

APPLICATION REPORT – OUT/354324/25
Planning Committee 2nd July 2025

Registration Date: 9th April 2025
Ward: Coldhurst

Application Reference: OUT/354324/25
Type of Application: Outline

Proposal: Outline planning application comprising residential development (Use Class C3) alongside ancillary non-residential floorspace (Use Class E); with associated access, servicing, parking, public realm and landscaping. All matters reserved for future determination save for primary access.

Location: Former Leisure Centre, Rock Street, Oldham

Case Officer: Graham Dickman
Applicant: Muse Places Limited
Agent: Hannah Blunstone

1. INTRODUCTION

- 1.1 This application is presented to Planning Committee in accordance with the Scheme of Delegation as it relates to a Major application involving the Council as landowner.

2. RECOMMENDATION

- 2.1 It is recommended that the application is approved subject to the conditions set out at the end of this report.

3. SITE DESCRIPTION

- 3.1 The application relates to a site in the north-eastern edge of Oldham town centre bounded by St Mary's Way to the north and east, Rock Street to the south, and Lord Street to the east.
- 3.2 Residential properties face the site from the north and Tommyfield Market lies to the west.
- 3.3 To the south the area adjacent to Rock Street has been partly regenerated as part of the creation of the linear park, whilst further to the south is the Grade II* Oldham Parish Church.
- 3.4 The site was previously occupied by Oldham Leisure Centre, and latterly by car parking and landscaping.
- 3.5 The site, which has a sloped profile roughly from south-east up to the north-west, has

subsequently been cleared and remediation and re-profiling works have taken place in order to facilitate future development.

4. THE PROPOSAL

- 4.1 The proposal seeks approval for the redevelopment of the site for residential purposes comprising up to 231 homes with up to 70 sqm of ground floor ancillary commercial uses. The application is submitted in outline form with all detailed matters (access, appearance, landscaping, layout, and scale) reserved for subsequent approval.
- 4.2 However, the submitted Design and Access Statement, Design Guide, and accompanying plans provide clarification of how is envisaged that a successful development could be achieved.
- 4.3 These are discussed in more detail in the Layout and Design section below.

Environmental Impact Assessment

- 4.4 The application has been assessed in the context of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 4.5 An EIA Screening Request was submitted prior to the application (EIAP/354096/25).
- 4.6 The proposal would represent an Urban Development Project within paragraph 10(b) of Schedule 2 of the Regulations. Although the site area is below 5 hectares, the development would exceed the applicable threshold of 150 dwellings.
- 4.7 The site is not located within any impact distance of a 'sensitive area' as defined in the Regulations.
- 4.8 The proposed development involves the erection of residential dwellings on a site which is located within Flood Zone 1, development will not impinge on any national or local sites of ecological significance, and no significant highway impacts are anticipated.
- 4.9 No environmental impacts are likely to be significant, however, appropriate specialist reports to assess any anticipated environmental impacts have been identified, and these accompany the application.
- 4.10 Consequently, an Environmental Statement is not required.

5. PLANNING HISTORY

NMA/354383/25 - Non-material amendment to Condition 2 (approved plans) for revisions to site levels relating to application FUL/353082/24. Approved 13 May 2025

FUL/353082/24 - Full planning permission for site enabling works, including reprofiling site levels and site clearance, to facilitate future development. Approved 19 September 2024

6. RELEVANT PLANNING POLICIES

- 6.1 The Places for Everyone (PfE) Plan and related documentation took effect and became

part of the statutory development plan on 21 March 2024.

- 6.2 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).
- 6.3 The site is designated within the Town Centre on the plan associated with the Local Plan.
- 6.4 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-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-P2: Heritage

Policy JP-C8: Transport Requirements of New Development

Core Strategy

Policy 9: Local Environment

Policy 15: Centres

Policy 23: Open Spaces and Sports.

