the regulations. There are no other material environmental factors which would be subject to significant impact from the development. It is not therefore considered that the proposal would require submission of an Environmental Statement.

5. PLANNING HISTORY

- 5.1. Most of the application site comprises the location of the former Oldham Mumps Railway Station, which was decommissioned in 2009 and subsequently cleared. More recent planning activity reflects the site's transitional nature. This includes the construction of a new fourth highway arm at the Oldham Way/Prince Street junction (FUL/346374/21), prior approval for the demolition of Office Block 1 on Hamilton Street (DEM/354651/25), and a pending application for a 25m telecommunications monopole (TEL/352937/24). Earlier permissions also include the temporary Metrolink stop granted in 2010 (PA/058450/10). As the Council owns the relevant land, none of these permissions are considered to materially constrain the current proposal.
- 5.2. Pre-application advice has been given to the applicant in advance of submitting the planning application.

6. RELEVANT PLANNING POLICIES

- 6.1. The statutory development plan for Oldham currently comprises:
 - The Places for Everyone Joint Development Plan Document (PfE) (2024);
 - The Joint Core Strategy and Development Management Policies Development Plan Document (referred to as the Local Plan) (2011);
 - The Joint Waste Development Plan Document (Waste DPD) (2012); and,
 - The Proposals Map (2011), including designations from the former Unitary Development Plan where policies are saved.
- 6.2. The site lies within the adopted Oldham Town Centre boundary and is identified for business and office use under saved UDP Policies B1.2.1 – Southlink Business Park and B1.2.4 – Oldham Way / Mumps, Oldham.
- 6.3. The site is identified in the Greater Manchester Identified Housing Land Supply (ref. SHA2016) as potentially being able to accommodate 150 dwellings towards housing supply. Whilst this is not planning policy, it is part of the evidence behind Oldham's housing land supply and clearly indicates the suitability, in principle, for this site for residential development.

- 6.4. The following policies are considered relevant to the determination of this application:

Places for Everyone

Policy JP-S1: Sustainable Development
Policy JP-S2: Carbon and Energy
Policy JP-S3: Heat and Energy Networks
Policy JP-S4: Flood Risk and the Water Environment
Policy JP-S5: Clean Air
Policy JP-S6: Resource Efficiency
Policy JP-H1: Scale, Distribution and Phasing of New Housing Development
Policy JP-H2: Affordability of New Housing
Policy JP-H3: Type, Size and Design of New Housing
Policy JP-H4: Density of New Housing
Policy JP-G1: Landscape Character
Policy JP-G2: Green Infrastructure Network
Policy JP-G7: Trees and Woodland
Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity
Policy JP-P1: Sustainable Places
Policy JP-P5: Education, Skills & Knowledge
Policy JP-C5: Streets for All
Policy JP-C6: Walking and Cycling
Policy JP-C8: Transport Requirements of New Development
Policy JP-D2: Developer Contributions

Joint Core Strategy and Development Management Policies (the Local Plan)

Policy 1: Climate Change and Sustainable Development
Policy 3: An Address of Choice
Policy 9: Local Environment
Policy 19: Water and Flooding
Policy 21: Protecting Natural Environmental Assets
Policy 23: Open Spaces and Sports.

National Planning Policy Framework (August 2026) and National Planning Practice Guidance (NPPG)

- 6.5. The National Planning Policy Framework (NPPF) was revised in August 2026, replacing the version published in December 2024. It sets out the Government's planning policies for England and is a material consideration of significant weight in the determination of planning applications. The revised Framework is structured around nationally numbered decision-making policies rather than paragraph references. Relevant national policies are identified and assessed, where applicable, within the relevant sections of this report.
- 6.6. Annex A of the Framework provides that development plan policies which are materially inconsistent with the national decision-making policies should be given very limited weight, except where those policies have been examined and adopted, or made, against the revised Framework. Annex A also makes clear that development plan policies should not be afforded reduced weight solely because they were adopted before publication of the revised Framework. Where a policy relevant to this application is affected by Annex A, the weight attributed to that policy, and the reasons for that conclusion, are set out within the assessment.
- 6.7. The National Planning Practice Guidance (NPPG) is updated periodically and is a

material consideration where relevant. Other guidance includes Planning Practice Guidance, National Design Guide and National standards for sustainable drainage systems (SuDS).

Other Guidance and Supplementary Planning Documents (SPDs)

- 6.8. Several SPDs provide guidance on the interpretation and implementation of Local Plan policies. While some are dated, they remain material considerations:
- Residential Design Guide SPD (2007) – Sets out principles for high-quality residential design, including layout, scale and amenity standards.
 - Public Realm Design Guide SPD (2007) – Provides guidance on the design and construction of streets and public spaces, forming part of the Urban Design Guide SPD.
 - South Pennine Moors SAC/SPA SPD – Supplements PfE Policy JP-G5, ensuring development does not adversely affect protected habitats within 400m of SAC/SPA boundaries or functionally linked habitats within 2.5km.
 - Holcroft Moss Planning Obligations SPD – Supplements PfE Policy JP-C8, requiring assessment of air quality impacts on Holcroft Moss SAC for developments requiring a Transport Assessment.
 - Greater Manchester Local Nature Recovery Strategy (LNRS) - Adopted in September 2025 under the Environment Act, the LNRS sets priorities for nature recovery and informs biodiversity enhancement measures.

Interim Planning Position Papers

- 6.9. These papers provide additional guidance and are material considerations, though they carry less weight than SPDs:
- Affordable Housing – Clarifies implementation of the Council's affordable housing position under policy 10, including thresholds, tenure mix and delivery mechanisms.
 - Other Protected Open Land (OPOL) – Guidance on assessing proposals affecting OPOL.
 - Education Contributions – Sets out an alternate methodology for calculating developer contributions for school places.
 - Open Space – Provides guidance on assessing open space contributions, including usability standards and maintenance costs, supplementing Policy 23.
 - Supporting Oldham's Economy – Clarifies measures to mitigate the loss of employment sites under Policy 14.

Other Emerging Policy

- 6.10. The Council's Housing Delivery Action Plan (Part 2, June 2025) identifies this site as a "viable" housing opportunity to help address delivery shortfalls. The site is both available and deliverable now, meaning it can make an early and positive contribution to the Borough's housing supply.
- 6.11. The Oldham Local Plan: Publication Plan has been published and consulted on. This stage represents the final draft of the Local Plan prior to submission for independent examination, prepared under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Publication Plan sets out the Council's updated vision, objectives and non-strategic planning policies on matters including housing, design, climate change, transport, open land, and community facilities. It will gain weight as it progresses towards submission and adoption.

7. CONSULTATIONS

Highways Officer (Development Management)	No objection, subject to conditions. The Highway Officer confirms that revisions to the parking layout, internal road geometry, extent of adoptable highway and measures to prevent vehicular through-movements between the development and Southlink Business Park have satisfactorily addressed earlier concerns. The Officer is satisfied that the volume of traffic generated by the development will not have an adverse impact on the local or strategic highway network and advises that the signalised junction will operate safely and efficiently. Conditions are recommended requiring the provision of secure cycle parking, a Residential Travel Plan and a Construction Traffic Management Plan. The Highway Officer also advises that works to any adoptable highway will be subject to the appropriate highway agreements and technical approvals under separate legislation.
Highways (adoptions)	Following discussions with the Highways Adoptions Team, amendments have been made to the scheme in response to matters raised during the consultation process. Having reviewed the revised proposals, the Highways Adoptions Team raises no objection. The team has confirmed that Hamilton Street / Southlink could either remain privately maintained through a management company or be upgraded to adoptable standards and brought forward for adoption under a future agreement. Both options are considered feasible, with the detailed arrangements to be secured through planning conditions and, where necessary, separate highway agreements.
Environmental Health Officer	No objections subject to conditions. The Environmental Health Officer advises that mitigation is required to address both noise and air quality impacts. This includes a whole-dwelling mechanical ventilation scheme, enhanced glazing to specified plots and acoustic barriers. Recent Clean Air Plan monitoring data indicates elevated nitrogen dioxide levels at a location immediately adjacent to the site, raising potential concerns regarding exposure at properties closest to Oldham Way. However, it is acknowledged that air quality is improving over time and that impacts can be adequately mitigated through design measures. Subject to a condition requiring a ventilation strategy that also minimises exposure to road traffic emissions (including appropriate siting of air intakes), together with construction phase dust controls and electric vehicle charging provision, suitable internal noise and air quality environments can be achieved for future occupants.
Education	No objections subject to mitigation. The development is expected to generate 55 primary school pupils, adding pressure in an area where primary capacity is already acutely constrained. Schools within the Glodwick and Clarksfield pupil planning areas

	currently operate at or near capacity, with recent birth-rate data indicating continued pressure on Reception and Year 1 places. In accordance with Department for Education (DfE) cost guidance, the required contribution for primary provision is £1,124,300.10. Officer Note: Further discussions with Education Services have confirmed that no secondary education contribution is secured, as there is no evidenced secondary-level impact directly attributable to the development. The scheme is expected to deliver the full primary education contribution, which will be secured through the Section 106 agreement.
Land Contamination	No objections subject to conditions. Site investigations confirm extensive made ground with elevated metals, PAHs, hydrocarbons and asbestos associated with historic railway and industrial uses, along with localised groundwater contaminants. Gas monitoring is ongoing but indicates a CS1–CS2 classification. No shallow mine workings were found, though the site lies within a Coal Authority High Risk Area. Completion of gas monitoring, a detailed remediation strategy and verification reporting will be required to make the site suitable for residential use.
Trees	No objections are raised. The Tree Officer noted concerns regarding potential under-estimation of tree loss but accepts that the AIA provides a proportionate and transparent baseline given site constraints. While the true stem count is likely higher, the combined mitigation, approximately 152 onsite trees plus a £392,000 off-site contribution offers a reasonable and policy-aligned response. Subject to conditions securing the AMS and landscaping scheme, the overall package is considered acceptable.
LLFA	No objections subject to conditions. The applicant has provided additional infiltration testing and drainage information, which addresses earlier concerns. The amended strategy now applies SuDS principles, provides on-site attenuation, and resolves the previous objection regarding flood-exceedance routing. Detailed design matters, including maintenance, infiltration performance, discharge rates, and foul/surface water separation, will be secured by condition.
Planning Policy (POS)	No objections subject to justification and mitigation. Although the site is allocated for business and office use under saved UDP policies, its predominantly vacant brownfield nature and SHLAA identification support residential redevelopment, provided Policy 14 justification is supplied. The scheme's 100% affordable housing is welcomed. The green corridor must be fully integrated, and BNG must reflect the site's Nature Recovery Opportunity Area. Having regard to the extent and nature of on-site provision, a public open space off-site contribution is appropriate. This should be directed towards addressing identified deficiencies in Parks and Gardens and Outdoor Sports

	provision within the ward. A scheme for the long-term management and maintenance of all on-site public open space will be required to ensure that these areas remain safe, accessible and functional for a minimum period of 30 years.
United Utilities	United Utilities raise an objection to the drainage proposals on the basis that the submitted strategy proposes to discharge surface water to the combined sewer network, which is not acceptable to UU. They require full investigation and evidencing of the drainage hierarchy before any combined sewer connection will be accepted. UU have stated that they do not recommend granting planning permission in advance of the drainage hierarchy being resolved. They also raised a concern regarding incomplete mapping of public sewers crossing the site, including a large sewer along the western boundary, and requested that all assets be accurately located and overlaid on drainage plans, with easement stand-off distances confirmed. <i>Officer Note:</i> The sewer mapping concern has been resolved. Updated drainage plans have been submitted which accurately identify all UU apparatus within the site boundary. The layout has been amended during the application to reposition development away from identified easements, and UU's asset protection condition is included in the schedule to address construction-phase risks. In respect of the drainage hierarchy, infiltration testing confirms that BRE-compliant infiltration is feasible only within a defined area in the southeastern part of the site. No viable watercourse is available. The proposed strategy, which splits drainage between a northeast surface water sewer catchment and a southwest combined sewer catchment, reflects the constraints of the site. The outstanding matters can be adequately controlled by pre-commencement condition, in accordance with UU's own fallback condition wording. The LLFA raises no objection and confirms a compliant solution is achievable at detailed design stage. The drainage hierarchy question does not go to the principle of development and is appropriately dealt with by condition.
TfGM (Transport for Greater Manchester)	No objections. Revised information included an updated Transport Assessment, Technical Note and updated junction modelling. Earlier comments sought clarification on collision data, PM peak modelling assumptions, junction survey information and signal modelling. TfGM also recommended measures to support active travel, including footway resurfacing, tactile paving, dropped kerbs, secure cycle parking and implementation of a Residential Travel Plan. Following review of the additional information, TfGM confirms that the submitted transport evidence, including the updated modelling and collision analysis, is satisfactory. TfGM raises no objection to the proposals and recommends conditions requiring the submission of a Construction Traffic Management Plan and the implementation and monitoring of a Residential Travel Plan.

