

**APPLICATION REPORT – FUL/353426/24**  
**Planning Committee – 4<sup>th</sup> June 2025**

Registration Date: 27<sup>th</sup> September 2024  
Ward: Hollinwood

Application Reference: FUL/353426/24  
Type of Application: Full

Proposal: Erection of 30 residential units, including flats and maisonettes spread over 3 housing blocks around a communal garden, communal room/café, and two semi-detached houses, new vehicle access, parking, servicing and landscape works following demolition of industrial units and removal of existing vehicle access

Location: Former industrial premises at Pretoria Road, Oldham OL8 4NH

Case Officer: Graham Dickman  
Applicant: Eco Village Industries Ltd  
Agent: N/A

## **1. SITE DESCRIPTION**

- 1.1 The site comprises a largely rectangular urban site presently occupied by a mix of industrial buildings and hardstanding areas. It is surrounded on all sides by neighbouring low-rise residential properties.
- 1.2 Immediately to the south of the application site, the present residential development was constructed on the site of a former large mill building.
- 1.3 The existing site levels rise upwards from Pretoria Road. There are a significant number of mature trees around the site boundaries, although none are subject to a Tree Preservation Order.
- 1.4 There is presently one business operating from the site.
- 1.5 A public right of way (169 OLDH) adjoins the eastern boundary.

## **2. THE PROPOSAL**

- 2.1 The proposal involves the comprehensive redevelopment of the site for residential purposes comprising a mix of flats and maisonettes and a pair of semi-detached houses.
- 2.2 Primarily this will be achieved through the erection of three blocks situated towards the western, northern, and eastern boundaries of the site. The blocks will face onto a central communal courtyard.

- 2.3 The first block on the west side towards Pretoria Road will extend upwards to a maximum of 4 storey. It will accommodate 4 x three-bedroom units on the ground/first floors, with 7 x one- bedroom units on the upper floors. In addition, a four-bedroom shared house will occupy the north-west corner of the block.
- 2.4 The second block on the north side, towards the rear of residential properties on Collier Hill Avenue, will be primarily two-storey. It will accommodate 3 x four-bedroom units, with 3 x one-bedroom units in the north-east corner where the building rises to three-storey.
- 2.5 The third block on the eastern side will extend to four-storey and will accommodate 12 x three-bedroom units.
- 2.6 Car parking will be provided in the form of 18 spaces located along the northern boundary with access from Pretoria Street. Cycle parking facilities will be provided.
- 2.7 Finally, the scheme includes a single storey building towards the southern end which is intended for use as a café/common room.

#### Environmental Impact Assessment

- 2.8 The application has been assessed in the context of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The proposal would represent an Urban Development Project within paragraph 10(b) of Schedule 2 of the Regulations. However, it would not exceed the applicable threshold of 5 hectares or 150 dwellings, nor is the site located within any impact distance of a 'sensitive area' as defined in the Regulations.
- 2.9 Consequently, an Environmental Statement is not required.

### **3. PLANNING HISTORY**

PA/340361/17 - Outline application (with all matters reserved) for residential development of up to 60no. dwellings following demolition of existing buildings.

The application was refused on 20 October 2017 on grounds of failure to demonstrate that the site is no longer appropriate or viable for employment use and a lack of ecological surveys being provided.

PA/338241/16 – This application relates to the site of the former Durban Mill (immediately to the south of the application site) for which permission was granted for the erection of 80 new dwellings with associated works on 26 May 2016.

### **4. RELEVANT PLANNING POLICIES**

- 4.1 The Places for Everyone (PfE) Plan and related documentation took effect and became part of the statutory development plan on 21 March 2024.
- 4.2 The PfE Plan 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).

4.3 The site is designated as a Housing Allocation (H1.1.23) on the plan associated with the Local Plan. This application was carried over as a saved policy of the Oldham Unitary Development Plan.

4.4 As such, the following policies are considered relevant to the determination of this application:

Places for Everyone

Policy JP-S1: Sustainable Development

Policy JP-S2: Carbon and Energy

Policy JP-S4: Flood Risk and the Water Environment

Policy JP-S5: Clean Air

Policy JP-J2: Employment Sites and Premises

Policy JP-H1: Scale, Distribution and Phasing of New Housing Development

Policy JP-H2 - Affordability of New Housing

Policy JP-H3 - Type, Size and Design of New Housing

Policy JP-H4 - Density of New Housing

Policy JP-G7: Trees and Woodland

Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity

Policy JP-P1 Sustainable Places

Policy JP-C8: Transport Requirements of New Development

Core Strategy

Policy 1: Climate Change and Sustainable Development

Policy 9: Local Environment

Policy 13: Employment Areas

Policy 14: Supporting Oldham's Economy

Policy 23: Open Spaces and Sports.