7. CONSULTATIONS

Highways Officer	No objections subject to conditions in relation to access, cycling provision, a travel plan, and a Construction Management Plan.
Environmental Health	Recommend various conditions in relation to ground contamination and for noise and ventilation to protect residents' amenity.
TfGM	Recommend consideration is given to the impact on traffic flows, tram capacity, and review of Traffic Regulations Orders
United Utilities	Recommend that conditions are imposed to require submission of a sustainable drainage scheme which fully

	considers the use of infiltration for surface water.
Drainage	Concur with the view of United Utilities that the drainage scheme should full consider infiltration of surface water.
G M Ecology Unit	The applicant will be required to demonstrate that the development can achieve a gain in biodiversity of at least 10%.
Trees Officer	Recommended that the scheme is amended to ensure high quality trees are retained.
Mining Remediation Authority	No objections subject to a scheme of intrusive site investigations.
GM Archaeological Advisory Service	No objections subject to a scheme of intrusive archaeological investigations
Active Travel England	The development should have regard to ATE's standing advice.
G M Police	No objections

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 major development display of a site notice, and publication of a press notice.
- 8.2 In response no representations have been received.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

- 9.1 The Oldham Town Centre Development Framework (OTCDF) sets out a vision for delivering a transformative change to the town centre by creating a new town centre residential market to complement the plans taking shape across the town centre as part of the Council's 'Creating a Better Place' programme.
- 9.2 To bring the change to fruition the Council has entered into a 15-year partnership with Muse (the applicant). The present application is one of four to bring forward an aspiration for providing up to 2000 new mixed-tenure homes across the town centre.

Housing Supply

- 9.3 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).
- 9.4 NPPF Paragraph 78 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.

- 9.5 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.
- 9.6 It is also noted that final completions have now been confirmed for 2024/25 as 578 homes delivered (this exceeds the PfE requirement of 404 homes (for 2024/25) by 43%).
- 9.7 Nevertheless, this site is a crucial part of that five-year supply and of the Council's housing supply overall to 2039 under PfE. Therefore, along with the associated applications, this proposal creates the opportunity to generate a substantial contribution to ensuring a supply of appropriate new housing sites on sites identified as previously developed land in line with PfE objectives.

Affordable Housing

- 9.8 An Affordable Housing Statement has been submitted with the application. The Statement indicates that a policy-compliant affordable housing scheme would cost equivalent to approximately £3.4M (policy-compliant being 7.5% of the total development sales value in accordance with Local Plan Policy 10). However, this scheme is not a typical development scheme on a typical development site. It is a regeneration scheme seeking to bring a brownfield site back into use as part of a public-private partnership, from which the council's main priority is not to seek to generate a profit or even a land receipt.
- 9.9 As such, it is not plausible to provide (and fund) affordable housing on the sites in the usual way a developer would for a typical market housing-led scheme, which is what Local Plan Policy 10 is aimed at. Instead, the partnership will look to lever in private investment alongside government grant funding to deliver a mix of affordable, build-to-rent and market homes.
- 9.10 In this regard, in this case, it is not appropriate to require an affordable housing contribution in the usual way through a planning application (a Section 106 agreement) as it would not be viable for these regeneration developments to be delivered in the same way as a typical market housing-led scheme. In fact, to do so would actually limit which government grants the partnership could access. Instead, the council as landowner and partner will be able to ensure that the developments undertaken by the partnership will deliver affordable housing, and at a level that would seek to exceed what would be provided by Local Plan Policy 10.

Public Open Space

- 9.11 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 where there is not already sufficient provision in the locality, 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.

- 9.12 In this instance, the Council's Open Space Study has identified deficiencies in the quantity and quality of open space within the local area.
- 9.13 However, in this instance the development forms part of wider proposals for the regeneration of the town centre as set out in the Town Centre Development Framework, including the provision of the linear park. As part of that scheme improved links from the application site are being facilitated with the creation of Snipe Gardens helping to provide an attractive link between the application site and the linear park.
- 9.14 In addition, the proposed layout encompasses areas of communal open space which will provide readily accessible amenity space for future residents. In order to ensure such areas will be maintained a condition is recommended to ensure appropriate future management and maintenance arrangements are in place.
- 9.15 In these circumstances, approval will be subject to a condition to secure the payment of financial contributions towards the provision of off-site open/green space, taking into consideration the existing provision.

Education

- 9.16 The introduction of a significant number of new residents into the town centre has the potential to generate increased demand for school places.
- 9.17 Having regard to the potential timeframe for implementation, an updated assessment will be required to take into account the availability of places at that time.
- 9.18 A planning condition has been recommended in order to secure a financial contribution where this can be justified following the updated assessment.