GMEU (Greater Manchester Ecology Unit)	No objections are raised, subject to conditions. The updated BNG assessment is accepted, with approximately six habitat units deliverable on site; a 30-year Habitat Management and Monitoring Plan (HMMP) will be required and should be secured via Section 106. Off-site units will also be needed to achieve the statutory 10% net gain, with availability to be confirmed through the Biodiversity Gain Plan at discharge stage. Protected species monitoring, licensing (where required), and an updated pre-commencement survey are necessary, alongside a finalised mitigation strategy. Overall, sufficient information has been provided to determine the application.
Greater Manchester Archaeology Advisory Service (GMAAS)	No objections. The site contains no designated heritage assets and lies outside a conservation area, though historic mapping indicates potential remains of a 19th-century hat works and mine shaft in the south-west corner. These areas are proposed as landscaped open space, meaning significant earthworks are unlikely. GMAAS concludes that no further archaeological investigation is required.
GM Police	No comments received. <i>Officer note:</i> A Crime Impact Statement has been submitted, confirming that the layout incorporates Secured by Design principles, including natural surveillance, defensible space, and secure boundary treatments. Conditions are expected to secure compliance with CIS recommendations to ensure the development promotes safety and reduces opportunities for crime.
NHS Oldham	No comments received.
Parks and Open Spaces	No comments.
Coal Authority	No objections. The site lies within a Development High Risk Area with recorded mine entries and potential shallow coal workings. The Coal Mining Risk Assessment, supported by extensive intrusive investigations, confirms no evidence of historic workings, though a watching brief is required during excavations, with any unexpected features reported immediately. Mine gas risks and the interaction of SuDS with ground stability must be considered at detailed design. An informative is recommended advising the developer to report any coal mining hazards encountered.
Environment Agency	No objections subject to conditions. The site lies on a Secondary A aquifer, and historic uses mean contamination could pose a risk to controlled waters. A condition is required to secure a detailed remediation strategy for any unsuspected contamination encountered during construction. Flood Risk Standing Advice applies, as parts of the site fall within Flood Zone 2. Informative advice will also be provided regarding waste

	classification, landfill gas precautions and the developer's responsibility for ensuring a safe, compliant scheme.
Metrolink	No objections subject to a condition. The proposals include land currently owned by TfGM that provides essential access to Metrolink tunnel infrastructure for inspection and maintenance. While agreement on future access lies outside the planning system, it is necessary to secure these arrangements prior to commencement. A condition has been requested requiring the developer to agree access routes and maintenance responsibilities with Metrolink before any works begin.

8. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

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

8.2. In response, four representations have been received raising the following concerns and comments:

8.3. Design and Layout

- The scheme adopts a low-density, car-dominated layout inappropriate for a highly accessible, town-centre-edge site.
- Concerns include poor integration with the Oldham Town Centre Regeneration Framework, lack of active frontages, inadequate surveillance of public open space, and insufficient child-friendly design.
- Recommendations include higher density, dual-aspect apartments, improved materials strategy and incorporation of play features within the green corridor.

Officer note: Concerns regarding design and layout are addressed under Design and Character at 13.1–13.16 of this report. The density of the site, taking into account the available build area, equates to 87.5 dph. Whilst this falls below the 120 dph expectation for town centre locations under PfE Policy JP-H4, it exceeds the 70 dph minimum applicable to sites within 800 metres of the centre. The shortfall is attributable to site-specific physical constraints and to the pre-application direction prioritising family housing, which is central to the registered provider's requirements. The weight attached to this departure is addressed in the planning balance.

The apartment blocks partially frame the Oldham Way frontage, providing a built edge and improved passive surveillance of the corridor. Reinforced tree planting along the A62 corridor will further soften the built edge. Materials to the apartment blocks have been amended to better reflect local character, with red brick as the primary facing material. Car parking is accommodated through a mix of frontage, side and courtyard arrangements that avoids visual dominance of the street scene.

The public open space running through the centre of the site includes active features designed to encourage use by residents of all ages. The detailed POS layout, including any play provision, will be secured by condition.

8.4. Biodiversity and Ecology

- Two representations request conditions requiring installation of integral swift nest bricks in accordance with BS 42021:2022, at a ratio of at least one per dwelling, plus additional provision for apartments.
- Comments highlight to enhance biodiversity and support priority species such as swifts, house sparrows and starlings.
- Support for biodiversity enhancements and wildlife-friendly design features, including hedgehog highways and integrated nest boxes.

Officer note: Requests for biodiversity enhancements are addressed under Ecology at 15.1–15.9 of this report. The site supports suitable habitat for a range of protected and notable species. An Ecological Enhancement Plan will be secured by condition requiring integral swift bricks, bat boxes and native species-rich planting. Vegetation clearance will be restricted to outside the nesting season or preceded by pre-clearance checks, and a nesting bird protection condition is recommended. Hedgehog presence will be addressed through precautionary working methods during construction.

On BNG, the mandatory 10% net gain for area habitats cannot be achieved on-site; 6.44 Section 111 agreement securing obligations additional habitat units will be secured off-site via s.106 obligation prior to commencement, with availability confirmed through an approved habitat bank. A 30-year Habitat Management and Monitoring Plan will be secured by condition covering on-site habitat creation and retained trees.

8.5. Highways

- A representation from the Ramblers Association notes that Public Footpath 152, which crosses the site, will likely need to be closed during construction. However, it should be reinstated or diverted upon completion of the development to maintain connectivity for walkers.

Officer note: The footpath and active travel route running east–west through the site will be managed and maintained by the Council following completion of the development, ensuring the route remains safe, legible and well-overlooked. The management of any temporary closure during construction will be addressed through the Construction Method Statement, which is to be secured by pre-commencement condition. Where a diversion of the route is required, this will be agreed with the Council's Rights of Way Officer prior to any works affecting the footpath.

ASSESSMENT OF THE PROPOSAL

9. MAIN CONSIDERATIONS

- 9.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions on planning applications must be taken in accordance with the development plan unless material considerations indicate otherwise.
- 9.2. The main determining issues for consideration in respect of this application are as follows:
- Principle of development
 - Sustainability
 - Infrastructure

- Design and character
- Impacts on amenity
- Highway safety and parking provision
- Ecology and biodiversity net gain
- Trees and landscaping
- Flooding
- Drainage
- Noise
- Air quality
- Pollution
- Energy
- Planning obligations
- Viability
- Overall planning balance

10. PRINCIPLE OF DEVELOPMENT

10.1 The application site comprises approximately 3.92 hectares of previously developed land formerly occupied by Oldham Mumps Railway Station, which closed in 2009 and was subsequently cleared. The site now contains a vacant office building, surface car parking, areas of brownfield land, pockets of greenspace, and a raised public right of way. It lies within the defined Oldham Town Centre boundary and benefits from excellent accessibility, being located less than 200 metres from the Oldham Mumps Metrolink stop and key bus services.

10.2 NDMP Policy S3 of the NPPF establishes a presumption in favour of sustainable development. As the site lies within the defined settlement boundary, Policy S4 applies. Policy S4 provides that development proposals within settlements should be approved unless the benefits would be substantially outweighed by adverse effects when assessed against the national decision-making policies of the Framework. The site's location within the defined settlement and town centre boundary carries significant weight in favour of the principle of development.

UDP Employment allocation:

10.3 Under saved UDP Policies B1.2.1 and B1.2.4, the site is allocated for business and office use. These allocations date from an earlier development plan period and have not come forward despite the site remaining largely vacant for over a decade. The applicant has submitted robust evidence demonstrating that continued employment use is neither viable nor realistic, owing to market conditions, fragmented land configuration, historic railway gradients and the constraints posed by multiple easements and level changes. In accordance with Local Plan Policy 14, alternative uses may be supported where employment reuse is not feasible and where wider regeneration benefits are delivered. On the basis of the evidence provided, these policy tests are satisfied.

Housing supply:

10.4 Policy HO7 of the NPPF requires substantial weight to be given to the benefits of providing homes which contribute towards meeting evidenced housing needs. The site is identified in the Council's Strategic Housing Land Availability Assessment (SHLAA, 2024) (ref. SHA2016) as suitable, available and achievable for residential development, with an indicative capacity of 150 dwellings. The Council's Housing

Delivery Action Plan (2025) identifies the site as a key housing opportunity capable of making an early and positive contribution to housing delivery.

- 10.5 PfE Policy JP-H1 identifies a stepped housing requirement for Oldham, rising to 680 homes per year between 2025 and 2030. The Council's Housing Delivery Action Plan (2025) responds to the borough's declared housing crisis and includes a commitment to deliver 500 new social homes by 2029.
- 10.6 The proposal would deliver 147 dwellings, all of which would be affordable homes. Policy HO8 of the NPPF expects development to meet identified affordable housing needs and supports the delivery of affordable housing in accordance with development plan requirements. In this case, the provision of 100% affordable housing substantially exceeds policy requirements and represents a significant response to identified local housing needs.
- 10.7 The proposed development makes efficient use of brownfield land in a highly accessible location and would make a meaningful contribution to meeting identified housing needs, including affordable homes, in line with PfE Policy JP-H1 and the Housing Delivery Action Plan.

Density:

- 10.8 PfE Policy JP-H4 requires housing development to be delivered at an appropriate density having regard to accessibility, sustainable transport opportunities and the efficient use of land. For sites within 400 metres of Oldham Town Centre, the policy identifies a benchmark density of 120 dwellings per hectare. NPPF Policies L2 and L3 similarly support the effective and efficient use of previously developed land.
- 10.9 The development would deliver 147 dwellings on a net developable area of approximately 1.68 hectares, equating to a density of approximately 87.5 dwellings per hectare. Whilst this falls below the 120 dph benchmark associated with town centre locations, it exceeds the 70 dph threshold applicable to highly accessible locations outside the immediate town centre core.
- 10.10 The lower density reflects a number of site-specific constraints, including the former railway cutting, drainage easements, level changes across the site, the retained public footpath and the need to provide meaningful on-site public open space. These factors materially reduce the developable area and limit the scope for a more intensive form of development without compromising design quality, residential amenity or functionality.
- 10.11 Whilst the proposal does not fully achieve the density aspirations of Policy JP-H4, the shortfall is justified by the site's constraints and attracts only limited weight against the development. On balance, the scheme is considered to make efficient use of the developable area available and is acceptable in density terms.

11. SUSTAINABILITY

- 11.1 NDMP Policies TR3, TR4 and CC2 seek development in sustainable locations that reduce reliance on the private car and provide genuine travel choice. PfE Policies JP-C1, JP-C6 and JP-C8, together with Local Plan Policy 1, promote accessible development supported by sustainable transport infrastructure.