## 5. CONSULTATIONS

Highways Officer	Requested further information in relation to access and servicing arrangements.
Environmental Health	No objections subject to conditions in relation to landfill gas/ contaminated land, and construction management.
United Utilities	No objection subject to submission of a detailed drainage scheme.
G M Ecology Unit	Requested further information in relation to how biodiversity net gain will be achieved.
Trees Officer	No objections subject to a scheme of satisfactory replacement planting.

Coal Authority	No objections subject to an informative note in relation to unrecording coal mining.
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## **6. PUBLICITY AND THIRD-PARTY REPRESENTATIONS**

- 6.1 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 major development by neighbour notification letters, display of a site notice, and publication of a press notice.
- 6.2 In response 14 representations have been received objecting to the development.
- 6.3 The grounds of objection are summarised below:
- The scale of the proposed buildings is too intrusive and will lead to overlooking and a loss of sunlight
  - No boundary wall is proposed to neighbouring gardens
  - The development will increase traffic congestion in the area which is used as access to the nearby school
  - The mini-roundabout will be lost to be replaced by speed humps which will damage cars
  - There will be disruption during building works
  - Flats will alter the character of the area and introduce undesirable residents
  - The development will not be secure.
  - Coal mines under the site will be affected by the development
  - The facilities (such as the green area and coffee shop) will not be for the local community
  - Adverse impact on services

## **ASSESSMENT OF THE PROPOSAL**

### **7. PRINCIPLE OF DEVELOPMENT**

- 7.1 Notwithstanding its existing employment use, the site has long been identified in the development plan as suitable for alternative residential use. A previous application (in 2017) was however partly refused on the basis that the applicant had failed to demonstrate that the site's lack of viability or suitability for continued employment use, in accordance with the requirement of Local Plan Policy 14, had been evidenced.
- 7.2 Policy 14 sets out the exceptions where development which would result in the loss of an employment site could be deemed acceptable. However, such a change of use's

suitability must be demonstrated by the developer:

- through a marketing exercise showing that there is no market for an employment generating use(s) at the application site. The marketing exercise should be agreed with the Council before commencing and be of a professional standard;
- or through a viability exercise that the continued use/development of the site for an employment generating use is unviable;
- or that the development of the site for alternative uses would benefit regeneration areas identified by the Council as being in need of investment or would benefit the community of an area.

- 7.3 Policy 14 states further that development proposals which result in the loss of an employment site to other uses should include measures to outweigh the loss of the site and support Oldham's economy.
- 7.4 The applicant's supporting statement puts forward a case that in accordance with the third criterion of the Policy 14 exception, the proposed development would bring material benefits to the local community.
- 7.5 These include that the site is located within a predominantly residential area and redevelopment for new homes on a previously developed site would therefore be more compatible with the existing neighbouring uses than an intensive employment use.
- 7.6 Furthermore, it will greatly improve the quality of the immediate environment, creating an attractive new housing development that incorporates green landscaping and relates positively to its surroundings.
- 7.7 The redevelopment of the site for residential use will secure improved residential amenity when compared with an alternative employment use, which is likely to generate issues of conflict, for example in relation to noise, odour, and heavy goods vehicles on the surrounding residential roads.
- 7.8 The scheme will make a positive contribution towards the identified housing needs of the local community through the provision of new homes, including private-rented and affordable housing.
- 7.9 Although the employment use potential would be lost, it is further noted that the majority of the units have been vacant for a considerable time, and given the age and condition of the buildings, substantial remedial works would be needed to bring the premises up to modern standards.
- 7.10 It is also suggested that previous redevelopment in the local area for housing and the Oasis Academy demonstrate the unsuitability of the location for industrial use.
- 7.11 There is presently one existing business on the site. However, it is understood that agreement has been reached with the site owner for the vacation of the premises, leaving the site completely unused.
- 7.12 Having regard to the longstanding planning designation of the site, the condition of the buildings, the surrounding character of residential development, and the poor access for commercial vehicles, it is considered that sufficient weight can be given to the available evidence to justify the residential re-use of the site in principle.