10. DESIGN AND LAYOUT

- 10.1 Although submitted in outline with all detailed matters subject to subsequent Reserved Matters approval, the submitted Design and Access Statement, Design Guide, and accompanying plans provide clarification of how is envisaged that a successful development could be achieved on the site, in particular with regard to its surroundings.
- 10.2 The approach is informed by a Townscape and Visual Impact Assessment. The submission sets out parameters for areas of the site to accommodate the residential and commercial uses and for servicing and landscaping.
- 10.3 It is envisaged that the accommodation could be provided in two elongated blocks extending in parallel roughly east to west framing the north side of the linear park, creating a soft threshold between public and private spaces by the use of a landscaped gabion terrace incorporating a permeable rain garden, as well as providing views and surveillance across the open space.
- 10.4 The northerly block would extend up to 9 storeys accommodating approximately 112 dwellings in a mix of one, two, and three bed units. The southerly block would accommodate 119 dwellings with a similar mix of unit sizes.
- 10.5 The western corner of the southern block will be designed to accommodate the commercial uses at ground floor with a plaza providing an active frontage leading into the site and linking with the linear park.

- 10.6 Servicing areas will be located between the two buildings with access from Lord Street, providing security to these areas and screening them from wider views which would detract from the appearance of the site.
- 10.7 Having regard to the submission, it is considered that this represents a clear indication of how it would be possible to create a development which would be a positive feature within the townscape and respond positively to its surroundings in line with the objectives of PfE Policy JP-P1 and Local Plan Policy 9.

11. AMENITY ISSUES

- 11.1 In respect of impact on neighbouring residents, the closest residential properties are located a minimum of 35 metres to the north of the site across St Mary's Way. The position of the proposed northernmost block reflects that of the former Leisure Centre.
- 11.2 Whilst the new building would exceed the height of its predecessor, having regard to the degree of separation and the lower finished floor level of the new block relative to St Mary's Way, it is not considered that the development would result in a significant loss of daylight and sunlight to the neighbouring dwellings.
- 11.3 The application is accompanied by a Noise Impact Assessment and by a Daylight, Sunlight and Overshadowing Assessment which considers the likely standard of amenity for future residents.
- 11.4 The details have been assessed by the Environmental Health Officer who has recommended the imposition of various conditions relating to noise mitigation and ensuring the dwellings are satisfactorily ventilated.
- 11.5 As part of any Reserved Matters application, it will be necessary for the applicant to demonstrate that the proposed residential units satisfy the Nationally Described Space Standards and comply with the accessibility and adaptability standards of the Building Regulations as required by PfE Policy JP-H3.

12. HIGHWAYS ISSUES

- 12.1 NPPF paragraph 116 states 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".
- 12.2 The application site occupies a highly sustainable location adjacent to Oldham town centre. Pedestrian access is readily available into the town centre where shopping, employment, and other amenities are available.
- 12.3 There will be 100% provision for cycle spaces through secure internal stores in each block and in-apartment cycle store options. Visitor cycle parking will be available within the public realm.
- 12.4 The Council does not presently utilise specific car parking standards.
- 12.5 It is intended that the development will be as vehicle-free as possible. No residential

parking is proposed to be provided on the site, with the exception of a reasonable level of dedicated disabled parking spaces for residents of the new homes. Disabled persons' spaces will be provided for up to a maximum of 5% of apartments. Such limited provision of resident parking is reasonable given the town centre location and excellent public transport connectivity, meaning that no resident would need to own a car to access all essential and day-to-day services or to access employment or education, and residents who choose to live in the new developments would not be expected to own a car.