- 11.2 The site occupies an exceptionally sustainable location within Oldham's urban area. It is situated approximately 300 metres from the Oldham Mumps Metrolink stop, equivalent to around a four to five-minute walk via established pedestrian routes. Oldham Mumps forms part of the Greater Manchester Metrolink network and benefits from a frequent all-day service significantly exceeding the minimum service thresholds contained within the NPPF definition of a well-connected station. The stop is located within the Manchester Travel to Work Area, which is one of the top 80 Travel to Work Areas identified by the Framework. The site therefore lies within reasonable walking distance of a well-connected tram stop for the purposes of national policy.
- 11.3 Oldham Mumps Metrolink stop and interchange provides regular services to Manchester and Rochdale. Six bus stops at the interchange offer high-frequency services, with buses running approximately every 10 minutes to destinations including Ashton-under-Lyne, Huddersfield and Manchester City Centre. Oldham Bus Station lies approximately 1 kilometre from the site and is accessible on foot within around 15 minutes, providing further connections across the borough and wider city region.
- 11.4 The development also integrates well with existing pedestrian and cycle routes. Shared footway and cycleway connections link the site to Oldham Way and Prince Street, supported by toucan crossings at the signalised junction. A traffic-free route runs east-west through the site, linking Alexandra Retail Park and Southlink Business Park, and will be maintained as part of the proposals. National Cycle Network Route 626 is accessible via Alexandra Park, providing onward connections towards Ashton-under-Lyne and beyond.
- 11.5 A wide range of day-to-day services and facilities, including supermarkets, schools, healthcare facilities, employment opportunities, recreation facilities and public open space, are located within comfortable walking and cycling distance of the site. This enables many regular journeys to be undertaken without reliance on the private car.
- 11.6 A Framework Travel Plan has been submitted, which sets out measures to promote sustainable travel behaviour among future residents. This includes the appointment of a Travel Plan Coordinator, provision of electric vehicle charging for all dwellings and high-quality cycle parking. Residents will receive a Travel Information Welcome Pack and will be encouraged to join car-sharing and bicycle user groups. All homes will be equipped with high-speed broadband to support home working and reduce the need to travel.
- 11.7 Given the site's highly accessible location adjoining Oldham Mumps Interchange and close proximity to a wide range of services and facilities, the proposal represents a sustainable form of development. It accords with NDMP Policies TR3, TR4 and CC2, PfE Policies JP-C1, JP-C6 and JP-C8, and Local Plan Policy 1.

12. INFRASTRUCTURE

Education:

- 12.1 NDMP Policies HC3 and HC4 recognise the important role that education and other community infrastructure play in supporting sustainable and healthy communities. Development proposals should be accompanied by an understanding of the infrastructure required to serve future occupiers and should provide, or contribute towards, any improvements that are necessary to make the development acceptable in planning terms. In accordance with Policies 1 and 2 of the Local Plan and PfE Policy

JP-P5, major residential developments are expected to mitigate their impact on local school capacity.

- 12.2 The proposed development is forecast to generate 55 primary pupils and 34 secondary pupils. Education Services confirm that acute pressure exists at primary level, particularly within the Clarksfield and Glodwick pupil planning areas, where schools are already operating at or near capacity, with limited surplus provision in early year groups.
- 12.3 The required mitigation for the additional 55 primary pupils is calculated at £1,124,300.10 in accordance with the Council's approved education contributions methodology. The submitted viability assessment has been independently reviewed on behalf of the Council. That review concludes that, having regard to abnormal development costs and the delivery of the proposed 100% affordable housing scheme, the development cannot viably support the full policy-compliant education contribution whilst remaining deliverable.
- 12.4 Although the standard formula identifies a potential secondary contribution, insufficient evidence on the basis of this application alone exists to demonstrate a direct impact on secondary capacity. As such, a secondary contribution would not meet the statutory tests for planning obligations and is not sought.
- 12.5 In light of the agreed viability position, a reduced education contribution will be secured as part of the overall package of planning obligations supported by the independently reviewed viability assessment. Whilst this will not fully mitigate the development's impact on primary school capacity, it represents the maximum reasonable contribution capable of being secured whilst maintaining the deliverability of the scheme.
- 12.6 The proposal will therefore result in some residual pressure on primary education provision. However, that harm must be weighed against the substantial benefits arising from the delivery of 147 affordable homes on a sustainable brownfield site. On balance, the residual education impact attracts moderate weight against the proposal.

Healthcare:

- 12.7 NDMP Policies HC3 and HC4 recognise the importance of planning positively for health, wellbeing and community infrastructure, including healthcare provision, and require infrastructure considerations to be integrated into decision-making where relevant. PfE Policy JP-P6 requires, where appropriate, the provision of new or improved health facilities as part of new developments proportionate to the additional demand that they would generate.
- 12.8 Local medical services are provided via St Mary's Medical Centre (650m), Greenbank and Glodwick Medical Practice (800m) which are currently accepting new patients. A number of dental services are also available in the town centre, around 480m from the site. Pharmacies are also located within a 1-mile radius, ensuring adequate access to primary healthcare services for future residents.
- 12.9 No objections have been received from NHS Oldham. It is recognised that healthcare infrastructure is generally primarily funded through central government allocations and national taxation, rather than through individual planning applications. The strategic

approach to healthcare planning taken at the plan-making stage ensures that capacity is monitored and addressed at the regional level. This is coordinated through the Greater Manchester Integrated Care System, which oversees long-term planning and investment in health services across the borough.

- 12.10 The proposed development is considered acceptable in terms of healthcare provision and compliant with PfE Policy JP-P6.

Affordable Housing:

- 12.11 NPPF Policies HO7 and HO8 require significant weight to be given to the delivery of housing, particularly affordable housing which meets identified needs. This approach is reinforced by PfE Policies JP-H1 and JP-H2 and the Council's Housing Delivery Interim Planning Position Paper.
- 12.12 The proposed development comprises 147 dwellings, all of which will be delivered as affordable housing. This significantly exceeds both the minimum policy requirement of 20% and the Council's strategic aspiration of 40%. The tenure mix has been informed by the Local Housing Needs Assessment and discussions with First Choice Homes Oldham as the proposed Registered Provider.
- 12.13 Affordable homes are distributed throughout the development across a range of house types. The tenure mix prioritises Social Rent whilst retaining opportunities for Shared Ownership and Rent to Buy products. This reflects identified local need, First Choice Homes Oldham's waiting-list profile and the site's accessible location.
- 12.14 All affordable homes will be delivered in partnership with First Choice Homes Oldham. The Council's Housing Team supports the proposed tenure mix and delivery arrangements, which provide confidence that the housing will be delivered, managed and retained as affordable accommodation in the long term, subject to standard statutory exceptions.
- 12.15 The proposal would deliver 147 affordable homes in a sustainable and accessible location, making a substantial contribution towards meeting identified housing needs. It therefore complies with NPPF Policies HO7 and HO8, PfE Policies JP-H1 and JP-H2, and supports the Council's wider housing objectives.

Transportation:

- 12.16 Policies TR3, TR4 and TR6 of the NPPF require development to be located in accessible locations, support sustainable patterns of movement, prioritise walking, wheeling, cycling and public transport, and ensure that transport impacts are appropriately assessed and mitigated. PfE Policy JP-C8 and Local Plan Policy 9 similarly seek development that reduces reliance on the private car, promotes active travel and safeguards the efficient operation of the transport network.
- 12.17 The application is supported by a Transport Assessment (TA), Framework Travel Plan (FTP) and subsequent Technical Note prepared by i-Transport LLP. These documents have been reviewed by the Local Highway Authority and Transport for Greater Manchester (TfGM).

- 12.18 Following discussions with the Local Highway Authority during the course of the application, amendments were made to the internal street layout. In particular, Apartment Block 3 and Plots 98-125 are now proposed to be accessed from Hamilton Street/Southlink rather than directly from the Oldham Way signal-controlled junction. This change was introduced in response to concerns regarding the proximity of the original access arrangement to the A62 Oldham Way junction. Pedestrian and cycle access from Oldham Way is retained.
- 12.19 Following scoping with the Council and TfGM, the TA assesses three signalised junctions where traffic could be significant:
- A62 Oldham Way / Prince Street (site access);
 - A62 Oldham Way / A669 Lees Road / Bottom O' Th' Moor Road / Oldham Mumps Interchange;
 - Mumps / Prince Street / Union Street / Yorkshire Street / Beaver Street.
- 12.20 Additional locations raised at scoping (A62/King St/A627; A62 Huddersfield Rd/Shaw Rd; Lees Rd/Glodwick Rd/Cross St) were screened out as the scheme would not generate a material number of trips at those points.
- 12.21 The internal layout has been designed to prevent vehicular through-traffic between Oldham Way and Southlink Business Park. A landscaped barrier restricts movement to pedestrians, cyclists and emergency vehicles only, preventing rat-running and helping to maintain a low-speed residential environment whilst retaining permeability for sustainable modes of travel
- 12.22 The Highway Officer has highlighted that any future redevelopment of the wider Southlink area may require a connection between Oldham Way and Southlink Business Park. No such proposals are currently before the Council and the application must therefore be determined on its own merits. Nevertheless, the scheme has been designed such that the internal street layout could be adapted in future, subject to any necessary approvals and without prejudicing the safe operation of the approved development.
- 12.23 Trip generation has been derived using TRICS multi-modal person trip rates (excluding pandemic-era surveys and using appropriate edge-of-centre comparators), with local TEMPro mode splits applied. The development is forecast to generate 58 two-way vehicle trips in the AM peak and 54 in the PM peak (Scenario 1), incorporating growth to 2030 and committed developments. This equates to approximately one additional vehicle per minute at peak times across the network.
- 12.24 The revised access strategy results in approximately 60% of dwellings continuing to access the site from Oldham Way, with approximately 40% accessing via Hamilton Street/Southlink. An updated assessment has been undertaken to reassess the operation of the Oldham Way/Prince Street junction and the Oldham Way/Lees Road junction under the revised arrangement. The submitted Technical Note concludes that the revised access configuration results in only negligible changes to queue lengths, degree of saturation and overall junction performance when compared to the previously assessed scheme. No material adverse impacts were identified.
- 12.25 The updated modelling demonstrates that all assessed junctions continue to operate

within acceptable capacity in the 2030 future-year scenario, both with and without the development. TfGM has confirmed that the modelling is acceptable and no additional off-site highway mitigation is required because of the revised access arrangements.

- 12.26 The submitted Technical Note also includes updated swept-path analysis which demonstrates that refuse vehicles can safely manoeuvre within the revised layout and service all relevant dwellings. Refuse collection distances have been reviewed and found to be within acceptable limits.
- 12.27 A Framework Travel Plan accompanies the application and sets out measures to promote sustainable travel behaviour among future residents. These include the appointment of a Travel Plan Co-ordinator, provision of Travel Information Packs, monitoring through resident travel surveys and measures to encourage walking, cycling, public transport use and car sharing. A full Residential Travel Plan will be secured by condition.
- 12.28 The site occupies a highly accessible urban location within easy reach of Oldham Mumps Metrolink stop, the associated bus interchange, Oldham Town Centre and a broad range of employment, retail and community facilities. The submitted evidence demonstrates that the development can be accommodated on the local highway network without giving rise to unacceptable highway safety impacts or severe cumulative impacts on network operation. Having regard to the views of TfGM and the Local Highway Authority, the proposal is considered to accord with Policies TR3, TR4 and TR6 of the NPPF, together with PfE Policy JP-C8 and Local Plan Policy 9.

Public Open Space:

- 12.29 Policies HC1 and HC6 recognise the contribution that such spaces make to health, wellbeing, social interaction and quality of life, and support the delivery and enhancement of open space where required to serve existing and future communities. Local Plan Policy 23 expects major residential schemes to contribute to new or enhanced open space unless it is demonstrated that this would be impracticable, undesirable or not financially viable. In determining the appropriate approach, regard is given to the Open Space Study (2022) and the Open Space Interim Planning Position Paper (2025), both of which identify deficiencies in several open-space typologies within St Mary's Ward.

On site provision:

- 12.30 The proposals incorporate a landscaped linear green corridor running east–west through the site, forming part of a wider pedestrian and cycle network. The corridor includes informal amenity space, natural play elements, seating, and tree planting. It also upgrades the existing active-travel route, providing a safer, overlooked connection between Alexandra Retail Park, Southlink Business Park and the town centre.
- 12.31 A Public Open Space Plan has been submitted setting out the extent, layout and design of on-site provision. The proposed spaces are capable of functioning as usable and publicly accessible areas. In this transitional urban context, between the town centre, active travel spine and wider green space network, the on-site provision will primarily function as an accessible amenity resource and green corridor, making a proportionate contribution to recreation, visual amenity, biodiversity and wayfinding.

