

Report to CABINET

Adoption of Oldham Town Centre Conservation Area Appraisal and Management Plan (CAAMP) Supplementary Planning Document (SPD)

Portfolio Holder:

Councillor Roberts, Portfolio Holder for Housing

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Reason for Decision

To approve adoption of the Oldham Town Centre Conservation Area Appraisal and Management Plan (CAAMP) Supplementary Planning Document (SPD).

Executive Summary

This report seeks adoption of the Oldham Town Centre CAAMP SPD, the proposed extensions to the Oldham Town Centre Conservation Area boundary being designated under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and treated as a material planning consideration until formally adopted through the Local Plan review process.

Recommendations

To approve adoption of the CAAMP SPD and associated requirements and designation of the proposed extensions. This will allow the CAAMP to hold more weight in planning decisions, including the proposed extensions, to help enhance Oldham Town Centre Conservation Area.

Oldham Town Centre Conservation Area Appraisal and Management Plan Supplementary Planning Document

1 Background

- 1.1 In April 2018, delegated approval was obtained to commission consultants to prepare an updated Conservation Area Appraisal and Management Plan (CAAMP) for the Oldham Town Centre Conservation Area.
- 1.2 The SPD will provide further guidance on the relevant policies contained within the Joint Core Strategy and Development Management Policies Development Plan Document ('the Joint DPD'), in particular it will assist council officers and applicants in implementing Policy 24 'Historic Environment' in planning decisions and enforcement.
- 1.3 The CAAMP will also provide up to date evidence to inform the Local Plan review and its implementation when adopted.
- 1.4 It will also support the regeneration plans for Oldham Town Centre.
- 1.5 The CAAMP is a high priority as the Oldham Town Centre Conservation Area has been surveyed as part of the Historic England Heritage "At Risk" Assessment. As a consequence of this assessment, the conservation area has been included on the conservation area "At Risk" Register. An up to date CAAMP is required in order to re-assess the designated area and evaluate and record its special interest. The last conservation area appraisal for Oldham Town Centre was published in April 1997.
- 1.6 The appraisal has included:
- a review of the existing Oldham Town Centre conservation area;
 - a review of the extension proposed in the previous appraisal; and
 - a review of the wider town centre boundary.
- 1.7 The appraisal proposes four extensions to the existing Oldham Town Centre conservation area boundary.
- 1.8 The four proposed extensions to the existing Oldham Town Centre conservation area and justification for them are as follows:
- **High Street East and Parliament Square** – Parliament Square is a substantial public space which sits at the heart of the conservation area. Its partial exclusion from the conservation area was a result of the poor quality townscape which existed before this part of Clegg Street was redeveloped as part of the new cinema. The square forms part of the core of the conservation area. Along High Street East, the proposed extension would include the public realm to ensure that they are not severed in two by an imaginary boundary. It is also proposed to include a larger area of the retail core, including buildings on the south side of High Street into Market Place and north to include Henshaw Street. This would link the north side of the town centre across Albion Street and include almost all of the area of pedestrianised public realm bounded by varied and often positively contributing buildings. This area, although it includes many buildings which make a positive contribution to the conservation area, includes some detracting features such as shopfronts and signage.
 - **Yorkshire Street, Retiro Street and Waterloo Street** – Yorkshire Street is a principal street within the conservation area which extends from Parliament Square and High
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Street. As such, it links into the heart of the conservation area. It was constructed as an extension of the High Street at the turn of the 19th century, replacing the historic route which meandered up to the church.

- The extension would pick up a collection of buildings which extend the established character of the conservation area (34 - 48 Yorkshire Street and Old Mess House), and the historic route (Goldburn – the main route over the Pennines from Manchester to Yorkshire) as it crosses from Bow Street into Old Church Street, and then alongside the church gardens up to Church Street. It is a sensitive location on the historic entry into the conservation area that is considered to require sensitive development that takes into consideration its location and addresses the area's steep topography.
- The modern block at 21-41 Yorkshire Street is a detracting feature, at odds with the character of the conservation area, which has diminished the historic character of Church Street. However, it offers a key location, being of particular importance to the setting of Church Street. Its suggested inclusion within the conservation area recognises this and the opportunity for future enhancement.
- **Cultural Quarter** – The public realm, formed by the pedestrianisation of Ashworth Street, is an integral part of the Cultural Quarter and this part of the conservation area. It is therefore proposed for inclusion. Gallery Oldham and the attached library are integral to the character and public focus of the Cultural Quarter of the conservation area and form a sympathetic modern addition which takes advantage of the changing gradient to sit comfortably behind the Victorian streetscape on Union Street despite its scale.
- **Harrison Street** – The buildings at 1 and 3 Ascroft Street and their rear boundary are dominant features within this backland area. The buildings have historic industrial character and are thus worthy of inclusion in the conservation area.

