

APPLICATION REPORT - PA/341835/18

Planning Committee, 18 September, 2019

Registration Date: 18/05/2018
Ward: Coldhurst

Application Reference: PA/341835/18
Type of Application: Full Planning Permission

Proposal: Change of use of part of ground floor to create 2 no. Class A3 (Restaurants and cafes) units with preparation areas in the basement, and conversion of first and second floors to form 7 no. one-bedroom and 5 no. two-bedroom apartments, with formation of new window openings to rear.

Location: 23-25 King Street, Oldham, OL8 1DP
Case Officer: Graeme Moore

Applicant Agent : KKI Investments Ltd.
John Barnes - Architect

THE SITE

The application relates to the existing Kings Hall Plaza, located on the junction of King Street and Barn Street. The property is prominently sited and dates from the turn of the 20th Century.

THE PROPOSAL

This application seeks a change of use of part of the ground floor to create two restaurant/cafe units (Class A3), with preparation areas in the basement, and to convert the first and second floors to form 7 no. one-bedroom and 5 no. two-bedroom apartments.

PLANNING HISTORY

PA/341965/18 - Change of use of part of the basement and part of the ground floor to a restaurant/takeaway (Use Class A1 to Use Class A3/A5). Approved 08/06/2018

REPRESENTATIONS

The application has been publicised on the Council's website, by press advertisement and by site notice. No written representations have been received.

CONSULTATIONS

Highways Engineer - No objections, subject to a condition requiring secure cycling storage facilities.

Environmental Health - No response received.

Greater Manchester Police Architectural Liaison Unit - No objections subject to security lighting at the rear entrance.

RELEVANT PLANNING POLICY

The 'Development Plan' is the Joint Development Plan Document (DPD) which forms part of

the Local Development Framework for Oldham. The application site is allocated as part of the defined town centre for Oldham.

The following DPD policies are relevant to the determination of this application.

Policy 1 - Climate Change and Sustainable Development
Policy 4 - Promoting Sustainable Regeneration and Prosperity
Policy 9 - Local Environment
Policy 15 - Centres
Policy 20 - Design
Policy 23 - Open Spaces and Sports

PLANNING CONSIDERATIONS

The main material considerations are:

- Principle of the development
- Design and appearance
- Amenity issues
- Highways and Traffic

Principle of the development

The application seeks the re-use of an existing urban building, in accordance with the Development Plan which gives preference to residential development on previously developed land and states that residential development should be focused on sustainable and accessible locations, should be of high quality, and respect the local character.

As the site is located within Oldham town centre, it occupies a highly sustainable location which more than meets the required criteria.

As the proposal involves the re-use of a constrained existing building, no on-site open space, accessible and usable by the public, is proposed within this proposed development. Having regard to the potential viability of the scheme, the applicant has agreed to pay the sum of £5,000 towards the upkeep or upgrading of surrounding open spaces which, on balance, is considered acceptable.

Design and appearance

The application only proposes relatively minor changes to the rear elevation with the addition of three new windows. Otherwise, the building will remain the same from an external viewpoint. Given that the building displays some architectural quality, this is welcomed, and therefore, in taking account of the context and character of the site and surrounding area, it is considered that the limited proposed external changes are acceptable in accordance with DPD Policies 9 and 20.

Amenity issues

The internal layout of the apartments have been amended to ensure full compliance with the "Technical housing standards – nationally described space standard", and therefore ensure provision of a satisfactory standard of amenity for future residents.

The proposal will result in a close relationship with the ground floor commercial uses and the upper floor residential accommodation. In order to ensure any odours produced by food preparation (which will be at basement level), do not result in harm to the amenity of future residents, a condition is recommended.

Highways and Traffic

The proposed development is located in a highly sustainable location with excellent links to public transport and access to a wide range of amenities. The existing car park will be used

by both commercial and retail uses. It is not anticipated that any increase in traffic generation would result in a detrimental impact on highway safety. Therefore, the Council's Highways Engineer does not object.

Conclusion

On balance, it is considered that the proposal is acceptable and will have no detrimental impacts upon the environmental quality of this locality, or pedestrian and highway safety..

Recommendation:

It is recommended that Committee resolves to grant permission:

(1) subject to the conditions in the report, and the completion of a Section 106 legal agreement in respect of a contribution of £5,000 towards the upgrading of existing open spaces in the vicinity of the site

(2) to authorise the Director of Economy to issue the decision upon satisfactory completion of the legal agreement.

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 the Town & Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be fully implemented in accordance with the approved plans and specifications which are referenced as 05E, 06G, 13B, 14B, 15A and 16.

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reason - To ensure that the appearance of the existing building is not detrimentally affected by the proposed extension.

4. No apartments hereby approved shall be occupied until details of the specification for the secure cycle facilities as indicated on the approved plan 06G has been submitted to and approved in writing by the Local Planning Authority and the facilities have been made available for use. The facility shall thereafter always remain available for occupants of the apartments.