- 12.6 On-street parking around each of the sites is already tightly controlled to prevent fly-parking in the town centre. Nevertheless, a review of on-street parking controls around each of the sites has been undertaken. The Transport Statement submitted in support of the application shows that the nearby road network has full parking restrictions such as double yellow lines or 24 hour clearways, and some areas with single yellow lines or permit parking.
- 12.7 These restrictions will also apply to future residents and therefore they will not be permitted to park on-street around the developments. Future residents will not be granted parking permits within any of the controlled parking permit areas in the town centre. Should any issues arise with on-street parking around the town centre, this will be monitored. The Council has the option to introduce restrictions to address it.
- 12.8 The rationale for this approach is to create developments focussed on sustainable communities and moving away from car dependency by adopting a 'low-car' vision. This is in line with the policy objectives around sustainable travel set out in the adopted development plan. This approach is justified by the highly accessible town centre location of the developments, where local facilities are in walking or cycling distance. Additionally, the availability of frequent bus and tram services means that public transport can be used for longer journeys.
- 12.9 Low parking provision encourages sustainable travel behaviour for future residents from the moment they move in, by not providing for private vehicle use and promoting sustainable travel via Travel Information Packs which would be provided to new residents at each of the sites. Promotion of active and sustainable travel reduces dependency on cars which supports healthier lifestyles, reduces air and noise pollution and is more environmentally sustainable.

Loss of existing car parking

- 12.10 The development will involve the permanent loss of the previous pay and display public car parking at the site. The Council has previously undertaken a review of how frequently the car parks in the Town Centre are used and found many were underutilised and able to absorb the overflow from the closure of some of the existing surface car parks.
- 12.11 Nonetheless, it is recognised that removing the public car parks on this site (and others in the partnership) will lead to an imbalance in parking provision across the town centre and so the Council is exploring the possibility of creating multi-storey car parks on other sites in the town centre, and in a way that ensures drivers coming from all directions can access parking easily without having to drive into the heart of the town centre. They will also provide additional parking for those with blue badges and so allow easier access to key destinations in the town centre for those with mobility restrictions. This will help address the loss of the public car parking on this application site.

13. BIODIVERSITY AND TREES

- 13.1 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).
- 13.2 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.
- 13.3 Based on the application site and indicative proposals, the development would be subject to the statutory BNG requirement.
- 13.4 The application is accompanied by a Biodiversity Metric and Biodiversity Assessment. This concludes that there will be a net loss of biodiversity units. Therefore, it will be necessary to explore options for off-site contributions, which preference for utilising alternative sites within the town centre. It is recommended that such details accompany any subsequent Reserved Matters application, and a condition is recommended accordingly.
- 13.5 The Tree Officer has expressed concerns with the loss of healthy tree which forms an important part of a group. At present the submitted layout is indicative only, and therefore, it is recommended that the retention of high-quality trees is fully explored and any loss justified as part of the Reserved Matters submission. An appropriate condition has been recommended accordingly.

14. HERITAGE

- 14.1 The site located approximately 70 metres to the north of the Grade II* listed Church of St Mary and St Peter (Oldham Parish Church) and its grounds which lie within the Oldham Town Centre Conservation Area. A further group of listed buildings are located on Church Lane to the south-west. It is therefore important to consider the impact of the development on these heritage features.
- 14.2 In particular, section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development that affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 14.3 NPPF Paragraph 208 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.
- 14.4 A Heritage Assessment has been submitted with the application which provides a comprehensive review of heritage assets both in the immediate vicinity of the application site and in wider vistas.
- 14.5 NPPF Paragraph 212 states that in considering the impact of a proposed development, great weight should be given to the asset's conservation (and the more important the

asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

- 14.6 The application site is separated from the listed church and Conservation Area by the proposed linear park, the eastern section of which has already been implemented. This open area provides a substantial buffer creating an attractive environment enhancing the setting of the heritage assets and representing a significant public benefit.
- 14.7 The proposed buildings will not therefore visually or physically impinge on any appreciation of the heritage features, in particular the prominent north elevation of the church. Indeed, this will also represent an enhancement comparative to the recent situation, both when the leisure centre building was in place, or in the subsequent car park usage.
- 14.8 The Heritage Statement comments that in views from the south, the new building would rise above the ridge line of the nave of the church causing harm to its setting. However, the degree of exceedance would be limited, whilst views from the south are largely restricted by the existing townscape form.
- 14.9 An assessment of the relationship with other heritage assets shows that any impacts would not be significant.
- 14.10 In this context, it is considered that any harm to the listed building (and conservation Area) will be 'less than substantial'.
- 14.11 NPPF Paragraph 215 requires that in such circumstances, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 14.12 As noted above, the wider redevelopment proposals, to which the present application contributes, would directly enhance the immediate setting of the listed building. In addition, the development would result in significant public benefit through revitalisation of the surrounding area and the creation of needed residential opportunities.
- 14.13 The application is also supported by an archaeological desk-based assessment. GM Archaeological Advisory Service agrees with the conclusions that the site should be subject to archaeological monitoring and recording during the development groundworks. This 'watching brief' should be focused on the north-western part of the application site, across the area occupied in the later 19th century by a Unitarian chapel, with the intention of identifying any human remains that are encountered so that an appropriate strategy for their recovery can be implemented.
- 14.14 A planning condition is recommended accordingly.

