

**APPLICATION REPORT – FUL/352513/24**  
**Planning Committee 17<sup>th</sup> April 2024**

Registration Date: 11 March 2024  
Ward: Coldhurst

Application Reference: FUL/352513/24  
Type of Application: Full Planning Application

Proposal: Temporary theatre structure to be erected on the hardstanding area of the Oldham Civic Centre car park for a period of up to 3 months.

Location: Oldham Civic Centre Car Park, West Street, Oldham

Case Officer: Martyn Leigh  
Applicant: Ms. Lauren Clancy, Oldham Coliseum Theatre Limited  
Agent: Mr. Alex Firth, The Prod Office Limited

**1. INTRODUCTION**

- 1.1 The application has been referred to Planning Committee at the discretion of the Assistant Director for Planning, Transport & Housing Delivery, in accordance with the Council's Scheme of Delegation, on the grounds that it is located on council-owned land.

**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, Transport & Housing Delivery shall be authorised to issue the decision.

**3. SITE DESCRIPTION**

- 3.1 The application site is located within the Oldham Town Centre boundary and comprises a roughly square shaped site measuring 31 metres x 33 metres. Specifically, it comprises part of the wider Oldham Civic Centre Car Park located immediately adjacent to the north of the Civic Centre (i.e. the 14-storey principal building) although it is separated by a pedestrian access route to the bus station which adjoins the site to the east. To the west of the site is the main front entrance to the Queen Elizabeth Hall, and to the north and north-west of the application site towards New Radcliffe Street is a separate part of the Oldham Civic Centre Car Park.
- 3.2 The application site currently provides 35 car parking spaces including two disabled spaces and two spaces reserved for electric vehicles which are located alongside charging facilities. The site has a gentle negative slope from east (bus station) to west (towards the Queen Elizabeth Hall) although the bus station is at a notably higher level evident from the landscaped buffer.

## **4. THE PROPOSAL**

- 4.1 The applicant, Oldham Coliseum Theatre Ltd, proposes the temporary use of the site to facilitate a pop-up theatre which comprises a hemispherical dome structure with a diameter of 15 metres and height of approximately 8.8 metres to provide a 167-seater theatre that will host a variety of events between late April 2024 until July. It would be located almost centrally within the site and would include provisions for secure storage, refuse area, and a wind monitoring station. Visitors would access the entrance of the building via a ramp constructed to comply with building regulation requirements (Part M).
- 4.2 The supporting information submitted with the application explains that many events will be free to attend. 'Roundabout', as the structure is known, is claimed by the applicant to be the world's first pop-up theatre and has toured the country over the last ten years.
- 4.3 Associated works include:
- A 20ft High Cube container in the southeastern corner of the site to provide secure weatherproof storage of scenery, props, and other similar items;
  - Structure monitoring station – a 1m x 1m concrete block with a 10m high aluminium truss pole with weather apparatus atop. This connects to a 24-hour monitoring station and advises if there is a need to evacuate should an extreme wind event occur;
  - 1.9m high Heras fencing covered by black air mesh covering, and vehicle access gates; and,
  - LED festoon lighting around the perimeter of the site with floodlighting provided at the main entrance.

## **5. PLANNING HISTORY**

- 5.1 No relevant planning history

## **6. RELEVANT PLANNING POLICIES**

- 6.1 The adopted Development Plan for the borough encompasses several documents, but principally the saved policies of the Joint Core Strategy and Development Management Policies DPD (Local Plan) and the recently adopted Places for Everyone Joint Plan (PfE). The application site falls within the Town Centre boundary as identified by the Policies Map associated with these documents but is otherwise unallocated.
- 6.2 Following the examination of PfE, all nine councils (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan) considered the Inspectors' recommendations and the adoption of PfE and related documentation at Council meetings held between 28 February and 20 March 2024. All nine authorities adopted PfE and it therefore took effect and became part of the statutory development plan for each of the nine PfE authorities on 21 March 2024.
- 6.3 PfE 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). There are aspects of the Local Plan that have been superseded by policies in PfE and these are set out Appendix A of PfE.

6.4 Having regard to PfE, the following policies are considered relevant to the determination of this application:

PfE policies:

- JP-P1 – Sustainable Places;
- JP-P3 – Cultural Facilities; and,
- JP-C8 – Transport Requirements of New Development.