#### Housing land supply

- 7.13 Places for Everyone (PfE) was adopted on 21 March 2024. JP-H1 of PfE sets out Oldham's housing requirement for 2022 to 2039 (the PfE plan period).
- 7.14 Paragraph 78 of the revised NPPF (December 2024) sets out that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.
- 7.15 As such, given PfE is less than five years old, JP-H1 continues to set out Oldham's housing requirement until 2029, and there is currently a five-year supply of deliverable housing sites in Oldham to meet the PfE housing requirement.

#### Affordable Housing

- 7.16 The submitted Planning Statement indicates that, in order to satisfy Local Plan Policy 10, three maisonettes will be allocated for affordable housing within the development.
- 7.17 However, no further details of the financial value of those units or how such provision will be secured has been submitted to clarify whether the policy can be achieved.

#### Public Open Space

- 7.18 Local Plan Policy 23 sets out the Council's approach to Open Space, Sport, and Recreation Provision. In terms of residential development, all developments should contribute towards the provision of new or enhanced open space, unless it can be demonstrated by the developer that it is not financially viable for the development proposal or that this is neither practicable nor desirable.
- 7.19 No information has been submitted to demonstrate whether the development would be capable of satisfying the requirement.

#### Proposed café

- 7.20 Insufficient details of the function and management of this facility have been submitted to demonstrate the viability of such a venture on this site. From a security point of view, its presence would make it more difficult for a non-resident / unauthorised visitor to be challenged when within the development site and further evidence would be needed to show how access could be monitored.
- 7.21 Conditions could however be imposed to ensure any potential amenity issues could be mitigated.

### **8. DESIGN, LAYOUT AND AMENITY ISSUES**

- 8.1 In assessing the application, consideration must be given to the impact on amenity of both existing occupiers of neighbouring properties and future residents of the development.
- 8.2 The site is adjoined on all sides by existing residential uses and, therefore, activity

associated with the proposed re-development would introduce a compatible end use.

- 8.3 One of the significant concerns raised by neighbouring residents relates to the scale of development and its impact in respect of loss of privacy and overshadowing.
- 8.4 In relation to existing properties across Pretoria Road, each of these display gable walls towards the development site, albeit some of which include small bedroom and landing windows within the gables. A separation distance of approximately 18 metres would be retained from the proposed building. Additional overlooking would therefore be introduced, however, whilst this would introduce an increased degree of overlooking, given the relationship between the buildings, it is not considered to be of a sufficiently adverse degree to justify refusal of the application by itself.
- 8.5 In respect of overshadowing, the new building will be located to the east of Pretoria Road and therefore, having regard to the relative orientation and the degree of separation, limited overshadowing would occur.
- 8.6 With regard to the relationship with Collier Hill Avenue to the north, the new buildings proposed for this part of the site are primarily of two storey scale at a separation distance of approximately 22 metres. Where this building rises to three-storey, it does not directly face these neighbouring properties.
- 8.7 Consequently, amenity impacts from the new buildings will be limited from this aspect.
- 8.8 Between the new buildings and the site boundary, a car parking area will be introduced. Given the previous use of this area for parking and servicing in connection with the employment use. This relationship would not be unacceptable. However, care needs to be taken to ensure issues associated with security lighting to the car park do not result.
- 8.9 Further details of boundary treatment to this area would also need to be clarified to ensure this is appropriate from both a visual and amenity aspect. Both these matters could be dealt with by means of planning condition.
- 8.10 With regard to the eastern boundary of the development site, this adjoins properties on Collier Hill which present gable walls to the application site. A separation distance to the boundary of approximately 10 metres will be achieved. Given the four-storey scale of the proposed block, this would result in some significant overlooking of external amenity areas amidst the properties on Collier Hill, albeit these areas appear to be communal in nature as opposed to private gardens. They do however represent the only amenity space associated with these properties.
- 8.11 Furthermore, given the scale of the proposed block and the orientation to the west of the existing properties, there will inevitably be some significant impact on sunlight and daylight reaching these open spaces, particularly during the afternoon / early evening period.
- 8.12 With regard to the recently constructed residential properties to the south, no adverse impacts in relation to privacy or overshadowing would be anticipated.
- 8.13 With regard to the pair of semi-detached houses proposed on Collier Hill Avenue, it is not considered that the siting and design of these would have an adverse impact on the street scene or impact on the amenity of neighbouring residents. Although accommodation is to be provided over three floors, the upper level is contained within the roof space and includes rooflights only on this upper level (as opposed to windows).

- 8.14 Floor layout details have been submitted with the application which demonstrate compliance with the Technical Housing standards – nationally described space standards'. This secures a satisfactory level of amenity for new residents and compliance with PfE Policy JP-H3.
- 8.15 Conditions would however still be required on any approval to ensure that the development is built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable.

