

APPLICATION REPORT - FUL/348315/22
Planning Committee 6th April 2022

Registration Date: 1st February 2022
Ward: Coldhurst

Application Reference: FUL/348315/22
Type of Application: Full Application

Proposal: Proposed alterations and change of use of public house (sui generis) to Class E (commercial, business and service) at ground floor and 2no. 1 bedroom residential apartments at first floor

Location: 26 Yorkshire Street, Oldham, Oldham, OL1 1SB.

Case Officer: Graham Dickman
Applicant: Mr T Mushtaq
Agent: Mr Alan Doherty

BACKGROUND

This application is presented to Committee in accordance with the Scheme of Delegation as the applicant is a close relative of Councillor Mushtaq.

RECOMMENDATION

It is recommended that the application be approved subject to the conditions set out in this report and that the Head of Planning shall be authorised to issue the decision.

THE SITE

The application relates to a three-storey building, last used as a public house, and located at the junction of Yorkshire Street and Queen Street in a predominantly commercial setting, albeit with an increasing presence of residential uses, particularly within the upper floors in the wider area.

THE PROPOSAL

It is proposed to convert the ground floor of the building from a public house to a use within Class E, incorporating retail, café, office, and other services appropriate to a commercial locality. The first floor will be converted to two self-contained, one-bedroom apartments.

Access to the ground floor unit will be via the main building entrance on Yorkshire Street, with access to the upper floor flats via an enclosed passageway to the rear served via Queen Street. There are minor external changes comprising the introduction of two additional windows in the Queen Street elevation and reduction in width of an existing doorway.

RELEVANT PLANNING HISTORY

PA/036744/98 – Two storey rear extension. Approved 31 March 1998. NB: the extension which exists is far larger than that shown on the approved plans. Access to the second floor appears to be from the passage to the rear.

PA/035404/97 – Change of use from shop to public house. Approved 10 November 1999. NB: the report indicates that the intention was to use all three floors as a pub.

RELEVANT PLANNING POLICIES

The 'Development Plan' is the Joint Development Plan Document which forms part of the Local Development Framework for Oldham. The application site is located within the Town Centre on the Proposals Map associated with this document.

The following policies are relevant:

Policy 1 - Climate change and sustainable development;
Policy 3 - An address of choice;
Policy 5 - Promoting accessibility and public transport choices;
Policy 9 - Local environment;
Policy 11 – Housing;
Policy 20 – Design; and,
Policy 24 – Historic Environment.

The site is located within the Town Centre Conservation Area

CONSULTATIONS

Highways: No objections
Environmental Health: No objections. Restriction on construction hours recommended.

REPRESENTATIONS

Notification letters have been sent to neighbouring properties. No representations have been received in response.

PLANNING CONSIDERATIONS

The main material considerations are the suitability of the proposed uses, the amenity of future residents and adjacent properties, and the visual impact of the alterations to the property.

Principle of the uses

The property is located within an area of commercial uses on the fringe of the Town Centre. The proposed ground floor uses will retain a commercial presence and active frontage appropriate to the locality. The introduction of residential accommodation on the first floor will

ensure efficient use of the available floorspace and provide additional accommodation in a highly sustainable location without harm to neighbouring businesses.

Residential amenity

Each of the apartments will be self-contained with a lounge/kitchen diner, bedroom, bathroom, and bike stores. Each habitable room will have access to natural daylight on the front or side elevations and would meet the requirements of the Technical housing standards – nationally described space standard.

Access to the apartments will be provided from the gated entrance passage on Queen Street, which also serves existing (presently vacant) accommodation on the second floor.

In order to protect occupiers of the new apartments from potential noise from the ground floor commercial use, it is considered appropriate to require details of the method of sound insulation of the intervening floor/ceiling through the imposition of a condition which is attached to the recommendation.

Having regard to the town centre location of the building, and the primarily internal nature of the conversion works, it is not considered necessary to restrict hours of operation.

Design and appearance

The property is located on the edge of the Town Centre Conservation Area. The building facades contain a number of ornate features, particularly on the front elevation where no alterations are proposed. The alterations to the side elevation, where there is a modern rear extension, involve the introduction of new window openings to ground and first floor, and reduction to an existing doorway.

The physical changes are of a minor nature to a modern addition to the building and will result in a neutral change to the appearance of the building, and its character within the Conservation Area.

Servicing

Provision for refuse facilities will continue to be provided within the enclosed rear yard and will serve both existing and proposed uses.

CONCLUSION

The proposals will secure a practical and locationally appropriate use of the building ensuring its productive re-use, without any harm to its primary commercial function.

RECOMMENDED CONDITIONS

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission.

REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice.

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

3. Prior to the first occupation of the first-floor apartments, details of measures for the insulation of floors/ceilings and separating walls between commercial and residential uses, and for plant and machinery associated with the commercial uses, shall be submitted to and approved in writing by the Local Planning Authority. The duly approved measures shall be implemented in full prior to first occupation of the apartments.

REASON - To minimise the impact of noise having regard to Policy 9 of the Oldham Local Plan.

4. Prior to first occupation of the apartments, the access from Queen Street shall be fitted with a secure entrance device to prevent unauthorised access.

REASON - In the interests of residential amenity and security having regard to Policy 9 of the Oldham Local Plan.

LOCATION PLAN (NOT TO SCALE)