1.9 The appraisal also identifies buildings that could be added to a local list, should we wish to establish one.

- Hilton Arcade;
- Greaves Arms;
- 3 Greaves Street;
- Victoria House, Greaves Street;
- The Old Bill, Greaves Street;
- 31 Queen Street; and
- The Old Museum (Former Friends Meeting House and Former Museum), Greaves Street.

1.10 The Management Plan has followed on from the appraisal of the conservation area. It sets out policies and recommendations around enhancement, regeneration and community engagement.

1.11 The Management Plan aims to:

- Secure the viable use of vacant heritage assets to prevent their decay and dereliction and ensure their long-term preservation and contribution to the character and appearance of the conservation area;
 - Reverse the cumulative negative impact that the poor upkeep and maintenance of buildings and inappropriate alterations have on the appearance of buildings and the character of the conservation area;
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- Uplift the human experience of the conservation area at ground floor level and the perceived quality of the urban environment in order to bring about major enhancement to its character and appearance;
 - Ensure the significance of the conservation area is preserved and that any future development enhances its positive characteristics;
 - Ensure that only applications for development which reflect careful consideration of the character and appearance of the conservation area are approved, and to encourage the redevelopment of cleared vacant sites within the conservation area and its setting;
 - Protect the established and valued views of the surrounding area which contribute to the historic context and setting of Oldham Town Centre conservation area, as well as local views within the conservation area;
 - Ensure interventions in the public realm are considered carefully in the context of good surviving examples of street furniture, surface coverings and public art/ sculptures / monuments to preserve and enhance its essential character and to encourage the introduction of appropriate greening and landscaping;
 - Improve wayfinding into and around the conservation area, between key transport links and better define the conservation area;
 - Give the conservation area a clear identity, engage the public and celebrate the heritage of Oldham whilst incentivising the care and conservation of its buildings and character and appearance overall;
 - Create a place that people find welcoming and which contributes to their sense of identity, local pride and well-being;
 - Ensure that the conservation area is correctly managed and the tools available to Oldham Council are used to effectively enforce the conservation area status; and
 - Make best use of the powers available to Oldham Council to secure the enhancement of the conservation area and its removal from the 'At Risk' register.

1.12 The appraisal rather than remaining as an evidence base document, has been prepared as an SPD providing more detailed guidance to Policy 24 on the Historic Environment in the adopted Local Plan. This will give the CAAMP more weight in planning decisions and enforcement action.

1.13 This report seeks to designate the proposed extensions under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposed extensions to the conservation area cannot be adopted through the SPD. These would have to be formally adopted through the Local Plan review to carry more weight in planning decisions. Until the proposed extensions are adopted through the Local Plan review this report seeks to approve the proposed extensions being designated and treated as a material planning consideration in planning decisions so that consideration will still be afforded to these areas recommended for inclusion within the conservation area.

2 **Current Position**

2.1 Amendments have been made to the draft CAAMP SPD following public consultation, although these are mostly minor as there were not many changes requested or required.

2.2 This report now seeks to adopt the SPD so that it can be used to inform the determination of planning applications, the Local Plan review and regeneration plans for Oldham Town Centre.

2.3 The Oldham Town Centre CAAMP SPD is supported by the following statements:

- Strategic Environmental Assessment (SEA) Determination Statement;
 - Habitats Regulations Assessment (HRA) Screening Statement; and
 - Equalities Impact Assessment (EqIA).
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- 2.4 It is also proposed that until the proposed extensions to the Oldham Town Centre Conservation Area boundary are adopted as part of the Local Plan review that they are treated as a material planning consideration.

3 Options/Alternatives

- 3.1 Option 1 - To approve the CAAMP SPD and associated requirements. This will allow the CAAMP to hold more weight in planning decisions, including the proposed extensions, to help enhance Oldham Town Centre Conservation Area.
- 3.2 Option 2 - To not approve the SPD and associated requirements, however this will mean that less weight will be attached to the CAAMP as a material planning consideration and the proposed extensions to the conservation area boundary will not be considered in planning decisions until the next Local Plan is adopted.

4 Preferred Option

- 4.1 It is recommended to approve adoption of the Oldham Town Centre CAAMP SPD and to approve the proposed extensions to the Oldham Town Centre Conservation Area boundary being designated under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and treated as a material planning consideration until formally adopted through the Local Plan review process. This will allow the SPD to be implemented to help enhance the Oldham Town Centre Conservation Area and consider the proposed extensions in planning decisions.

