

APPLICATION REPORT – PA/344948/20
Planning Committee

Registration Date: 5th June 2020
Ward: Coldhurst

Application Reference: PA/344948/20
Type of Application: Full Application

Proposal: Change of use from the former County Court building (D1 use) to a residential building (C3(a) Use) of 43 no. apartments and alterations to external elevations including insertion of new windows
Location: Oldham County Court, 122A Rochdale Road, Oldham OL1 1NT
Case Officer: Jill Nixon
Applicant: Mr Jason Upton
Agent : Mr Andrew Titterton

The application is presented to Planning Committee as a Major application in accordance with the Scheme of Delegation.

RECOMMENDATION

It is recommended that the application is approved subject to the conditions set out below.

THE SITE

The vacant former Oldham County Court building located between the junction of Rochdale Road, with New Radcliffe Street and St Mary's Way.

The application site has a car park associated with the existing use. It is accessed by vehicle and on foot from the New Radcliffe Street entrances.

THE PROPOSAL

Permission is sought for the change of use from the former County Court building to 43 no. apartments and alterations to external elevations including insertion of new windows.

The proposed accommodation would comprise of

- 4 x Studio apartments
- 29 x One bedroomed apartments
- 10 x Two bedroomed apartments

RELEVANT PLANNING POLICIES

The site is unallocated within the town centre on the Joint Development Plan Document which forms part of the Local Development Framework for Oldham.

The following policies are 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 14 - Supporting Oldham's Economy
Policy 20 – Design
Policy 23 - Open Spaces and Sports
Policy 25 -- Developer Contributions

RELEVANT PLANNING HISTORY

PA/343007/19 - Change of use of former Oldham County Court with ancillary offices (Class D1) to offices (Class B1) Granted in March 2019 but not implemented

PA/341769/18 - Temporary change of use from County Court (D1 Non-Residential Institutions Use Class) to large HMO (Sui Generis Use Class) until August 2019. Refused September 2018

CONSULTATIONS

Highway Engineer – No objection subject to provision of secured cycle storage.

Environmental Health – No objection subject to provision of refuse storage.

Transport for Greater Manchester – No objection

Greater Manchester Police - No objection subject to securing the recommendations of the Crime Impact Assessment

REPRESENTATIONS

The application has been advertised by means of site notice and neighbour notification letter. No representations have been received.

PLANNING CONSIDERATIONS

The main planning issues to consider are:

- i. Principle of the development
- ii. Design and Impact on the character of the area;
- iii. Impact on Amenity;
- iv. Highway issues.
- v. Public Open Space & Affordable Housing Provision

Principle of the development

The Council cannot currently demonstrate a five-year supply of deliverable housing land. Paragraph 11d) of the National Planning Policy Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- i. The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Given the present Housing Land Supply position, the most relevant Local Plan policies for determining housing applications are afforded “less weight” in the tilted balance. An assessment of the proposal against relevant policies within the NPPF is undertaken in the following sections of the report.

Design and Impact on the character of the area

NPPF paragraph 127 as well as Local Plan Policies 9 and 20 require that developments are visually attractive as a result of good architecture, layout and are sympathetic to local character and history, including the surrounding built environment.

There are no proposed extensions to the existing building. The proposal includes the installation of roof lights and some additional windows on all floors. The proposed windows will match the design and proportions of the existing windows

It is proposed to use materials that match the existing brick work and roof tiles and to upgrade windows and doors so that both existing and proposed will match

There is no existing soft landscaping within the application site although it does benefit from the setting of soft landscaping fronting onto Rochdale Road. This proposal includes the installation of raised planters that will be visible from the rear and side

It is considered that the scale of the proposed external alterations is relatively minimal but in keeping with the building and character of the wider area.

Impact on Amenity

NPPF paragraph 127 requires that new development should ensure a high standard of amenity for existing and future users, whilst Local Plan Policy 9 provides that development should not cause significant harm to the amenity of the occupants and future occupants of the development or to existing and future neighbouring occupants or users through impacts on privacy, safety, security, noise, visual appearance of an area and access to daylight amongst others.

The site is located in Oldham Town Centre in a predominantly commercial area. However, it is not unusual for apartments to be located in town centres as they provide a highly sustainable location.

The Internal layout is in part dictated by the existing fabric of the building however the additional windows ensure that all of the residential units benefit from adequate light and amenity. The applicants have amended the plans to ensure that every unit complies with the Government's Nationally Described Space Standard

As such, it is considered that the amenity of proposed occupiers would be satisfactory.