15. DRAINAGE

- 15.1 The site is located within Flood Zone 1 at the lowest risk of flooding.
- 15.2 A Flood Risk Assessment and Drainage Strategy has been submitted with the application.
- 15.3 United Utilities and the Council's Drainage Engineer have raised issues in relation to

the assessment and arrangements for the disposal of surface water, specifically regarding the potential to infiltrate surface water rather than direct to the public sewer system.

- 15.4 In response, the applicant has indicated that infiltration has not been discounted outright, but that infiltration as the sole or primary means of surface water discharge is not deemed feasible based on present information. Testing is presently limited due to the current use as a surface car park.
- 15.5 Conditions have been recommended to require full details of the proposed method of foul and surface water drainage from the development which will allow a final scheme to be agreed once further testing has been undertaken.

16. GROUND CONDITIONS

- 16.1 The site has been subject to a recent approval for site enabling works and a Technical Note referencing the accepted remediation requirements and indicating that an interim verification report will be produced on completion of the enabling works.
- 16.2 The Environmental Health Officer has accepted the findings subject to the submission of the enabling works verification which should show that the site is suitable for re-use.
- 16.3 The Mining Remediation Authority have noted that the site falls within a Development High Risk Area and that the Coal Mining Risk Assessment report recommends the undertaking of intrusive site investigations.
- 16.4 Appropriate planning conditions are recommended accordingly.

17. ENERGY

- 17.1 The applicant is required 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 this is not practicable or financially viable.
- 17.2 An Energy Statement has been submitted with the application. It outlines how a 'fabric first' approach, high efficiency services, and on-site renewable energy generation, will be adapted across the Development.
- 17.3 Consequently, it is considered that the development will be capable of compliance with the policy objectives.

18. CONCLUSION

- 18.1 This application, alongside with the other development proposals being considered on this Planning Committee agenda, will make a substantial contribution to the regeneration of Oldham town centre as part of wider objectives set out in the Oldham Town Centre Development Framework and Creating a Better Place vision.
- 18.2 This follows on from the previously approved schemes for revitalisation of the Spindles Shopping Centre, new market hall and food court, replacement Council offices, a new linear park, and the enhancement of heritage buildings across the town.

- 18.3 The development will deliver a new residential neighbourhood which can act as a catalyst for further regeneration.
- 18.4 The proposed approach to the promotion of a car-free environment reflects the objectives of PfE Policy JP-C1. This encourages a pattern of development that minimises the need to travel by unsustainable modes and which increases the proportion of trips that can be made by walking, cycling, and public transport.
- 18.5 In townscape terms, the site occupies a prominent location on the western approaches to the town centre. It will introduce a vibrant and visually appealing development designed to maximise the opportunities provided by the site levels.
- 18.6 Overall, the development would represent a positive opportunity for the regeneration of the town centre.

19. RECOMMENDED CONDITIONS

1. RESERVED MATTERS

Applications for approval of the reserved matters of 1) Access 2) Appearance 3) Landscape 4) Layout and 5) Scale shall be made to the Local Planning Authority before the expiration of 15 years from the date of this permission. The commencement of development of each plot (as defined on approved plan 18500-HBA-LC-ZZ-D-A-080011 P04) must be no later than the expiration of 3 years from the final approval of the reserved matters relating to that development plot.

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

2. APPROVED PLANS

The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice unless variation from approved plans is required by any other condition of this permission.