12.32 Concerns have been raised regarding the usability, surveillance and child-friendly value of the on-site provision. During the application process, the scheme has been amended to enhance functionality, including the incorporation of additional natural play features and improved passive surveillance. The absence of a formal equipped play area reflects the site's constraints, layout and role as a movement corridor; however, Policy 23 allows a flexible approach where site-specific circumstances limit the scope for more formal provision. On this basis, the principle of the on-site provision is considered acceptable, subject to detailed design being secured by condition.

12.33 All on-site public open space will be managed and maintained by a private management company on behalf of First Choice Homes Oldham. A detailed management and maintenance regime will be secured to ensure that all spaces, including landscaping and play features, remain safe, accessible and functional for a minimum period of 30 years. The Council will continue to manage the footpath running through the site which links with the wider public rights-of-way network beyond the site boundary.

Off site provision:

12.34 St Mary's Ward is identified as being deficient in several open-space typologies, including Parks and Gardens and Outdoor Sports provision. In such circumstances, Local Plan Policy 23 seeks mitigation through a combination of on-site provision and off-site enhancement where appropriate. Having regard to the nature, function and extent of the on-site provision, an off-site contribution of £190,102.35 would ordinarily be justified to address the residual demands generated by the development.

12.35 Notwithstanding this position, the application has been subject to an independently reviewed viability assessment. The viability evidence demonstrates that the scheme cannot reasonably support the full package of planning obligations previously identified whilst maintaining the delivery of 147 affordable homes. In these circumstances, priority has been given to securing the development itself, together with those obligations necessary to address the most direct impacts of the proposal. As a result, the development is unlikely to fully mitigate its impacts in relation to public open space provision through a financial contribution.

12.36 This residual shortfall must however be considered in context. The scheme incorporates an area of accessible on-site green infrastructure, including amenity space, natural play features and a publicly accessible green corridor. In addition, Alexandra Park is located approximately 800 metres from the site to the south, representing a reasonable walking distance and providing access to a large, well-established public park capable of meeting a broad range of recreational and leisure needs. Future residents would therefore have access to both on-site open space and existing strategic public open space within reasonable walking distance.

12.37 Whilst the absence of an off-site public open space contribution attracts some limited weight against the proposal, the overall package of on-site provision, access to existing green infrastructure and the significant public benefits arising from the delivery of 100% affordable housing mean that the impact is not considered sufficient to justify withholding planning permission. Subject to conditions securing the detailed design and long-term management of the on-site public open space, the development is

considered acceptable overall.

13. DESIGN AND CHARACTER

- 13.1 NPPF Policies DP3 and L3 require development to respond positively to its surroundings and deliver attractive, healthy and well-designed places. PfE Policy JP-P1 and Local Plan Policies 1 and 9 similarly require high-quality design that contributes positively to local character, public realm and placemaking.
- 13.2 The site comprises previously developed land within a transitional location between Oldham Town Centre, Oldham Way and Southlink Business Park. Redevelopment will introduce built form onto a vacant brownfield site identified within the SHLAA as suitable for residential development. The submitted Design and Access Statement demonstrates how the layout, scale and appearance of the development respond to this context.
- 13.3 The site contains significant level changes and the proposed layout responds through a series of retaining structures and changes in finished floor levels. These are typical features of brownfield development on sloping sites and are not considered harmful to the overall character or appearance of the scheme.
- 13.4 The submitted materials layout and the apartment block drawings set out the palette of external materials across the scheme. The houses are finished in a combination of brick and render, with variations in tone and texture to articulate the different house types and break up the streetscape. The apartment blocks use a similar material palette but with a more formal and consistent expression appropriate to their scale, with brick as the primary facing material and contrasting panel elements providing visual interest to the upper storeys.
- 13.5 The positions of apartment blocks 1 and 2 have been revised at Rev P of the site plan to reflect the updated drainage easement, and their elevational treatment remains consistent with the original design intent. They partially frame the Oldham Way frontage, providing a built edge and improved passive surveillance of the corridor. Officers explored options for increasing the massing and built edge where the family housing is located, but First Choice Homes Oldham (as future owner/manager) advised that alternatives would compromise the current NDSS compliance, the agreed internal layouts and would require non-standard house types. Additional landscaping, including reinforced tree planting along the A62 corridor, will further soften the built edge.
- 13.6 The layout provides appropriate separation distances, privacy and outlook for future residents and neighbouring occupiers. All dwellings meet the Nationally Described Space Standards and M4(2) accessibility standards. Future Homes Standard measures, including low-carbon heating, photovoltaic panels and EV charging infrastructure, are also proposed.
- 13.7 Secured by Design principles have informed the layout, including active frontages, natural surveillance, defensible space, secure cycle storage and appropriate boundary treatments. Parking is distributed throughout the development in a manner that avoids undue visual dominance and supports a coherent streetscape.

- 13.8 A substantial area of public open space is retained through the site, incorporating landscaping, active travel links, seating and informal play opportunities. This space provides an attractive green corridor and contributes positively to the character and functionality of the development.
- 13.9 The proposal does not fully achieve the continuous built frontage or density that might otherwise be expected in such an accessible location. However, this reflects site-specific constraints, environmental mitigation requirements, the need to provide meaningful public open space and the objective of delivering a significant proportion of family housing. Whilst these matters give rise to a limited conflict with aspects of Policy JP-H4 and the design aspirations for the site, the overall design response is considered appropriate.
- 13.10 It is acknowledged that, in an unconstrained scenario, an alternative layout might be possible. However, decisions must be based on the site's real-world constraints, viability and the need to deliver family homes, rather than hypothetical alternatives. Any perceived gaps in the frontage must be weighed alongside the significant benefits of delivering 100% affordable housing and meeting pressing local housing needs.
- 13.11 Taking all matters into account, the scheme represents a well-considered response to a challenging brownfield site. It would create an attractive and accessible residential environment and is considered to comply overall with NPPF Policies DP3 and L3, PfE Policy JP-P1, and Local Plan Policies 1 and 9.

14. HIGHWAY SAFETY

NPPF Policy TR6 requires development proposals to be supported by proportionate transport evidence and to provide safe and suitable access for all users. PfE Policy JP-C8 similarly requires appropriate access, parking and mitigation measures where necessary.

- 14.1 The application is supported by a Transport Assessment, Framework Travel Plan and updated Technical Note. Vehicular access will be taken from the existing signal-controlled junction at Oldham Way/Prince Street. Following concerns raised by the Highway Officer, the layout was amended so that Block 3 and Plots 98-125 are accessed via Hamilton Street/Southlink. This removes a significant proportion of traffic from the northern access and addresses the Highway Officer's principal concern.
- 14.2 Updated junction modelling demonstrates that the revised access arrangements would have no material effect on the operation of the surrounding highway network. The Highway Authority and TfGM have reviewed the submitted evidence, including collision data and junction modelling, and raise no objection subject to conditions.
- 14.3 The internal layout incorporates low-speed design principles, traffic-calming features, pedestrian priority measures, secure cycle parking and a vehicle restriction preventing through-traffic to Southlink Business Park. Parking provision is intentionally low-car to reflect the site's high accessibility. Forty-seven spaces are provided for the apartments (just under 50% parking provision), and each family house is provided with at least one off-street parking space. A total of 120 secure cycle spaces are provided for the apartments, with additional provision for houses. The Highway Officer expressed

concern that the cycle stores may be under-utilised; however, the applicant has provided robust, secure, enclosed and well-located cycle storage facilities that are clearly signed, overlooked by active frontages and segregated from vehicle movements. While the planning system cannot compel residents to use cycle storage, the facilities meet good-practice design principles and will be maintained by First Choice Homes Oldham, remaining available should demand increase.

- 14.4 Hamilton Street will be subject to arrangements securing its construction standard and long-term maintenance, whilst the east-west public footpath and active travel route will remain available and continue to provide connectivity through the site. Refuse collection has been assessed and can be accommodated safely within the proposed layout.
- 14.5 Subject to the recommended conditions, including a Construction Traffic Management Plan and Residential Travel Plan, the proposal would provide safe and suitable access for all users and would not result in severe residual cumulative impacts on the transport network. The development therefore complies with NPPF Policy TR6 and PfE Policy JP-C8.

15. ECOLOGY

On site:

- 15.1 The NPPF requires decision-makers to minimise impacts on biodiversity and deliver measurable net gains. The statutory 10% Biodiversity Net Gain (BNG) duty introduced by the Environment Act 2021 applies to this scheme. At the local level, PfE Policy JP-G8 and Local Plan Policy 21 seek the protection, enhancement and connectivity of habitats and ecological networks. The application is supported by an updated Preliminary Ecological Appraisal (PEA) (Nov 2025, amended Feb 2026), a Badger Method Statement (Feb 2026), Night-time Bat Survey (Rev. 3), and a BNG Assessment using the Statutory Metric (Feb 2026).
- 15.2 The PEA identifies a mosaic of young to semi-mature broadleaved woodland blocks, mixed scrub, modified grassland, tall forbs and hardstanding typical of a brownfield site. Baseline mapping has been updated to align with arboricultural information, better distinguish scrub from derelict land, and present an accurate UKHab tree baseline. Japanese knotweed is present and will be removed under a method statement secured by condition.
- 15.3 The site lies within the Impact Risk Zone of Lowside Brickworks SSSI and Rochdale Canal SAC/SSSI. No direct effects are anticipated. To address potential indirect recreational pressure on Glodwick Lows LNR, homeowner information packs will encourage responsible access and awareness of sensitive habitats, secured by condition.
- 15.4 The site supports suitable habitat for a range of protected and notable species. The site offers moderate potential for bat commuting and foraging, though roosting potential is negligible in buildings and limited to three trees with low-value features. Woodland and scrub support nesting passerines. Vegetation clearance will take place outside the nesting season or be preceded by checks. Hedgehog presence will be addressed

through precautionary working methods. Great crested newt is reasonably discounted due to the absence of ponds within 250 m. An Ecological Enhancement Plan will secure nest boxes (including swift bricks), bat boxes and native, species-rich planting.

- 15.5 A Badger Method Statement has been submitted. Night-time bat walkover surveys have been carried out. No bat roosts or badger setts of significance have been identified on the site in a position that would prevent development, subject to appropriate working method precautions. A nesting bird protection condition is recommended.

BNG:

- 15.6 The updated statutory biodiversity metric demonstrates an on-site net loss of 26.88%, equivalent to 4.69 area habitat units, against a baseline of 17.47 units. The biodiversity trading rules are not satisfied on-site due to the loss of medium and low distinctiveness habitats. The scheme will deliver 2.64 hedgerow units where no baseline hedgerow units currently exist, representing a positive biodiversity outcome in respect of linear habitats. To achieve the mandatory 10% biodiversity net gain requirement for area habitats, a total of 6.44 additional habitat units will be required from off-site provision. Discussions with private habitat bank providers are ongoing.
- 15.7 The inability to achieve the 10% BNG target on-site reflects the nature of the site, which carries an existing biodiversity value from the mix of scrub, grassland, and tree cover that has established on the brownfield land over time. The proposed development necessarily removes much of this existing cover to enable residential development, and the planting strategy partially offsets this loss. GMEU are happy with the approach taken with regard to the site intersecting with the Greater Manchester Local Nature Recovery Strategy,
- 15.8 The remaining biodiversity net gain deficit of 6.44 habitat units will be secured through a Section 106 obligation. The agreement will require evidence of the allocation or purchase of the necessary off-site units from an approved habitat bank, or an equivalent delivery mechanism, prior to the commencement of development. A 30-year Habitat Management and Monitoring Plan will be required by condition to secure the management and monitoring of retained trees and newly created habitats across the site for the full statutory period. GMEU notes that the proposal results in a significant loss of woodland habitat units. As off-site biodiversity units may not comprise woodland habitats and may be delivered outside the borough, this loss should be taken into account within the overall planning balance.
- 15.9 Subject to the recommended conditions and planning obligations, the proposal is considered acceptable in ecological terms. The statutory biodiversity net gain requirement can be satisfied through a combination of on-site habitat creation and secured off-site provision. The development therefore accords with PfE Policy JP-G8 and Local Plan Policy 21.