Highway Issues

NPPF Paragraph 108 provides that proposals should ensure that safe and suitable access to the site can be achieved for all users while paragraph 109 provides that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposal uses the existing car park area and will accommodate eight parking spaces, two of which will be disabled person's spaces. The proposed cycle storage will be located within the ground floor of the building.

The Town Centre location of the proposal is highly sustainable and well served for public transport. In this context, the Council's Highway Engineer has raised no objection to the scheme from a highway safety and capacity point of view.

Public Open Space and Affordable Housing Provision

Local Plan Policy 23 sets out the Council's approach to Open Space and Sports Recreation provision for new residential developments. Major new residential developments such as this are expected to contribute towards the provision of new or enhancement of existing open space unless they can prove it is not financially viable

The NPPF threshold for affordable housing provision is 10 or more residential units and Local Plan Policy 10 states that developments should contribute 7.5% of sales value to the provision of Affordable Housing unless the applicant's evidence it is not financially Viable.

The application was supported by a Viability report setting out a justification for no provision of both Public Open Space and Affordable Housing. The Viability Report has been assessed by Council's Officers who are satisfied the findings of the report are robust and reasonable. If this proposal is supported there would therefore be no contribution towards Public Open Space or Affordable Housing provision

On balance it is considered that the provision of residential units that brings a prominent building within the town centre back into use are benefits that do outweigh the absence of Public Open Space and Affordable Housing.

CONCLUSION

It is considered that the proposal complies with relevant National and Local Planning Policies

Whilst limited weight had been assigned to the relevant policies within the Local Plan given the Council's five year housing land supply situation, the assessment of the scheme as shown above indicates that in any event there would be no adverse impact of approving the development that would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as whole and there are no specific policies that indicate that the development should be restricted.

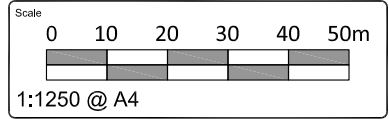
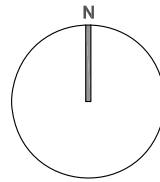
RECOMMENDED CONDITIONS

1 The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule List. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

3 Prior to first occupation of any part of the development hereby approved, the proposed refuse storage shown on the approved drawings shall be fully installed and retained at all times thereafter. REASON - In order to ensure waste bins are stored in a screened location in order to protect the appearance of the street scene having regard to Policies 9 and 20 of the Oldham Local Plan.

4 Prior to first occupation of any part of the development hereby approved, the cycle storage on the ground floor shall be fully installed and retained at all times for the use of the occupiers thereafter. REASON - In order to promote sustainable means of travel having regard to Policies 5 and 9 of the Oldham Local Plan.



Notes

Figured dimensions are to be used in all cases.

Dimensions should not be scaled from drawing unless for planning application purposes.

All existing dimensions should be checked on site before commencement of the works.

Land Registry and ownership boundaries are produced by Studio KMA using all reasonable endeavours, Studio KMA cannot be held responsible for scale discrepancies in plans supplied by others.

Any discrepancies in dimensions should be clarified with the Architect at the address below prior to commencement of the works.

No deviation from this drawing will be permitted without the prior written consent of the Architect.