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

3. LEVELS

Any application for the approval of reserved matters in respect of the landscaping, layout, and/or scale of the development shall be accompanied by the following information: A full site survey for that part of the site showing: (i) the datum used to calibrate the site levels (ii) levels along all site boundaries (iii) levels across the site at regular intervals (iv) floor levels of adjoining buildings, and full details of the proposed ground and finished floor levels of all buildings and proposed levels for external areas, including any retaining structures. The development shall be implemented only in full accordance with the approved details.

REASON - To ensure that the details of the development are satisfactory having regard to Policies 9 of the Oldham Local Plan and Policy JP-P1 of the Places for Everyone Joint Development Plan.

4. ACCESS AND PARKING

No residential unit within any development plot shall be occupied until the access to the site and car parking space for that development has been provided in accordance with the approved layout plan.

REASON – In the interests of the amenity of the occupiers of the development, having regard to Policies 5 and 9 of the Oldham Local Plan and Policy JP-C8 of the Places for Everyone Joint Development Plan.

5. CONTAMINATION

Remediation of the site shall be undertaken in accordance with the remediation strategy set out in the Civic Earth (2024) report Former Leisure Centre, Oldham, Remediation Method Statement, 19 June 2024. Reference 51040-CE-01-XX-R-G-1006. Revision P02, subject to the submission of detailed design of the gas protection measures before they are installed.

The written approval from the Local Planning Authority will be required on receipt of a satisfactory completion report in order to fully discharge the condition.

REASON – In order to ensure that appropriate measures are taken to protect public safety having regard to Policy 9 of the Oldham Local Plan.

6. COAL MINING

No development shall commence until;

a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and; b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

c) Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

REASON – In order to ensure that appropriate measures are taken to protect public safety having regard to Policy 9 of the Oldham Local Plan.

7. BIODIVERSITY

Any application for the approval of reserved matters in respect of the landscaping and/or layout of the development shall be accompanied by an updated Biodiversity Net Gain Metric and Biodiversity Net Gain Statement to demonstrate how the development will secure a 10% uplift relative to baseline conditions. Any on-site biodiversity will be subject to a 30 year Habitat Management and Maintenance Plan.

REASON – To secure biodiversity improvement at the site in accordance with the requirements of Schedule 7A of the Town and County Planning Act 1990 (as inserted by the Environment Act 2021).

8. GLAZING SPEC

All residential windows for the whole development should meet the minimum glazing performance as detailed within the Noise and Vibration Impact Assessment 18500-MXF-LC-XX-T-O-10000 Issue P04 dated 28 March 2025 unless otherwise agreed in writing by the Local Planning Authority.

REASON - To protect the amenities of the occupiers of the development having regard to Policy 9 of the Oldham Local Plan.

9. TESTING OF WINDOWS

Prior to occupation of any residential unit, a noise report must be submitted to and approved in writing by the Local Planning Authority to confirm noise testing of the whole window units has been completed and not just the glazed component to achieve the internal ambient noise levels for habitable spaces given in BS 8233.

REASON - To protect the amenities of the occupiers of the dwelling having regard to Policy 9 of the Oldham Local Plan.

10. VENTILATION

A Mechanical Ventilation and Heat Recovery system shall be installed in accordance with a Noise and Ventilation Strategy which shall be submitted and approved in writing by the Local Planning Authority prior to installation. The system shall be retained thereafter in accordance with the approved scheme.

REASON - To protect the amenities of the occupiers of the dwelling having regard to Policy 9 of the Oldham Local Plan.

11. EXTRACTION

Prior to the occupation of any residential unit, an approved external plant scheme shall be completed entirely and thereafter the works forming the approved scheme shall at all times remain in place. The scheme shall detail how the extraction unit will be attenuated and mounted to minimise the transmission of airborne and structure-borne noise and vibration.

REASON - To protect the amenities of the occupiers of the development and existing residents in the area having regard to Policy 9 of the Oldham Local Plan.

12. NOISE LIMIT

Any plant or machinery used on the site shall not exceed the following noise rating levels (which includes any acoustic character associated with the mechanical services plant) at the most noise sensitive premises when measured in accordance with BS 4142:2014+A1:2019:

- Daytime (07:00 to 23:00): < 50 dBA (1 hour)
- Night-time (23:00 to 07:00): < 44 dBA (15 mins)

Emergency plant noise level limits at the nearest noise sensitive receptor should not be higher than 10 dBA above the representative daytime background noise level.