Local Plan policies:

- Policy 1 – Climate Change and Sustainable Development;
- Policy 2 – Communities;
- Policy 5 – Promoting Accessibility and Sustainable Transport;
- Policy 9 – Local Environment;
- Policy 14 – Supporting Oldham's Economy; and,
- Policy 15 – Centres.

## 7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Environmental Health	Suggest a condition restricting events in the temporary premises from taking place only between the hours of 10:00 to 23:00 to ensure that noise from performances/events does not unduly disturb residents in the town centre.
Drainage	Suggest that the drainage channel across the site is cleared prior to the erection of the temporary structure.
Highways	Require a Pedestrian Management Plan showing safe pedestrian routes to and from the wider area including the facilities at the Queen Elizabeth Hall.
Theatres Trust	Welcome and support the proposal and therefore support the granting of planning permission.

## 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 minor development by display of three site notices posted around the boundaries of the application site.

8.2 In response no representations have been received to the application.

## **ASSESSMENT OF THE PROPOSAL**

### **9. PRINCIPLE OF DEVELOPMENT**

- 9.1 Other than being located within the designated Town Centre boundary, the application site is otherwise unallocated in the Local Plan or PfE.
- 9.2 The proposal is a 'community facility' as defined within the reasoned justification of Local Plan Policy 2 of the adopted Local Plan. This policy explains that the Council will support the principle of such proposals and, in addition, newly adopted Policy JP-P1 (PfE) promotes development that is visually stimulating, provides opportunities for social contact and support, and which promotes a sense of community.
- 9.3 Policy JP-P3 (PfE) also supports the development of new cultural venues in town centres and places with good public transport connectivity. The policy specifically supports the use of pop-ups or meanwhile uses of vacant properties to stimulate vibrancy and viability and promote diversity in town centres. Whilst the site is not vacant, the proposals are temporary (for up to three months) and achieve the same objective.
- 9.4 Furthermore, in the context of this application, paragraphs 96 and 97 of the National Planning Policy Framework (NPPF) collectively promote development proposals which result in opportunities for social interaction that are safe and accessible, and which enhance the sustainability of communities.
- 9.5 Having regard to the policy matters raised above it is considered that the principle of development, on a temporary basis as proposed, is acceptable subject to other considerations discussed in more detail below regarding the temporary loss of parking spaces, access, drainage considerations, design and the impact on amenity and the character of the surrounding area.

### **10. TEMPORARY LOSS OF PARKING SPACES, ACCESS, AND OTHER HIGHWAY CONSIDERATIONS**

- 10.1 Policy JP-C8 (PfE) explains that new development should be located and designed to enable and encourage walking, cycling and public transport use. In this regard, the proposal is located within the Town Centre boundary, in a highly accessible location immediately adjacent to Oldham's Bus Station.
- 10.2 However, it must also be recognised that the proposals would result in the temporary loss of 35 parking spaces, including two disabled spaces and two spaces reserved for electric vehicle charging. The Council's Principal Highway Engineer has been consulted on the application and raised no objection subject to the imposition of a condition requiring a Pedestrian Management Plan being approved prior to the proposed development being opened to the public. This would ensure that safe pedestrian routes are provided within the site and connecting to the facilities to be provided within the Queen Elizabeth Hall adjacent to the site. A condition is included within the recommendation requiring this.
- 10.3 Given the temporary nature of the proposals, which will be in-situ for no longer than three months, it is considered unreasonable to require any additional dedicated cycle parking facilities in addition to those currently available within the site. In any case, the highly sustainable location of the development means it is likely that many visitors would live locally and walk or use either the bus services or Metrolink. However, it is inevitable

that some visitors would choose to travel by car and there are existing car parks in the town centre to accommodate this demand.

## **11. DRAINAGE CONSIDERATIONS**

- 11.1 The existing site is a hard surfaced public car park with no known drainage problems. However, the Council's drainage engineers have recommended that the existing drainage channel across the site should be cleared of any debris prior to the erection of the temporary theatre structure. If the application is approved an informative note will be included on the decision notice to bring this to the applicant's attention.