## **9. HIGHWAYS CONSIDERATIONS**

- 9.1 Whilst there are no objections in principle to the traffic generation impacts of the development, particularly given the site's sustainable location and previous commercial use, a number of detailed matters for consideration have been raised by the Highways Officer.
- 9.2 These include concerns that the service area will be accessed close to a mini roundabout with no ability to turn within the site and exit in a forward gear. A redesign is required so that this can be achieved. In addition, swept path analysis for a large refuse vehicle is required.
- 9.3 Other factors include gradients for vehicular and pedestrian routes within the site, provision of adequate footways and safe pedestrian routes, and cycle storage.

## **10. BIODIVERSITY AND TREES**

- 10.1 Biodiversity Net Gain is required under the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).
- 10.2 This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. As a clear preference, this increase should be achieved through on-site biodiversity gains.
- 10.3 Based on the application site and indicative proposals, the development would be subject to the statutory BNG requirement.
- 10.4 An Extended Phase 1 Habitat Survey has been submitted to provide an overview of the habitats present within the site and assess any potential protected species.
- 10.5 GM Ecology Unit has commented that while the landscaping and BNG Metric will provide the 10% uplift required, the metric fails on the habitat trading rules.
- 10.6 Currently there is a loss of 0.76 units of individual trees. The applicant will have to either lose less trees, plant more trees, create a higher distinct habitat or purchase off-site BNG units.
- 10.7 Some consideration has been given to the purchase of off-site credits to meet the target. However, insufficient detail has been provided as to how this can be achieved.



## **11. DRAINAGE AND GROUND CONDITIONS**

- 11.1 A Flood Risk Assessment and Drainage Strategy has been submitted. The site is located within Flood Zone 1, the lowest risk of flooding. United Utilities has raised no objections in principle, subject to submission of a detailed drainage scheme.
- 11.2 A Phase I & II Geo-Environmental Site Assessment has been submitted. The Environmental Health Officer has raised no objections, subject to conditions to require further details of site investigations and mitigation.
- 11.3 The Coal Authority (CA) has been consulted on the application as it lies within a Coal Mining High Risk Area. The CA's records indicate that there is a recorded mine shaft entry close to the north-eastern boundary, but that the 'zone of influence' of the mine does not extend into the site boundary.
- 11.4 No objections are therefore raised, although an informative would be attached to any approval should any unrecorded coal mining features be encountered.

## **12. ENERGY**

- 12.1 An Energy / Sustainability Statement has been submitted to demonstrate that the buildings are consistent with the 2022 Part L of the Building Regulations and with the measures in TABLE 5.1 of Places for Everyone Policy JP-S2, unless it can be demonstrated that it is not practicable or financially viable.
- 12.2 A condition would be required on any approval for the developer to confirm the chosen measures and secure their implementation.

## **13. CONCLUSION**

- 13.1 Whilst the principle of a residential redevelopment of the site is acceptable, it has not been adequately demonstrated to show how the scale and design of the scheme could be successfully accommodated on the site.
- 13.2 This relates in particular to the scale of the proposed four-storey buildings and the relationship to existing dwellings surrounding the site. Although the eastern building has been specifically identified as having a significant adverse impact, it reflects wider concerns that the scale of the buildings within the overall development are of an inappropriate nature in these surroundings. Furthermore, issues associated with access and servicing of the development have yet to be resolved.
- 13.3 In addition, a lack of adequate information has been provided to show how statutory and policy requirements in relation to biodiversity net gain, affordable housing and public open space can be met.
- 13.4 For these reasons, the development would not represent an acceptable form of development in this setting.

## **14. RECOMMENDATION**

- 14.1 The application is therefore recommended for refusal for the following reasons:

1. The proposed scale and layout of development, including the introduction of four-storey apartment buildings, would, by virtue of their height and relationship to existing residential properties, create an unacceptable degree of overshadowing and loss of amenity to existing dwellings contrary to the objectives of Policies JP-P1 and JP-H3 of the Places for Everyone Joint Development Plan and Policy 9 of the Oldham Local Plan.
2. Inadequate information has been submitted to demonstrate how the development would achieve an acceptable means of access, satisfactory levels of affordable housing, public open space, and biodiversity. The proposals would therefore be contrary to the objectives of Policies JP-C8, JP-G7 and JP-H2 of the Places for Everyone Joint Development Plan, Policy 23 of the Oldham Local Plan, and paragraph 187 of the National Planning Policy Framework.

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