REASON - To protect the amenities of the occupiers of the development and existing residents in the area having regard to Policy 9 of the Oldham Local Plan.

13. AMPLIFIED SOUND

Any amplified music and/or speech sound from any commercial unit at the development shall result in a sound level associated with the commercial unit of no greater than Noise Rating (NR) NR25 Leq (5 minutes) between 07.00 and 23.00 hours, NR20 Leq (5 minutes) and 40 dB LAFMax between 23.00 and 07.00 hours as measured or predicted in any structurally adjoining habitable areas of residential properties located above or adjacent to the commercial unit.

REASON - To protect the amenities of the occupiers of the dwelling having regard to Policy 9 of the Oldham Local Plan.

14. FUMES

No commercial unit hereby approved shall be brought into use unless and until a detailed scheme for treating fumes and odours from any required kitchen odour/heat extraction system before their emission to the atmosphere so as to render them innocuous has been submitted to and approved in writing by the Local Planning Authority.

REASON - To protect the amenities of the occupiers of the dwelling having regard to Policy 9 of the Oldham Local Plan.

15. DRAINAGE

Prior to the commencement of above ground works within any development plot details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

REASON - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution having regard to Policies 9 and 19 of the Oldham Local Plan.

16. DRAINAGE MANAGEMENT

Prior to occupation of any development plot as indicated on plan ref: 18500-HBA-LC-ZZ-D-A-080011 P04, a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority.

The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained, and managed in accordance with the approved plan.

REASON - To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development having regard to Policies 9 and 19 of the Oldham Local Plan.

17. CEMP

Prior to the commencement of any development plot as indicated on plan ref: 18500-HBA-LC-ZZ-D-A-080011 P04, a scheme in the form of a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- details for the methods to be employed to control and monitor noise, dust and vibration impacts
- where construction site processes are likely to give rise to significant levels of vibration, details of appropriate monitoring should be provided. A method of vibration measurement should be agreed prior to commencement of site works.
- arrangements for construction vehicle access (including routing and hours of construction vehicle movement), loading and unloading of plant and materials, storage of plant and materials used in constructing the development, and construction methods to be used; including the use of cranes if intended
- wheel cleaning equipment to ensure that before leaving the site all vehicles, which have travelled over a non-tarmac surface, use the wheel cleaning equipment provided,
- hours of working in relation to site clearance and construction activities

REASON – To safeguard the amenities of the adjoining premises and the area having regard to Policy 9 of the Oldham Local Plan.

18. TRAVEL PLAN

Prior to the first occupation of the development hereby approved, an interim green travel plan for the development shall be submitted to and approved in writing by the Local Planning Authority. Within 6 months of first occupation, a travel plan shall be submitted to the Local Planning Authority for approval and the approved plans shall thereafter be implemented within 3 months of such written approval.

REASON – To ensure the development accords with sustainable transport policies having regard to Policy 5 of the Oldham Local Plan.

19. PART L

Prior to the residential occupation of any development plot a statement shall be submitted to and approved in writing by the Local planning Authority detailing how that building has been constructed to be 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. The development shall be implemented in accordance with the approved details.

REASON - In order to secure a sustainable form of development having regard to Policy JP-S2 of the Places for Everyone Joint Development Plan Document.

20. NDSS Part M4(2)

Each dwelling hereby approved shall comply with the Nationally Described Space Standards and the development shall be built to the accessible and adaptable standard in Part M4(2) of the Building Regulations, unless it is first demonstrated to and agreed in writing by the Local Planning Authority that the specific site conditions make this impractical.

REASON - To ensure a sustainable form of development having regard to the requirements of Policy JP-H3 of the Places for Everyone Joint Development Plan Document.

21. CRIME

The development hereby approved shall be built in line with the recommendations in the Crime Impact Statement reference 2025/0066/CIS/06 Version A 19th March 2025.

REASON – In order to ensure the creation of a safe environment having regard to Policy 9 of the Oldham Local Plan.

22. BIRDS

No works to trees or shrubs shall take place between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

REASON - To ensure the protection of bird habitats, which are protected species under the Wildlife and Countryside Act 1981 having regard to Policy 21 of the Oldham Local Plan.