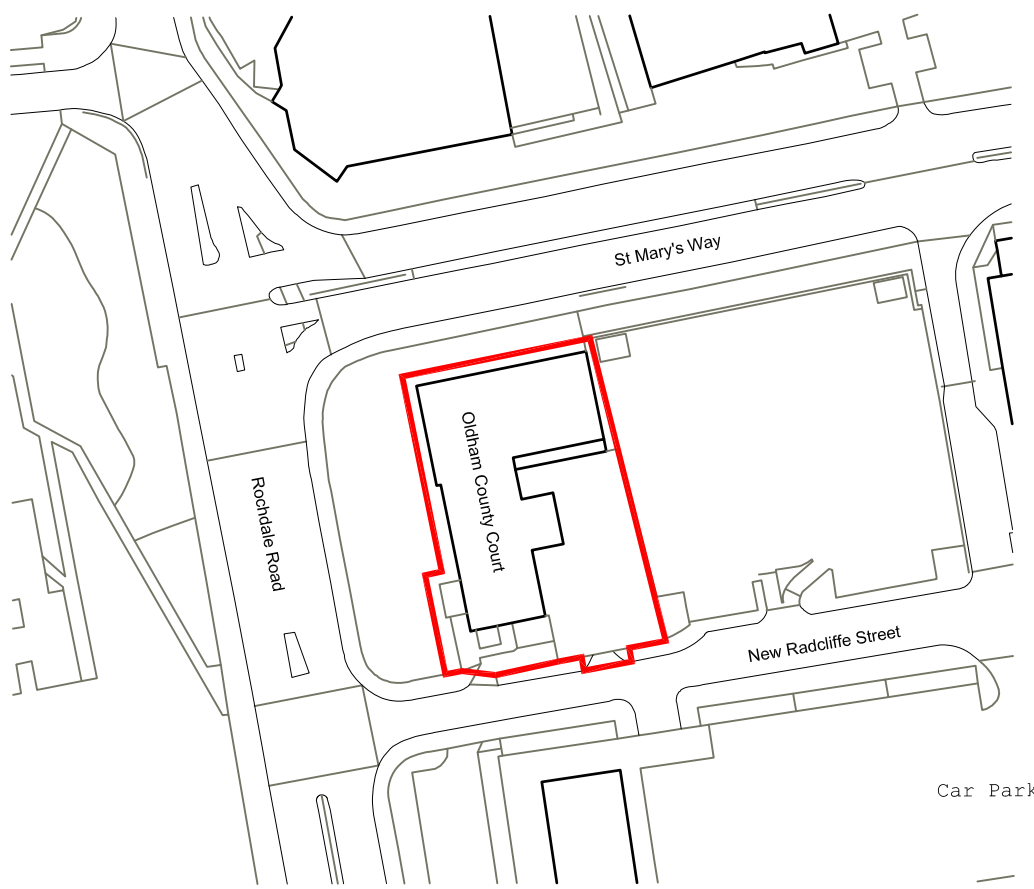
This drawing is to be read in conjunction with all the relevant Mechanical and Electrical drawings.

This drawing is to be read in conjunction with the relevant Structural Engineer's drawings, structural calculations and recommendations.

This drawing is to be read in conjunction with the relevant Fire Safety Strategy drawings.

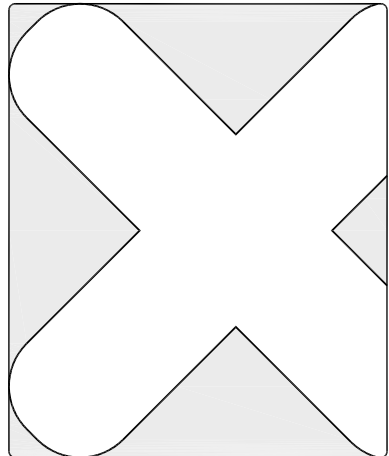
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Revision Notes

| Rev. | Date | Revision Description | Drawn | Checked |
|------|----------|----------------------|-------|---------|
| P1 | 19.05.20 | Initial Issue | RH | AT |



Project Name
Oldham
County Court

Drawing Title
Location Plan

Drawing Number
OCC-KMA-XX-ZZ-DR-A-7000

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|--------------------------------|---------------------------------|-----------------------|
| Project Number T0885 | Status A3 Planning | Revision P1 |
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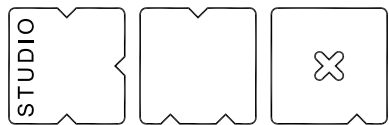
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| Drawn by RH | Authorised by AT | Date 19.05.20 |
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PLANNING COMMITTEE - BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING AND INFRASTRUCTURE

PLANNING AND ADVERTISEMENT 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

1. **The appropriate planning application file:** This is a file with the same reference number as that shown on the Agenda for the application. It may contain the following documents:
 - The application forms
 - Plans of the proposed development
 - Certificates relating to site ownership
 - A list of consultees and replies to and from statutory and other consultees and bodies
 - Letters and documents from interested parties
 - A list of OMBC Departments consulted and their replies.
2. **Any planning or advertisement applications:** this will include the following documents:
 - The application forms
 - Plans of the proposed development
 - Certificates relating to site ownership
 - The Executive Director, Environmental Services' report to the Planning Committee
 - The decision notice
3. Background papers additional to those specified in 1 or 2 above or set out below.

ADDITIONAL BACKGROUND PAPERS

1. The Adopted Oldham Unitary Development Plan.
2. Development Control Policy Guidelines approved by the Environmental Services (Plans) Sub-Committee.
3. Saddleworth Parish Council Planning Committee Minutes.
4. Shaw and Crompton Parish Council Planning Committee Minutes.

These documents may be inspected at the Access Oldham, Planning Reception, Level 4 (Ground Floor), Civic Centre, West Street, Oldham by making an appointment with the allocated officer during normal office hours, i.e. 8.40 am to 5.00 pm.

Any person wishing to inspect copies of background papers should contact Development Management telephone no. 0161 770 4105.