5 Consultation

- 5.1 Stakeholder workshops were held in September, November and December 2018 with internal and external stakeholders, including members of the Youth Council and pupils from Oldham Sixth Form College. This provided invaluable input into the preparation of the draft CAAMP SPD.
- 5.2 Public consultation on the Draft Oldham Town Centre CAAMP SPD took place between 15th February and 15th March 2019. Two public drop in sessions were held on 8th and 9th of March 2019 at Oldham Parish Church of St. Mary with St Peter.
- 5.3 In total 27 people and / or organisations responded. The response was very positive in general, welcoming the need for the CAAMP SPD and the council's proactive approach. Some responses to the questionnaire concerned how people would like Oldham Town Centre to be regenerated generally. The public summary of representations report summarises these comments alongside any changes made. The comments have also been shared with Regeneration to inform Oldham Town Centre regeneration plans.
- 5.4 The public drop in sessions also provided invaluable input. For example, through these conversations wording on the policy concerning roller shutters has been amended. The amendments are set out within the public schedule of representations and responses.

6 Financial Implications

- 6.1 The Planning Service is seeking approval to adopt and publish the Oldham Town Centre CAAMP SPD with the adoption statement, public schedule of representations and responses report, and supporting documents. The service is also seeking to designate the proposed extensions to Oldham Town Centre Conservation Area to be treated as a material planning consideration.
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- 6.2 The adoption notice will be placed in a local advertisement and the London Gazette through a public notice.
- 6.3 Cost incurred will therefore be in relation to the public notice advertisements, printing and postage. It is anticipated that these costs will be in the region of £1,500:00, depending on the cost of the public notices, which will be met from within the Strategic Planning and Information's revenue budget. (Sophie Eade / Sadrul Alam)
- 7 Legal Services Comments**
- 7.1 The power to designate and review a conservation area which is contained in section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is entirely outside the Local Plan preparation process.
- 7.2 The power to designate a conservation area is a local authority function which must be carried out by the Cabinet/Cabinet Member.
- 7.3 The designation of any area as part of a conservation area is a local land charge and the Council is required to give notice of the designation to the Secretary of State and publish a notice in the London Gazette and at least one local newspaper.
- 7.4 An SPD is defined in Regulation 2 of the Town and Country Planning (Local Planning) (England) Regulations 2012 as a local development document which is not a local plan. A local plan is prescribed by the Regulations as a development plan document.
- 7.5 Thus an SPD falls outside the category of town and country planning and development control documents which cannot be approved by a local authority's executive, namely local development documents which are development plan documents.
- 7.6 Therefore the relevant Cabinet Member may give final approval to the SPD. After adopting an SPD, the Council must make it available for public inspection at its principal office and such other offices as the Council considers appropriate, during normal office hours and also publish it on the Council's website. (A Evans)
- 8. Co-operative Agenda**
- 8.1 Adoption of the SPD will support the Co-operative agenda as it aims to support an inclusive economy through seeking opportunities to enhance Oldham Town Centre Conservation Area through the provision of solutions to address buildings and sites which are identified as making a negative contribution to the conservation area and to support the reuse of vacant heritage assets.
- 9 Human Resources Comments**
- 9.1 Not applicable.
- 10 Risk Assessments**
- 10.1 No specific risk comments on the report (Mark Stenson).
- 11 IT Implications**
- 11.1 None.
- 12 Property Implications**
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12.1 The Council will have to review its maintenance regime and strategy for assets that fall within the extended Conservation Area” (Peter Wood).

13 **Procurement Implications**

13.1 None.

14 **Environmental and Health & Safety Implications**

14.1 The CAAMP SPD seeks to enhance Oldham Town Centre Conservation Area.

15 **Equality, community cohesion and crime implications**

15.1 The CAAMP is seeking to enhance the character of the Oldham Town Centre Conservation Area. This could lead to transformational change creating a town centre experience that everybody enjoys and feels proud of through for example improving shop fronts which are currently detracting features, public realm, wayfinding and identity.

16 **Equality Impact Assessment Completed?**

16.1 Yes

17 **Key Decision**

17.1 Yes

18 **Key Decision Reference**

18.1 HSG-01-19

19 **Background Papers**

19.1 There are no background papers for this report.

20 **Appendices**

Appendix	Description
1	Oldham Town Centre Conservation Area Appraisal and Management Plan Supplementary Planning Document.
2	Public schedule of representations and responses
3	Equalities Impact Assessment