23. ARCHAEOLOGY

No development works shall take place until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works in accordance with a Project Design which has been submitted to and approved in writing by the local planning authority. The Project Design shall cover the following:

- (a) A phased programme and methodology of investigation and recording to include:
 - an archaeological evaluation;
 - pending the results of the above, open-area excavation.
- (b) A programme for post-investigation assessment to include:

- production of a final report on the investigations and their significance.
- (c) Deposition of the final report with the Greater Manchester Historic Environment Record.
- (d) Dissemination of the results of the site investigations commensurate with their significance,
- (e) Provision for archive deposition of the report, finds and records of the site investigation.
- (f) Nomination of a competent person or persons/organisation to undertake the works set out within the Project Design.

REASON - To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence (and any archive generated) publicly accessible having regard to Policy 24 of the Oldham Local Plan.

24. TREES

Any application for the approval of reserved matters in respect of the landscaping and/or layout shall be accompanied by a Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement. The submission shall fully assess the value and condition of existing trees, ensure any potential impacts are clearly identified and mitigated, and that any alternatives to removal are fully explored and justified as necessary.

REASON – In order to secure the protection of existing trees and the tramway embankment having regard to Policy JP-G7 of the Places for Everyone Joint Development Plan and Policy 9 of the Oldham Local Plan.

REASON – In order to secure the protection of existing trees having regard to Policy JP-G7 of the Places for Everyone Joint Development Plan and Policy 9 of the Oldham Local Plan.

25. PARAMETER PLANS

All applications for Reserved Matters shall be in accordance with the following approved Parameter Plans: 18500-HBA-LC-ZZ-D-A-080012 P04, 18500-HBA-LC-ZZ-D-A-080013 P04, 18500-HBA-LC-ZZ-D-A-080014 P04, 18500-HBA-LC-ZZ-D-A-080015 P04, and 18500-HBA-LC-ZZ-D-A-080016 P04.

REASON - In order to ensure that the developed scheme accords with the parameters used to assess the impact this proposal will have on its surroundings, including the neighbouring buildings, having regard to Policy JP-P1 of the Places for Everyone Joint Development Plan.

26. MAXIMUM PARAMETERS

The development hereby approved shall not exceed the following maximum

Up to 231 residential units (use class C3)

Up to 70 sqm commercial floorspace (use class E and/or F1) GEA floorspace.

REASON - In order to ensure that the developed scheme does not exceed the floor spaces which have been used to assess the impact which this proposal will have on its surroundings, including the neighbouring buildings, and the local highway network having regard to Policies JP-P1 and JP-C8 of the Places for Everyone Joint Development Plan.

27. DEVELOPER CONTRIBUTIONS

No phase or sub-phase of development (other than enabling works, the details of which have previously been agreed in writing by the Local Planning Authority) shall commence unless and until all relevant legal estates and interests in the land comprised in that phase or sub-phase of development are subject to and bound by terms set out in an enforceable section 106 agreement to secure the payment of financial contributions towards the provision of off-site open/green space and education.

REASON - As the Local Planning Authority would not have granted planning permission in the absence of a signed Section 106 obligation, and at the time of this permission being issued the applicant was not able to bind all relevant interests in the site to the terms of the planning obligations it contains. This condition restricts development on land until such time that relevant parts of the land are bound by section 106 planning obligations in the form of an enforceable deed.

28. PUBLIC REALM MANAGEMENT

Prior to the first occupation of any development plot as defined on plan ref: 18500-HBA-LC-ZZ-D-A-080011 P04, a scheme for the future management and maintenance of all external communal areas of the site, including pedestrian access, vehicle access, parking and servicing, recreational open space and landscaped areas, shall be submitted to and approved in writing by the Local Planning Authority. The approved arrangements shall be implemented in full and retained thereafter unless otherwise agree in writing by the Local Planning Authority.

REASON – To ensure the site is maintained in a condition which protects the amenity of future residents and the area in general having regard to Policy JP-P1 of the Places for Everyone Joint Development Plan and Policy 9 of the Oldham Local Plan.

SITE LOCATION PLAN (NOT TO SCALE)