16. TREES

On site:

- 16.1 Policy N2 of the NPPF requires development proposals to conserve and enhance existing natural features of visual and biodiversity value, including established trees

and woodland, wherever possible. Policy N3 further recognises the important contribution that trees make to biodiversity, climate resilience, placemaking and environmental quality, and requires development to incorporate new tree planting in appropriate locations together with arrangements for their long-term management and maintenance. At the local level, PfE Policy JP-G7 seeks to increase tree cover, protect and enhance woodland, diversify broadleaved species and, where development results in tree loss, secure replacement planting on the basis of two new trees for every tree lost or alternative measures that deliver a net enhancement in the character, quality and biodiversity value of the local treescape, with a preference for on-site provision. Local Plan Policy 21 similarly seeks to safeguard existing trees and secure appropriate mitigation where their removal is necessary.

- 16.2 An Arboricultural Impact Assessment (AIA) has been prepared by Urban Green in accordance with BS 5837:2012. The assessment identifies a number of tree groups on and adjacent to the site. The majority are classified as Category B trees of moderate quality, with a smaller number classified as Category C trees of lower quality. No Category A trees are present on the site.
- 16.3 The proposed development requires the removal of three tree groups (G2, G8 and G9), sections of six further tree groups (G1, G3, G4, G5, G6 and G7) and three trees from each of groups G13 and G14. These trees are predominantly classified as Category B. Three lower-quality tree groups (G11, G12 and G17) would also be removed. Tree T10 is proposed for removal irrespective of the development due to its poor condition and lack of long-term viability. The AIA concludes that the overall impact would be moderate, localised and long term. This is considered to be a realistic assessment as the proposal would result in a genuine loss of existing tree cover and visual amenity that cannot be immediately replaced through new planting.
- 16.4 The Tree Officer raises no objection in principle but considers that the AIA may understate stem numbers within some of the denser areas of self-seeded woodland. However, the site contains extensive colonising woodland on steep embankments, with areas of limited accessibility. In these circumstances, a precise stem-by-stem survey was not realistically achievable and the assessment has instead relied on a combination of field survey data and a quadrat-based methodology.
- 16.5 The methodology adopted by the AIA is considered proportionate and sufficiently robust for planning purposes. Based on that assessment, approximately 545 stems are estimated to be removed. Applying the replacement ratio within Policy JP-G7 generates a theoretical replacement requirement of 1,090 trees. The proposed landscape strategy can accommodate approximately 152 new trees on site, alongside native hedgerow planting and species-rich grassland. Whilst this does not achieve a direct numerical replacement on the application site, Policy JP-G7 expressly allows alternative measures that deliver a net enhancement in the character and quality of the treescape and biodiversity value of the local area. Much of the vegetation to be removed comprises closely spaced self-seeded trees of relatively modest arboricultural value, whereas the proposed planting strategy focuses on longer-lived species with greater potential to mature and contribute positively to the landscape structure of the site over time.
- 16.6 The remaining tree groups (G1, G3, G4, G5, G6, G7, G13, G14, G15 and G16) are to be retained and can be adequately protected throughout the development process. The Arboricultural Method Statement sets out a range of measures including BS 5837-

compliant protective fencing, temporary ground protection within root protection areas, hand removal of existing surfacing in sensitive locations and the use of no-dig cellular confinement systems where new hard surfaces are required within root protection areas. A programme of arboricultural supervision and monitoring is also proposed and can be secured by condition.

- 16.7 The loss of areas of young woodland also contributes to a reduction in woodland habitat units within the statutory Biodiversity Net Gain assessment. This impact will be addressed through a combination of on-site habitat creation and off-site biodiversity enhancements, as discussed elsewhere in this report.
- 16.8 Consideration has also been given to the scope for securing an off-site tree planting contribution. However, the trees affected are principally areas of naturally colonised woodland and moderate-quality tree groups. Furthermore, the proposal incorporates substantial on-site replacement planting and wider biodiversity enhancements. Having regard to the viability evidence submitted and the competing demands for infrastructure contributions arising from the development, it is not considered necessary or reasonable to prioritise an off-site tree contribution amounting to £375,200 in this instance.
- 16.9 Whilst the proposal would result in the loss of a substantial number of trees, the harm is moderated by the absence of any Category A trees, the predominantly self-seeded nature of the vegetation affected, the retention and protection of significant areas of existing tree cover, and the provision of extensive replacement planting and habitat enhancement across the site. On balance, the mitigation package is considered proportionate to the level of harm identified. The proposal is therefore considered to accord with NPPF Policies N2 and N3, PfE Policy JP-G7 and Local Plan Policy 21.

17. NOISE

- 17.1 NPPF Policies P3 and P4 require development to provide healthy living conditions and appropriately mitigate noise impacts on future occupiers. PfE Policy JP-C5 and Local Plan Policy 9 similarly require noise-sensitive development to be supported by suitable assessment and mitigation where necessary.
- 17.2 The application is supported by an updated Noise Impact Assessment (NIA) prepared by E3P (ref. 51-805-R1 Rev 05, dated 6 August 2026). The assessment is informed by two full 24-hour road traffic noise surveys undertaken on Oldham Road and Lees Road together with attended measurements of potential commercial noise sources to the east and south of the site. The survey data were incorporated within a calibrated 3D CadnaA noise model to assess daytime and night-time noise levels across the development. The assessment found that surrounding commercial activities contribute little to the site's acoustic environment beyond vehicle movements and associated traffic noise.
- 17.3 The assessment identifies road traffic as the dominant source of environmental noise affecting the site. Predicted façade noise levels exceed BS 8233:2014+A1:2019 guideline values at a number of dwellings closest to Oldham Road and Lees Road. Enhanced glazing is therefore recommended for the most exposed façades, with higher specification glazing required at certain locations to address both average and maximum night-time noise levels. Noise levels within some rear gardens are predicted to exceed the upper BS 8233 guideline value of 55dB LAeq and acoustic barriers ranging from 2.1 metres to 2.6 metres in height are required to achieve acceptable external amenity conditions.

- 17.4 The assessment also considers the requirements of Approved Document O in relation to overheating. Parts of the development exceed relevant night-time noise thresholds and therefore cannot rely on open bedroom windows as the primary overheating mitigation measure. In these locations bedrooms will need to be assessed and designed on the basis of closed-window operation, supported by appropriate mechanical ventilation in accordance with Approved Document F.
- 17.5 The Environmental Health Officer raises no objection to the development subject to conditions. The Officer supports the recommendations contained within the NIA and requires details of the glazing specification, acoustic barriers and a whole-dwelling mechanical ventilation strategy capable of providing background and purge ventilation without reliance on opening windows.
- 17.6 The Environmental Health Officer raises no objection subject to conditions. Subject to the implementation of the recommended glazing, acoustic barriers and mechanical ventilation measures, future occupiers would benefit from acceptable living conditions. The proposal therefore complies with NPPF Policies P3 and P4, PfE Policy JP-C5 and Local Plan Policy 9.

18. AIR QUALITY

- 18.1 Policy P3 of the NPPF requires development proposals to be appropriate for their location having regard to the likely effects of pollution on health, living conditions and the environment. Development should not give rise to unacceptable levels of pollution, should contribute to compliance with relevant air quality objectives and targets, and should take opportunities, where possible, to reduce wider pollution impacts and secure improvements in environmental conditions. At the local level, Policy JP-S5 of the PfE plan seeks to secure improvements in air quality through reducing emissions and incorporating appropriate mitigation measures. Local Plan Policy 9 similarly requires development to be supported by proportionate environmental assessment and to avoid unacceptable effects on human health and the environment. An update Air Quality Assessment prepared by Redmore Environmental Ltd has been submitted in support of the application.
- 18.2 The site is adjacent to, and partly within, the Greater Manchester AQMA. The AQA therefore considers: (i) construction-phase dust emissions; (ii) operational road-traffic emissions; and (iii) the suitability of the site for residential use in the context of existing pollutant concentrations.
- 18.3 During construction, dust emissions could arise from earthworks, construction activities and vehicle movements. The assessment identifies a medium risk of dust soiling and a low risk of human health impacts, consistent with IAQM methodology. A suite of good-practice measures is recommended, including effective site management, dust suppression, control of vehicle movements, and increased monitoring during dry or windy conditions. With these controls in place, construction-phase effects are predicted to be not significant.
- 18.4 Recent air quality monitoring within the Greater Manchester AQMA identifies a number of locations where annual mean NO₂ concentrations have exceeded the objective in previous years, including a monitoring location adjacent to Oldham Way. The submitted assessment has therefore considered both the effect of development-generated traffic and the suitability of the site for residential occupation. The dispersion model has been

verified against local monitoring data in accordance with DEFRA guidance and is demonstrated to perform within accepted tolerances. The assessment adopts conservative assumptions, including the use of 2024 emission factors and background concentrations when modelling future-year conditions. This approach is likely to overestimate future pollutant concentrations and therefore provides a precautionary assessment of likely effects.

- 18.5 The submitted Air Quality Assessment concludes that annual mean NO₂, PM₁₀ and PM_{2.5} concentrations at all assessed off-site receptors would remain below the relevant air quality objectives and targets. Impacts arising from development traffic are predicted to be negligible and not significant. The assessment further concludes that pollutant concentrations across the development site would remain below the relevant standards and that future residents would not be exposed to unacceptable levels of air pollution. Whilst the Environmental Health Officer notes that a nearby monitoring location has recorded annual mean nitrogen dioxide concentrations above the national objective in several recent years and maintains a precautionary concern in this regard, it is accepted that the assessment has been undertaken using recognised methodology and demonstrates that the site is suitable for residential use. A condition requiring a ventilation strategy to minimise occupants' exposure to traffic-related air pollution is recommended in the interests of public health.
- 18.6 The scheme incorporates measures that support improved air quality and sustainable travel, including electric vehicle charging infrastructure, cycle storage and pedestrian connectivity. Construction phase dust mitigation will be secured through the Construction Management Plan and associated good-practice measures identified in the assessment.
- 18.7 The site lies within an area where air quality requires careful consideration. However, the submitted assessment demonstrates that pollutant concentrations at existing and proposed receptors would remain below the relevant objectives and targets and that traffic associated with the development would have a negligible effect on local air quality. Subject to the recommended mitigation measures, including the approved ventilation strategy and construction-phase dust controls, the proposal is acceptable in air quality terms and complies with the NPPF, PfE Policy JP-S5 and Local Plan Policy 9.

19. FLOODING AND DRAINAGE

- 19.1 The NPPF requires development to be directed to areas of lowest flood risk and to incorporate sustainable drainage systems. PfE Policy JP-S4 and Local Plan Policy 19 similarly require development to manage flood risk appropriately, protect the water environment and ensure surface water is dealt with sustainably.
- 19.2 A Flood Risk Assessment and Drainage Strategy (Shape Engineering, Rev C, February 2026), Drainage Operation, Management and Maintenance Manual (Rev C, February 2026), and updated Drainage Strategy drawings (Refs. 2746-SCE-00-00-DR-C-0002 and 0003, Rev P06, August 2026) have been submitted and amended during the course of the application. The site lies within Flood Zone 1, indicating a low probability of fluvial flooding. The FRA identifies groundwater emergence as a medium-likelihood source of risk, with all other sources of flooding assessed as low risk or not applicable.
- 19.3 Whilst United Utilities' concerns regarding the location of sewer infrastructure and easements have been resolved through amended plans, United Utilities maintain an

objection to the proposed drainage strategy on the basis that the drainage hierarchy has not yet been fully demonstrated. Officers consider that matter can appropriately be resolved through the recommended drainage condition, having regard to the submitted infiltration testing and the absence of objection from the LLFA.