## **12. AMENITY, DESIGN, AND IMPACT ON CHARACTER OF THE SURROUNDING AREA**

### *Amenity:*

- 12.1 The nearest residential properties to the application site are those at the former Oldham County Court building near the junction of New Radcliffe Street and Rochdale Road. These are located approximately 88 metres away to the north-west. It must be acknowledged that the site falls within the Oldham Town Centre boundary, where expected noise and disturbance can be greater than in more suburban locations. However, through the requirements of Local Plan Policy 9, the amenity of residents of those living closest to the site must be considered.
- 12.2 The supporting information submitted with the application explains that the works involved with the erection and subsequent dismantling of the temporary theatre will only take place during the hours between 8am and 10pm on any day (including weekends). Furthermore, while open to the public, the operating hours would be restricted to between 10am and 11pm on any day (including weekends). No objections have been raised by the Council's Environmental Health service and given the town centre location and temporary form of development, it is considered that the impact on residential amenity would be limited and unlikely to cause such harm that would be unreasonable or otherwise unacceptable. However, a condition requiring adherence to the hours referred to above is attached to the recommendation.
- 12.3 Toilet facilities for visitors will be provided within the Queen Elizabeth Hall and, for performers, separate toilet facilities will be available within short walking distance of the dressing room / office spaces.

### *Design and Impact on Local Character:*

- 12.4 The design is a fixed parameter given that the proposals essentially involve the siting of the existing mobile structure on the site for a temporary period. The associated storage areas are small scale and located in a discreet location adjacent to steps leading up to the bus station and are not considered to be materially harmful in any way to the character of the area. As such, having regard to the requirements of Policy JP-P1 (PfE), the design of the structure and associated temporary infrastructure (including fencing, storage areas, and the wind monitoring station which has a 10m aluminium truss pole) is considered acceptable.

### **13. CONCLUSION**

- 13.1 The proposals, on Council owned land, represent an opportunity to host a temporary travelling theatre for a period of up to three months. The town centre location immediately adjacent to the bus station, reasonably close to the Metrolink line, and within walking distance for many living in the vicinity, will result in an attraction adding vibrancy and vitality to this part of the town centre, and could reasonably be expected to be associated with increased spending in nearby shops and food/drink venues.
- 13.2 The temporary impacts associated with the development can be satisfactorily minimised and mitigated by the conditions attached to the recommendation and, albeit outside of the remit of the Local Planning Authority, any unexpected issues arising from the proposals can be controlled by the Council in its capacity as landowner.
- 13.3 Therefore, the proposal, when considered against the relevant policies identified above, is an acceptable form of development. The structure, and associated works, can also be easily removed from the site once the exhibition closes. As such, the proposals are recommended for approval, subject to compliance with the recommended conditions set out below.

### **14. RECOMMENDED CONDITIONS**

1. All equipment and infrastructure associated with the proposed temporary development shall be removed from the site and the land restored to an operational car park no later than 31 July 2024. Reason: To ensure that the land is returned to its original use and in the interests of amenity having regard to the requirements of Local Plan Policy 9.
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. The development hereby approved shall not be opened to the public until such a time that a Pedestrian Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures to ensure that safe pedestrian routes are provided within the site and to connect the facilities available within the Queen Elizabeth Hall. The measures contained within the approved Plan shall be adhered to at all times for the duration of the temporary development. Reason: To ensure that visitors to the site have safe access to adjacent facilities in the interests of highway safety having regard to Local Plan Policy 9.
4. Working hours associated with the construction and dismantling of the structure shall only occur between the following hours:
  - Monday to Friday 0800 hours – 2200 hours; and,
  - Saturdays, Sundays, and Bank or Public Holidays 0800 hours – 2200 hours.

Reason: In the interests of residential amenity in accordance with the aims and objectives of Local Plan Policy 9.

5. The theatre shall not be open to the public outside the hours of 1000 – 2300 on any day of the week. Reason: In the interests of residential amenity in accordance with the aims and objectives of Local Plan Policy 9.
6. The development shall not be open to the public unless the toilet facilities within the Queen Elizabeth Hall are available with directional signage provided from the site, unless alternative toilet facilities are provided that have first been agreed in writing with the Local Planning Authority. Reason: In the interests of ensuring visitors have access to appropriate toilet facilities having regard to Local Plan Policy 9.
7. The development shall not be open to the public until such a time that waste storage and recycling bins have been provided on the site comprising at least 1 X 1100 litre general waste bin, and 1 X 1100 litre recycling bin. Such facilities shall continue to be made available for the duration of the temporary use. Reason: In the interests of ensuring visitors have access to appropriate toilet facilities having regard to Local Plan Policy 9.

**SITE LOCATION PLAN (NOT TO SCALE):**