Reason - To ensure adequate cycle storage facilities are available to users of the development.

5. Prior to the commencement of the restaurant use, a scheme showing details of ventilation and fume extraction from the premises, the position and finish of any external flues and a programme of operation and equipment maintenance, in accordance with the manufacturer's recommendations, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed in its entirety before the restaurant use commences and thereafter it shall be operated and maintained in accordance with the manufacturer's recommendations.

Reason - To protect the amenities of the occupiers of nearby properties.

6. Prior to the commencement of any of the uses hereby approved, the enclosed

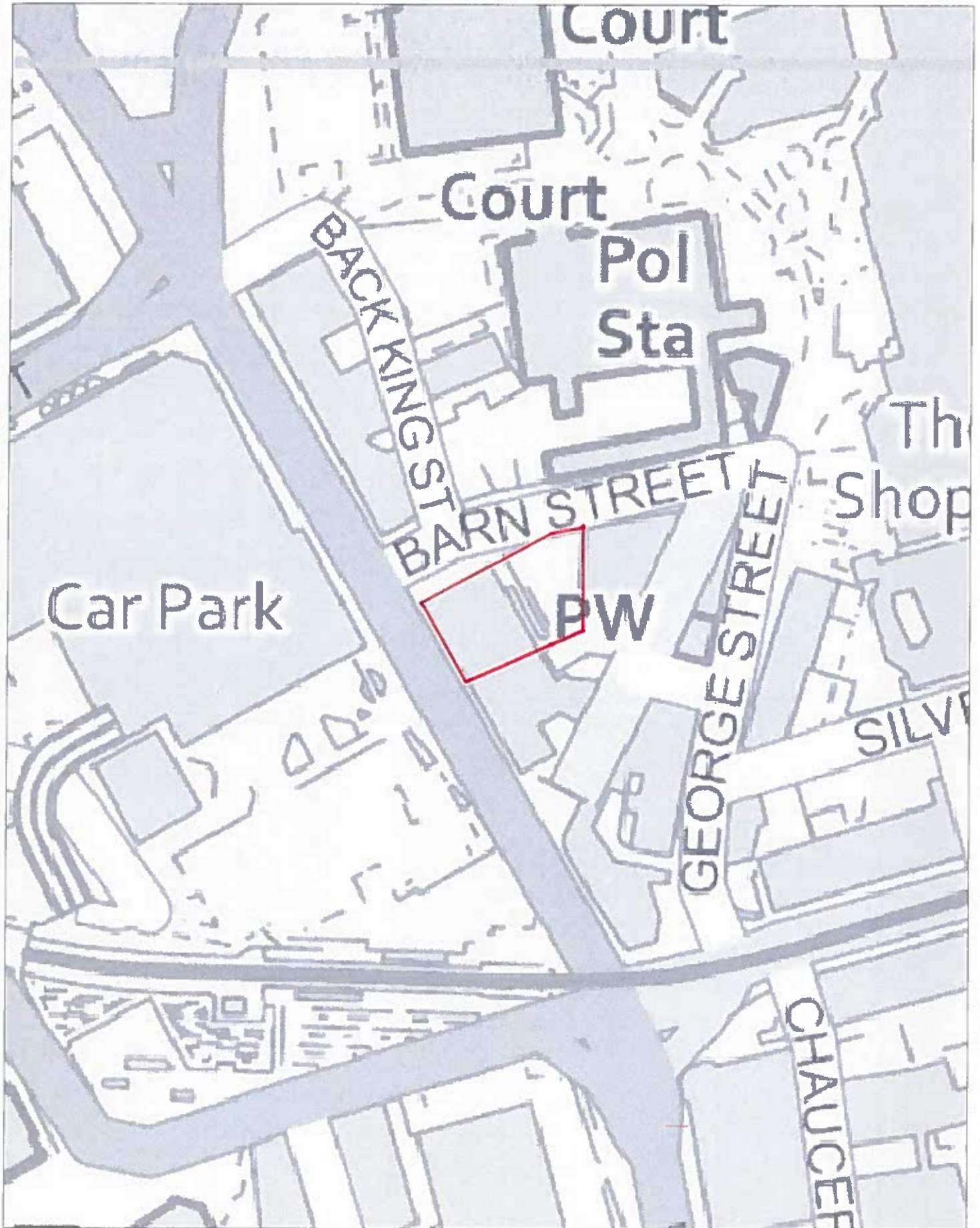
facilities for the storage of refuse and waste materials as indicated on the approved plan 06G shall be made available for and shall thereafter always remain for the occupants of the apartments and restaurant uses.

Reason - To ensure that the use is not harmful to the amenity of occupiers of nearby residential properties.

7. The apartments hereby approved shall not be occupied until a scheme of security lighting to the entrance and steps at the rear of the building, which shall be provided in accordance with the standards in BS 5489, has been implemented. The lighting shall be retained thereafter.

Reason - To ensure that the detailed design of the proposed development provides a safe and secure environment and reduces opportunities for crime.

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