- 19.4 Surface water discharge is limited to 20 l/s overall, with 13 l/s directed to the north-east network and 7 l/s to the south-west. Flows are controlled via Hydro Brake restrictors. The design incorporates a +45% climate change allowance and 10% urban creep. Attenuation is provided through an offline cellular tank to the north, oversized pipes to the south, and a small infiltration tank serving the south-eastern plots. Finished floor levels are set a minimum of 150 mm above adjacent ground levels.
- 19.5 The submitted drainage strategy demonstrates that infiltration opportunities are limited across much of the site, with BRE-compliant infiltration achievable only within the southeastern area. The strategy therefore combines infiltration, attenuation and restricted discharge measures. Surface water is controlled through Hydro Brake flow controls, attenuation storage and an infiltration tank serving the southeastern plots, with discharge rates restricted to greenfield runoff rates and allowances included for climate change and urban creep.
- 19.6 All dwellings lie within Flood Zone 1 and can be drained appropriately through the proposed SuDS strategy. Subject to detailed drainage conditions, the Lead Local Flood Authority raises no objection and the development is considered acceptable in flood risk and drainage terms, complying with the NPPF, PfE Policy JP-S4 and Local Plan Policy 19.

20. LAND CONTAMINATION

- 20.1 NPPF Policy P2 requires development to ensure land is suitable for its proposed use, taking account of contamination, land stability and ground conditions. PfE Policy JP-S1 and Local Plan Policy 9 similarly require contamination risks to be properly assessed and, where necessary, remediated
- 20.2 A Geo-environmental Appraisal and Coal Mining Risk Assessment (Groundtech, ref. GRO 24307 5812, June 2025), together with earlier investigations, has been reviewed alongside Environmental Health Officer comments. The reports record a long industrial history (former Oldham Mumps Station, goods shed, sidings, mills, gas works and historic landfills) and confirm extensive Made Ground, locally up to 8.9 m bgl, with areas of colliery spoil present.
- 20.3 Rotary boreholes to 50 m bgl encountered intact coal seams with no evidence of shallow workings. A recorded mine entry (ref. 393404 035) could not be located during trial trenching and lies approximately 56 m from development within public open space; a watching brief is therefore recommended during enabling works. An east-site geological fault requires foundation reinforcement within 25 m. These issues influence engineering design but do not alter the overall contamination risk profile.
- 20.4 The GM Land Contamination Officer accepts the Phase II evidence and recommends the full contaminated land condition, including land-contamination and ground-gas requirements. Gas monitoring is ongoing and a detailed Remediation Strategy will be required. Based on the dataset, officers consider a clean-cover system appropriate for soft-landscaped areas, supported by a materials-management approach during earthworks and targeted ground-gas protection to be finalised once monitoring is

complete. Officers consider this a proportionate and technically robust approach to ensuring the site is suitable for use.

- 20.5 The GM Land Contamination Officer raises no objection subject to conditions. The submitted investigations demonstrate that contamination risks can be appropriately managed through further investigation, remediation and verification measures. Subject to those controls, the proposal complies with NPPF Policy P2, PfE Policy JP-S1 and Local Plan Policy 9.

21. ENERGY

- 21.1 NPPF Policy CC2 and PfE Policy JP-S2 require development to reduce energy demand, minimise carbon emissions and support the transition to net zero through energy-efficient design, low-carbon technologies and renewable energy generation. The submitted Energy Statement has been assessed against these policy requirements.
- 21.2 The development adopts this fabric-first approach by designing the homes to retain heat effectively through well-insulated walls, roofs and floors, energy-efficient windows, and good overall airtightness. These measures significantly reduce the amount of energy needed to heat the homes and anticipate the standards required by the forthcoming Future Homes Standard.
- 21.3 All houses will be heated using air-source heat pumps, which provide low-carbon heating. Apartments will use efficient electric heating systems supported by mechanical ventilation. Across the scheme, energy-efficient measures such as low-energy lighting, water-saving fittings and high-quality ventilation systems are included. Solar panels (photovoltaics) will be installed on all houses, with the potential for additional panels on apartments if required. Every home will also have an EV charging point.
- 21.4 Modelling of example house and apartment types shows that the energy performance of the new homes will be significantly better than current building-regulation requirements. This results in reduced energy use and substantially lower carbon emissions. The Energy Statement confirms that all dwellings will achieve an EPC rating of B or better, with performance verified through post-construction testing.
- 21.5 The development incorporates a fabric-first approach, low-carbon heating technology, renewable energy generation and energy-efficient design measures. Subject to implementation of the approved Energy Statement, the proposal will reduce operational energy demand and carbon emissions and therefore complies with NPPF Policy CC2 and PfE Policy JP-S2.

22. OBLIGATIONS and VIABILITY

- 22.1 NPPF Policies DM5 and DM6 require planning obligations to be necessary, directly related to the development and fairly and reasonably related in scale and kind. PfE Policy JP-D2 similarly requires development to mitigate its impacts through appropriate infrastructure provision and contributions, taking account of viability where justified.
- 22.2 The proposed development generates requirements for mitigation in respect of education provision, public open space and off-site tree planting. The Council is satisfied that these matters would ordinarily justify planning obligations and that, in

policy terms, the full mitigation package generated by the development is as follows:

Education: £1,124,300.10

Public Open Space: £190,102.35

Off-site Tree Planting: £375,200

- 22.3 Together, these obligations would amount to £1,689,602.45 and represent the full policy-compliant mitigation package that would ordinarily be sought from the development.
- 22.4 During the course of the application, a viability assessment was submitted by the applicant and independently reviewed on behalf of the Council. Following further review and updated appraisal work, it has been agreed that the development cannot viably support the full policy-compliant package of planning obligations whilst maintaining delivery of the proposed 100% affordable housing scheme.
- 22.5 The independently reviewed viability evidence demonstrates that the scheme can support planning obligations with a total value of £743,607. The final apportionment of that sum between education provision, public open space enhancement and off-site tree planting will be agreed by officers prior to completion of the legal agreement, having regard to the evidence of need, policy priorities and the statutory tests for planning obligations. Any update will be reported to the Planning Committee via the Late List.
- 22.6 The reduced package of obligations represents the maximum reasonable level of mitigation that can be secured whilst maintaining the deliverability of the development. Whilst the agreed obligations will not fully mitigate all impacts arising from the scheme, they will provide a proportionate contribution towards addressing those impacts and securing materially greater mitigation than would otherwise be achieved.
- 22.7 The obligations to be secured satisfy the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended). They are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind.
- 22.8 Subject to completion of the Section 111 Agreement and subsequent Section 106 Agreement securing the agreed mitigation package, affordable housing delivery arrangements and biodiversity obligations, the proposal is considered acceptable in planning obligation and viability terms. The development therefore complies overall with NPPF Policies DM5 and DM6 and PfE Policy JP-D2.

23. PLANNING BALANCE

- 23.1 For the purposes of considering the balance in this application, planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

23.2 The following key matters have been considered:

Harms:

- 23.3 The net density achieved is lower than would ordinarily be expected for a highly accessible brownfield site in this location. Whilst the position is justified by the site's physical constraints, the operational requirements of the Registered Provider and the objective of delivering a meaningful proportion of family housing, the scheme nevertheless results in a limited conflict with the efficient use of land objectives of PfE Policy JP-H4. This attracts **Limited Weight** against the proposal.
- 23.4 A section of the Oldham Way frontage does not achieve the continuous built form that might otherwise be expected in a prominent town centre edge location. Whilst this approach is justified by the site's constraints, landscape strategy and the delivery of family housing, it results in a limited conflict with the design aspirations of PfE Policy JP-P1 for this part of the Oldham Way corridor. This attracts **Limited Weight** against the proposal.
- 23.5 The development necessitates the removal of a significant number of existing trees and woodland vegetation. Whilst replacement planting is proposed and off-site mitigation will be secured through legal agreement, the contribution made by established trees to local character, visual amenity and environmental quality cannot be replicated immediately. This residual harm attracts **Limited Weight** against the proposal.
- 23.6 The development will generate demand for school places. Whilst planning obligations will secure a proportionate contribution towards mitigating these impacts, the independently reviewed viability evidence demonstrates that the scheme cannot support the full policy-compliant package of contributions whilst maintaining delivery of the proposed 100% affordable housing development. As a consequence, the majority of the impact on local infrastructure will be mitigated. This residual harm attracts **Moderate Weight** against the proposal.

Benefits:

- 23.7 The proposal would redevelop a long-vacant and underutilised brownfield site in a highly sustainable location. The development would remove a prominent area of previously developed land from vacancy and bring it back into productive use. This represents a significant public benefit and is afforded **Substantial Weight** in favour of the proposal.
- 23.8 The development would deliver 147 new homes in a sustainable urban location, making a meaningful contribution towards identified housing needs within the borough. National policy requires substantial weight to be given to the benefits of delivering homes which contribute towards meeting housing need. This benefit attracts **Substantial Weight** in favour of the proposal.
- 23.9 The proposal would deliver 147 affordable homes, representing 100% affordable housing across the entire development. This significantly exceeds policy requirements and would make a substantial contribution towards addressing identified affordable housing needs within the borough. Delivery through First Choice Homes Oldham and the agreed funding arrangements provide a high degree of certainty that the affordable housing benefits will be realised. This benefit is afforded **Substantial Weight** in favour

of the proposal.

- 23.10 The Energy Statement demonstrates a fabric-first and all-electric approach which will reduce operational energy demand and carbon emissions when compared with traditional forms of development. This supports local and strategic climate change objectives and is afforded **Moderate Weight** in favour of the proposal.
- 23.11 The site's location provides excellent access to employment opportunities, services, facilities and public transport. The proposal will also improve active travel connections between Alexandra Retail Park, Southlink Business Park and Oldham Town Centre through the delivery of a safer and better overlooked pedestrian and cycle route. This attracts **Moderate Weight** in favour of the proposal.
- 23.12 The scheme will achieve the statutory requirement for 10% Biodiversity Net Gain. Whilst this is a policy requirement, it contributes positively to local environmental objectives and is afforded **Limited Weight**.
- 23.13 Other technical considerations, including the historic employment UDP allocation, amenity, highway safety, drainage, land contamination and air quality, have been found acceptable and are afforded **Neutral Weight**.

24. OVERALL CONCLUSION

- 24.1 Having regard to the development plan as a whole, the National Planning Policy Framework and all other material considerations, the identified adverse effects are **not considered to substantially outweigh** the benefits of the proposal. The proposal therefore benefits from the support afforded by NPPF Policy S4 and planning permission should be granted, subject to the recommended planning conditions and completion of the Section 106 Agreement.

25. RECOMMENDATION

- 25.1 It is recommended that the application is delegated to the Assistant Director of Planning & Development to grant planning permission, subject to the conditions set out in this report and to the completion of a Section 111 agreement, which will secure obligations and bind the parties to enter into a Section 106 agreement following completion of the land transfer.
- 25.2 The conditions and Legal Agreements shall secure:
- The full delivery of the approved affordable housing scheme;
 - Financial contributions towards education provision, public open space enhancement and off-site tree planting totalling £743,607, with the final apportionment of those contributions to be agreed prior to completion of the legal agreement in accordance with the conclusions of the independently reviewed viability assessment;
 - The delivery and long-term management of biodiversity mitigation and enhancement measures, including a 30-year Habitat Management and Monitoring Plan (HMMP); and

- Payment of the Greater Manchester Ecology Unit Biodiversity Net Gain Auditing Fee of £7,174 (or such other sum as may be agreed in writing by the Local Planning Authority and Greater Manchester Ecology Unit) prior to commencement of development.

25.3 The financial contributions secured through the legal agreement shall be applied towards:

- Education provision within the relevant pupil planning area;
- Enhancement of off-site public open space within St Mary's Ward; and
- Off-site tree planting to address the shortfall in replacement tree planting arising from the development.

25.4 The final contribution package shall represent the maximum reasonable level of mitigation that can be secured whilst maintaining the deliverability of the approved affordable housing development, having regard to the conclusions of the independently reviewed viability assessment.

25.2 Separately, the statutory Biodiversity Gain Condition will secure the off-site habitat units required to achieve the mandatory biodiversity net gain objective. The required habitat units will be secured through an approved Biodiversity Gain Plan and registration of the associated off-site units in accordance with the statutory biodiversity net gain regime.

26. 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 listed 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 (excluding demolition and enabling works) shall commence until the outstanding elements of the site investigation recommended in the Geo-Environmental Appraisal and Coal Mining Risk Assessment (Groundtech Consulting, June 2025) have been completed, and a Final Site Investigation Addendum Report has been submitted to and approved in writing by the Local Planning Authority. The Addendum Report shall include the following where relevant:
 - (i) completion of the ground gas monitoring programme and an updated Gas Risk Assessment;
 - (ii) any targeted supplementary investigation in areas previously inaccessible or identified for further work in the submitted Appraisal; and
 - (iii) confirmation of any refinements to the preliminary remediation measures recommended in the submitted Appraisal.

All enabling and excavation works in the relevant areas shall be carried out under a watching brief by a suitably qualified engineer or geotechnical specialist, in accordance with the recommendations of the Geo-Environmental Appraisal.

Any voids or unexpected features encountered shall be recorded and stabilisation measures agreed with the Local Planning Authority before works continue. No development shall proceed beyond ground works until the Local Planning Authority has approved the required next steps, including any remedial or protection measures identified through the investigation.

All approved measures shall then be implemented in full.

REASON - To ensure the site is suitable for its intended use, safeguard human health and the environment, and appropriately address contamination and ground condition risks in accordance with NPPF Policy P2, PfE Policy JP-S1 and Policy 9 of the Joint DPD. This is a pre-commencement condition as the investigation must be completed before any construction works take place.

4. No development above ground level shall take place until a Detailed Remediation Strategy for the site (including measures to address identified contamination, ground gas protection, clean-cover system design and a verification methodology) has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be prepared in accordance with the recommendations of the approved Site Investigation Addendum Report.

All remediation measures shall be implemented in full in accordance with the approved strategy. Upon completion of the remediation, a Verification Report shall be submitted to and approved in writing by the Local Planning Authority before any dwelling is occupied.

REASON - To ensure safe development having regard to contamination risks in accordance with NPPF Policy P2, PfE Policy JP-S1 and Policy 9 of the Joint DPD.

5. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for: parking arrangements for site operatives and visitors; loading and unloading of plant and materials; storage of plant and materials; erection and maintenance of security hoarding; wheel washing facilities; measures to control noise, dust and dirt emissions in accordance with IAQM guidance; a scheme for recycling and disposal of waste; hours of construction (08:00–18:00 Monday to Friday, 09:00–13:00 Saturday, with no work on Sundays or Bank Holidays); and contact details of the site manager for public queries.

The approved Statement shall be implemented and adhered to throughout the construction period.

REASON - To manage construction traffic and protect highway safety and residential amenity during construction, in accordance with NPPF Policies TR4 and TR6, PfE Policy JP-C8 and Policy 5 of the Joint DPD. This is a pre-commencement condition required to control construction impacts from the outset.

6. No development, other than survey works necessary to discharge conditions, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The

CEMP shall include: a risk assessment of potentially damaging construction activities in relation to wildlife and habitats; measures to protect adjacent habitats and designated sites; details of protective fencing, exclusion barriers and wildlife safety measures; ecological supervision and monitoring arrangements; confirmation of a licence issued by Natural England satisfying details relating to badgers and permitting the development to proceed, or written confirmation from Natural England that no licence is required; timing of works to avoid harm to nesting birds and other protected species; specific mitigation measures drawn from the submitted and approved ecological reports; and waste and recycling arrangements.

The approved CEMP shall be implemented in full for the duration of the construction period.

REASON - To safeguard ecological assets on the site in accordance with NPPF Policy N2, PfE Policy JP-G8 and Policy 21 of the Joint DPD. Pre-commencement is necessary to ensure controls are in place before any on-site activity begins.

7. Prior to the commencement of the construction of any dwellings, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

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

The approved schemes shall be in accordance with the National Standards for Sustainable Drainage Systems (July 2025) or any subsequent replacement national standards.

REASON - To promote sustainable development, secure proper drainage and manage the risk of flooding and pollution in accordance with NPPF Policy F8 and PfE Policy JP-S4. Pre-commencement is necessary to ensure detailed drainage design is in place before any agreed development is installed.

8. Prior to any earthworks, machinery operation or vegetation clearance, an updated badger sett survey shall be undertaken and submitted to the Local Planning Authority for written approval, together with a final Badger Mitigation Strategy. The Strategy shall include: 21-day sett monitoring; closure methodology; Ecological Clerk of Works (ECoW) supervision; risk assessment method statements for construction; and operational phase measures addressing lighting, traffic, foraging and other impacts.

The approved Strategy shall be implemented in full.

REASON - To ensure up-to-date information on a mobile species and safeguard

badgers in accordance with PfE Policy JP-G8.

9. No development above ground level shall take place until a detailed hard and soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: planting plans showing species, sizes and locations for all new trees and shrubs, including a minimum of 152 replacement trees; use of native and pollinator-friendly species to enhance biodiversity; street tree planting and specifications for tree pits (including crate systems where trees are located within adoptable highways); details of protective fencing and no-dig construction within Root Protection Areas in accordance with BS 5837:2012 and the approved Arboricultural Method Statement; boundary treatments and hard surfacing materials; and a timetable for implementation and a maintenance schedule for a minimum of five years, including replacement of any failed planting within that period.

The approved scheme shall be implemented within the first planting season following the final dwelling being substantially complete and thereafter maintained in accordance with the approved details.

Any trees or plants which die, become diseased or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size.

REASON - To ensure that the development site is landscaped to an acceptable standard in accordance with NPPF Policies N2 and N3, PfE Policy JP-G7 and Policy 21 of the Joint DPD.

10. No development above ground level shall take place until an Ecological Enhancement Plan (EEP) has been submitted to and approved in writing by the Local Planning Authority. The EEP shall include: integration of bat boxes (Ibstock Enclosed type or similar) into the fabric of at least 50% of dwellings, as directed by a suitably qualified ecologist; integration of swift boxes (Ibstock Eco type or similar) into the fabric of at least 50% of dwellings, as directed by a suitably qualified ecologist; creation of hedgehog access points (minimum 13 cm x 13 cm) in boundary fences and barriers at strategic locations to ensure site-wide connectivity; native planting and habitat features to support biodiversity; a lighting strategy to ensure no unreasonable light spill outside the application site; and an implementation timetable linked to plot occupation. All measures shall be drawn from the submitted ecological reports.

The approved measures shall be implemented prior to the occupation of each dwelling where the relevant features are to be installed and retained thereafter.

REASON - To ensure ecological enhancement to an acceptable standard in accordance with NPPF Policy N2, PfE Policy JP-G8 and Policy 21 of the Joint DPD.

11. No development above slab level shall commence until a detailed Public Open Space (POS) scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: hard and soft landscape details for the linear corridor, public footpaths and ancillary spaces, including planting schedules, tree pits and soil volumes; inclusive seating, wayfinding features and natural play elements; a lighting strategy designed to provide safe movement and enhanced natural surveillance, consistent with BCT/ILP GN08/23; long-term

management and maintenance arrangements to be secured through an estate or management company; public access arrangements and frontage treatments to ensure well-overlooked and safe public areas; and a delivery and phasing plan for all POS works.

The approved POS scheme shall be implemented in accordance with the approved details and maintained in perpetuity.

REASON - To ensure the development delivers high-quality, accessible and well-overlooked public open space and the upgraded active travel corridor, in accordance with NPPF Policies HC3 and DP3, Policy 23 of the Joint DPD and PfE Policy JP-G2.

12. No development shall take place until the developer has provided written evidence to the Local Planning Authority confirming that access routes to the Metrolink tunnel infrastructure and maintenance responsibilities for that access have been agreed with Transport for Greater Manchester (TfGM).

REASON - To ensure that access for the inspection and maintenance of the Metrolink tunnel infrastructure is maintained, in accordance with PfE Policy JP-C8.

13. Within 6 months of the first occupation of any part of the development, a full Residential Travel Plan (RTP) shall be submitted to and approved in writing by the Local Planning Authority. The RTP shall accord with the submitted Framework Travel Plan (iTransport, Ref: PW/IT210336 003AR, 02/02/2026) and shall include: finalised mode share targets; details of the appointed Travel Plan Co-ordinator; a programme of measures for walking, cycling, public transport and car sharing (including Travel Packs and any car club arrangements); provision for electric vehicle charging and cycle parking; a monitoring and review strategy including baseline surveys within 6 months of first occupation and bi-annual surveys for 5 years; and funding and governance arrangements.

The approved RTP shall be implemented and thereafter maintained, with monitoring reports submitted to the Local Planning Authority within three months of each survey and any necessary remedial measures implemented in accordance with an updated action plan agreed in writing by the Local Planning Authority.

REASON - To promote sustainable travel choices, reduce reliance on private vehicles and mitigate the impact of the development on the local road network, in accordance with PfE Policy JP-C8 and NPPF Policy TR6.

14. Each respective dwelling as shown on the approved plans shall not be occupied until the vehicle parking and turning areas to serve that dwelling have been fully constructed, surfaced, drained and marked out in accordance with the approved details. These areas shall be retained and kept available for the parking and manoeuvring of vehicles at all times thereafter. Any retaining structures required to facilitate the approved parking and turning areas shall be constructed in accordance with NHBC Technical Standards, or an equivalent nationally recognised standard.

REASON - To ensure adequate parking and manoeuvring space is provided and

retained, in accordance with NPPF Policy TR4, PfE Policy JP-C8 and Policy 9 of the Joint DPD.

15. No more than 90% of the dwellings shall be occupied until the visitor vehicle parking and turning areas have been fully constructed, surfaced, drained and marked out in accordance with the approved details. These areas shall be retained and kept available for the parking and manoeuvring of vehicles at all times thereafter.

REASON - To ensure adequate parking and manoeuvring space is provided and retained, in accordance with NPPF Policy TR4, PfE Policy JP-C8 and Policy 9 of the Joint DPD.

16. Prior to the commencement of any works relating to the installation of any sub-station or pumping station, full details of its design, external appearance, boundary treatments, noise attenuation measures and maintenance access arrangements shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved details and the installation shall be operational prior to the first occupation of any dwelling served by it.

REASON - To ensure the installation is appropriately designed and sited in the interests of protecting amenity, in accordance with NPPF Policies DP3 and P3 and Policy 9 of the Joint DPD.

17. Prior to occupation of any part of the development, a Sustainable Drainage Management and Maintenance Plan for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include: arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a residents' management company; and arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

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

REASON - To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development, in accordance with NPPF Policy F8 and PfE Policy JP-S4.

18. No development above ground level shall take place until full details and specifications of the external materials to be used in the construction of the buildings, together with details of any photovoltaic solar panels, solar roof tiles or other roof-mounted renewable energy equipment, have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the siting, dimensions, colour, finish, method of installation and relationship with the roofscape of each building.

The development shall thereafter be carried out in accordance with the approved details and the approved renewable energy equipment shall be installed prior to first occupation of the relevant dwelling and retained thereafter.

REASON - To secure a high quality appearance, ensure that renewable energy measures are satisfactorily integrated into the design of the development, and support climate change mitigation in accordance with NPPF Policies DP3 and CC2, PfE Policy JP-P1 and Policy 9 of the Joint DPD.

19. Should any unexpected significant contamination be encountered during development, all associated works shall cease and the Local Planning Authority shall be notified in writing immediately. A Phase 3 Remediation Strategy and Phase 4 Verification Report shall be submitted to the Local Planning Authority for approval. The associated works shall not re-commence until those reports have been approved by the Local Planning Authority.

REASON - To secure the satisfactory development of the site in terms of human health and the wider environment, in accordance with PfE Policy JP-S1 and Policy 9 of the Joint DPD.

20. Any soil or soil-forming materials brought to site for use in garden areas, soft landscaping, filling or level-raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing, including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information, shall be submitted to and approved in writing by the Local Planning Authority prior to any such material being brought on to site. The approved testing shall then be carried out and verification evidence submitted to and approved in writing by the Local Planning Authority.

REASON - To secure the satisfactory development of the site in terms of human health and the wider environment, in accordance with PfE Policy JP-S1 and Policy 9 of the Joint DPD.

21. No dwelling shall be occupied until details of refuse storage facilities for that dwelling have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented prior to occupation and thereafter retained for use at all times.

REASON - To ensure adequate provision for waste storage and to maintain residential amenity, in accordance with Policy 9 of the Joint DPD.

22. No dwelling shall be occupied until details of secure cycle parking facilities for that dwelling have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented prior to occupation and retained thereafter.

REASON - To promote sustainable travel, in accordance with PfE Policy JP-C6 and Policy 9 of the Joint DPD.

23. Prior to the commencement of any part of the development, including site

clearance, excavation or construction works or the entry of vehicles or plant into the site, all existing retained trees and hedges on and adjacent to the site, other than those indicated for removal on the approved plans, shall be physically protected from damage by the erection of 2.3-metre high protective fencing using vertical and horizontal scaffolding poles or other stout fencing, with uprights driven well into the ground, erected in accordance with BS 5837:2012 outside the canopy spread of the trees. The fencing shall be maintained for the duration of the development operations and no operations or storage shall take place within the fenced protection areas.

REASON - To protect existing trees and hedges, in accordance with NPPF Policies N2 and N3 and PfE Policy JP-G7. Pre-commencement is necessary to ensure protection measures are in place before any activity begins on site.

24. No dwelling shall be occupied until the noise and ventilation mitigation measures identified in the approved Noise Impact Assessment (E3P, ref. 51-805-R1, dated 25 September 2025 and updated 29 January 2026) have been fully installed for that dwelling. These measures shall include:

(a) Glazing — all glazing shall meet or exceed the performance levels specified for each relevant facade in the Noise Impact Assessment; Blocks 1 and 2 and Plots 143–147 shall have minimum Rw 38 dB (34 dB Rw+Ctr); Block 3 (facades not otherwise specified in the NIA) shall have minimum Rw 32 dB (30 dB Rw+Ctr); Plots 98–114 (facades not otherwise specified in the NIA) shall have minimum Rw 32 dB (30 dB Rw+Ctr); a glazing schedule confirming installed specifications for each plot shall be submitted to and approved in writing by the Local Planning Authority prior to occupation.

(b) Ventilation and Air Quality — where glazing is required to remain closed to achieve internal noise criteria or to comply with Approved Document O, a mechanical ventilation system providing whole-dwelling ventilation without reliance on open windows shall be installed prior to occupation and retained thereafter; the ventilation scheme shall also be designed to minimise the exposure of future occupants to road traffic air pollution, including the siting of air intake points on the least polluted elevations where practicable, details of system specification and airflow strategy demonstrating how exposure to nitrogen dioxide will be reduced, and details of any filtration or air treatment measures where required; prior to first occupation, details of the ventilation specification and air intake locations shall be submitted to and approved in writing by the Local Planning Authority.

(c) Acoustic Barriers — acoustic barriers shown in Figure 6 of the Noise Impact Assessment (2.1 m for Plot 98, 2.4 m for Plot 104, and 2.6 m for Plots 109–115) shall be installed in the approved locations; they shall be imperforate with a minimum surface mass of 10 kg per square metre, sealed to ground, and retained for the lifetime of the development.

REASON - To ensure acceptable living conditions and protect the health of future occupiers from noise and air pollution, in accordance with NPPF Policy P3, PfE Policy JP-S5 and Policy 9 of the Joint DPD.

25. The development hereby approved shall be carried out in full accordance with the

Affordable Housing Statement (Vistry, June 2026), including the approved tenure mix, affordability parameters, delivery mechanism and transfer of all 147 dwellings to First Choice Homes Oldham (or an alternative Registered Provider agreed in writing with the Local Planning Authority).

The affordable housing units shall be provided prior to first occupation of the corresponding dwellings and retained as affordable housing in perpetuity, except in circumstances where statutory rights apply and subject to standard mortgagee exemptions.

Any proposed variation to the tenure mix, delivery route or affordability provisions shall be submitted to and approved in writing by the Local Planning Authority prior to implementation.

REASON - To ensure the timely delivery, transfer and retention of affordable housing in accordance with NPPF Policies HO7 and HO8, PfE Policies JP-H1 and JP-H2, Policy 10 of the Joint DPD and the Council's Housing Delivery Interim Planning Position Paper.

26. The development shall be carried out in accordance with the approved Flood Risk Assessment (2746, Rev D, Wardell Armstrong), including finished floor levels and overland flow routes as shown on the approved Flood Exceedance Plan. No alterations to these elements shall take place without the prior written approval of the Local Planning Authority.

REASON - To reduce the risk of flooding to the development and surrounding area, in accordance with PfE Policy JP-S4 and NPPF Policies F4, F7 and F8.

27. The development shall be carried out in full accordance with the Energy Statement (L and F Solutions, August 2025). No dwelling shall be occupied until all energy and low-carbon measures for that dwelling have been installed and are fully operational. All approved measures shall be retained and maintained for the lifetime of the development.

REASON - To secure a sustainable and energy-efficient form of development which supports climate change mitigation and the transition to net zero, in accordance with NPPF Policy CC2 and PfE Policy JP-S2.

28. Prior to first occupation of any part of the development, a Estate Management and Maintenance Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall cover: ongoing management of all on-site public open space, footpaths, cycle routes, play features and landscaping; maintenance of the ecological enhancements secured in the approved Ecological Enhancement Plan; inspection regimes; and responsibilities of First Choice Homes Oldham or any successor body.

The approved Plan shall be implemented for the lifetime of the development.

REASON - To secure the long-term management of communal areas in accordance with PfE Policies JP-G7 and JP-G8, Policy 23 of the Joint DPD and NPPF Policies N2, N3 and HC3.

29. No dwelling served from Hamilton Street shall be occupied until either:

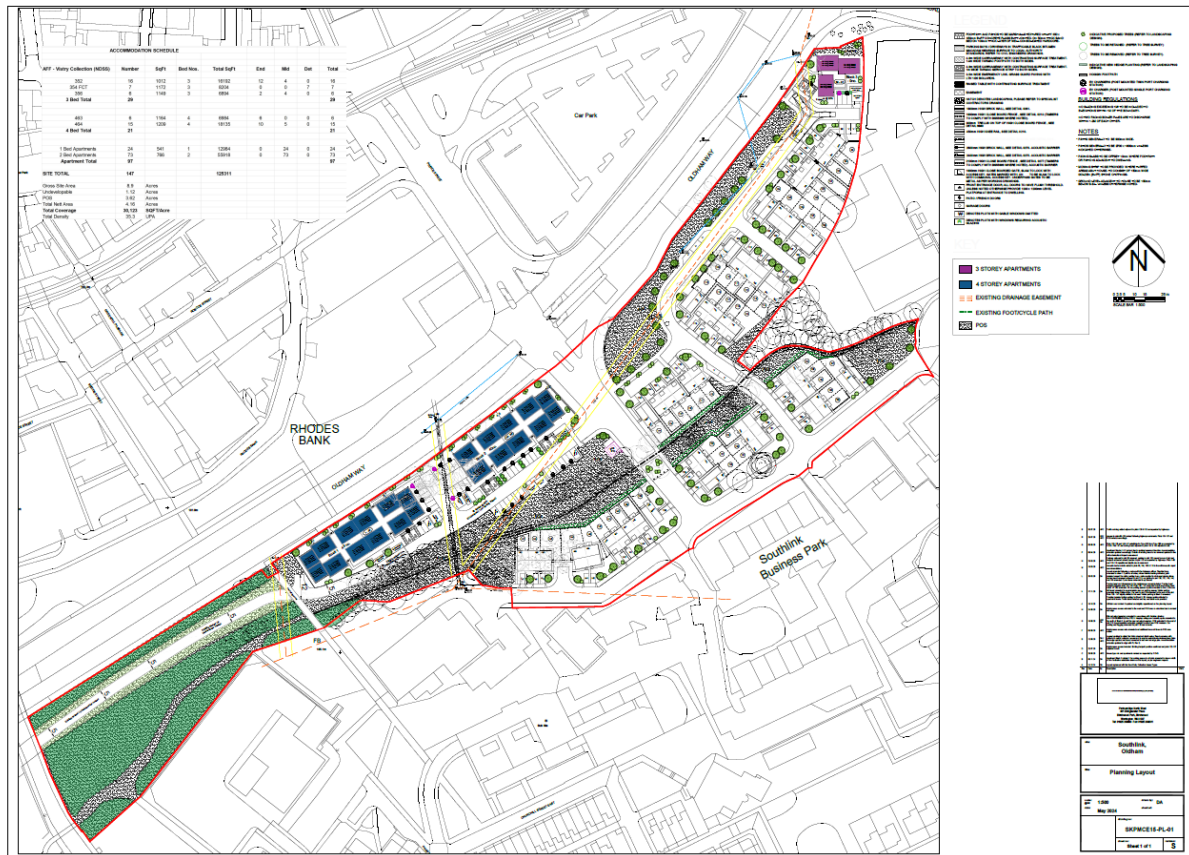
(a) a detailed scheme for the upgrade of Hamilton Street to a standard capable of adoption by the Local Highway Authority, including construction specification, surface water drainage, street lighting, signage and long-term maintenance arrangements, has been submitted to and approved in writing by the Local Planning Authority and either written confirmation has been provided that the Council has agreed in principle to adopt the road or the road has been constructed fully in accordance with the approved adoptable-standard scheme; or

(b) where the road is not proposed for adoption, a Private Road Management and Maintenance Plan has been submitted to and approved in writing by the Local Planning Authority, including details of construction specification, arrangements for management and maintenance by a management company, funding mechanisms for ongoing maintenance, and street lighting and drainage maintenance schedules.

In all cases, the approved works or arrangements shall have been implemented prior to occupation of any dwelling accessed from Hamilton Street and shall thereafter be retained and maintained for the lifetime of the development.

REASON - To ensure safe, suitable and properly maintained access for future residents under either an adopted or private road scenario, in accordance with NPPF Policies TR4 and TR6 and PfE Policy JP-C8.

SITE LOCATION PLAN (NOT TO SCALE):



PLANNING COMMITTEE – BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING

PLANNING APPLICATIONS AND LISTED BUILDING CONSENT APPLICATIONS

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

THE BACKGROUND PAPERS

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

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

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

www.oldham.gov.uk

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

0161 770 4105 / Planning@oldham.gov.uk

ADDITIONAL BACKGROUND PAPERS

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

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

This page is intentionally left blank

Planning Appeals Update

Planning Committee

Report of Assistant Director Planning, Transportation & Housing Delivery

DATE OF COMMITTEE 23rd September 2026

An update on Planning Appeals was last provided to the Planning Committee at the meeting on 19th August 2026. The table below provides a comprehensive list of appeals submitted and decisions taken on appeals until Friday 4th September 2026 which is to be noted by the Committee.

Application No.	Site Address	Appeal Decision	Appeal Lodged Date	Description	Decision Level
VAR/354748/25	The Vestacare Stadium, Whitebank Road, Oldham	Dismissed, 20/08/2026	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.	Committee
HOU/355019/25	3 Springfield Farm, Friezland Lane, Greenfield	Ongoing	15/07/2026	Single storey garden building for home office and gym use	Delegated
HOU/356068/26	Gazeys Farm, Mossgate Road, Shaw	Ongoing	17/07/2026	Erection of domestic double garage	Non-Det

HOU/356035/26	49 Chamber Road, Shaw	Ongoing	27/07/2026	Single storey extensions and alterations.	Delegated
FUL/356115/26	164 Rochdale Road, Royton	NEW	12/08/2026	Retention of roller shutters to front and side and rear elevation.	Delegated
ADV/356126/26	Gable, 200 Hollins Road, Oldham	NEW	20/08/2026	Installation of an internally illuminated static hoarding advertisement display	Delegated

RECOMMENDATION - That the report be noted.

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

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