

APPLICATION REPORT – FUL/354326/25
Planning Committee 2nd July 2025

Registration Date: 9th April 2025
Ward: Coldhurst

Application Reference: FUL/354326/25
Type of Application: Full

Proposal: Full planning application for residential development (Use Class C3) alongside ancillary non-residential floorspace (Use Classes E and F1), with associated access, servicing, parking, public realm and landscaping improvements.

Location: Land at Prince's Gate, Prince Street, Oldham, OL1 3TL

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 triangular site of approximately 0.9 hectares located at the eastern edge of Oldham town centre.
- 3.2 The site occupies a prominent position with the A62 Oldham Way skirting the southern boundary. The northern boundary adjoins the Oldham Mumps tram stop across which is a park & ride facility, and two landmark buildings, 17-21 Mumps and the Grade II listed Former NatWest Bank.
- 3.3 The western boundary adjoins Prince Street which provides access to and from the town centre.
- 3.4 The use of the site presently comprises a surfaced car park with ancillary areas of landscaping having been occupied before 2010 by a retail warehouse.

4. THE PROPOSAL

- 4.1 The proposal involves a detailed application for a residential development creating 331 new properties with ancillary commercial floorspace at ground floor level.
- 4.2 The accommodation will be provided within three multi-storey blocks.
- 4.3 Two blocks (A and B), rising to 16 and 12 storeys respectively, will be located towards the eastern side of the site. The ground floors of the main blocks will accommodate service areas to the building, including cycle stores, refuse storage, lifts and stairways, and plant rooms.
- 4.4 In addition, a commercial unit will be created in the north-west corner of Block B fronting onto an open space adjacent to Mumps tram stop. This would provide an opportunity, for instance, for a retail, café, creche, health service, or educational use to be established.
- 4.5 The upper floors of the buildings will provide 256 dwellings, with a mix of 129 one-bed, 102 two-bed and 25 three-bed units.
- 4.6 These blocks will be connected via a single storey link structure with entrances to both northern and southern elevations. This will provide an entrance area, communal social space for residents, co-working space, a fitness area, and bookable rooms.
- 4.7 The blocks will primarily be faced in red brick with additional detailing and use of pre-cast materials in the bands to blocks A and B to provide visual interest.
- 4.8 The third block will be formed in a L-shape and rise to 6 storeys. It will be located at the south-western side of the site.
- 4.9 This building will provide 75 dwellings with a mix of 30 one-bed, 39 two-bed and 6 three-bed units, including five units located on the ground floor.
- 4.10 The proposals have been designed to be as car-free as possible with car parking only providing 18 accessible car parking spaces. Service access will be provided, together with taxi pick-up and drop-off facilities.

Environmental Impact Assessment

- 4.11 The application has been assessed in the context of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 4.12 An EIA Screening Request was submitted prior to the application (EIAP/354095/25).
- 4.13 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.
- 4.14 The site is not located within any impact distance of a 'sensitive area' as defined in the Regulations.
- 4.15 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.

- 4.16 The site could however be subject to potential noise or air quality impacts, although these are not anticipated to be significant having regard to the criteria set out in the EIA Regulations and Planning Practice Guidance.
- 4.17 Consequently, an Environmental Statement is not required. Nevertheless, appropriate specialist reports to assess any anticipated environmental impacts have therefore been required, and these accompany the application.

5. PLANNING HISTORY

PA/336961/15 - A hybrid planning application comprising the proposed demolition of 1-15 and 23 Mumps, Roscoe Mill and RSPCA building and erection of a new mixed-use development incorporating:

a) in full: 11,261 sq.m (GIA) and up to five units to be occupied for retail, financial/professional services, restaurants/cafes, drinking establishments and hot food takeaways (Classes

A1/A2/A3/A4/A5), 1,741 sq.m (GIA) Class A1 foodstore, 54 apartments (Class C3) and new car parking;

b) full and listed building consent: conversion and extension of vacant bank building to flexible commercial space to be occupied for retail, offices, financial/professional services, restaurants/cafes, drinking establishments and hot food takeaways (Classes A1/B1/A2/A3/A4/A5 and 46 apartments (Class C3);

c) in outline (with all matters reserved): floorspace to be used for retail, offices, financial/professional services, restaurants/cafes, drinking establishments and hot food takeaways (Classes A1/B1/A2/A3/A4/A5) and 80 bed hotel (Class C1) or 36 apartments (Class C3) (maximum of four storeys total height); and

d) associated landscaping, servicing and highway improvement works

Approved 13 October 2016

PA/059474/11 - Metrolink Phase 3A alignment, 3B alignment, stop, park & ride, and associated highway works. Approved 5 May 2011

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 Oldham 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-S3: Heat and Energy Networks
Policy JP-S4: Flood Risk and the Water Environment
Policy JP-S5: Clean Air
Policy JP-S6: Resource Efficiency

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-P4: New Retail and Leisure Uses in Town Centres
Policy JP-P5: Education, Skills and Knowledge
Policy JP-P6: Health
Policy JP-P7: Sport and Recreation

Policy JP-C1: An Integrated Network
Policy JP-C2: Digital Connectivity
Policy JP-C3: Public Transport
Policy JP-C5: Streets for All
Policy JP-C6: Walking and Cycling
Policy JP-C8: Transport Requirements of New Development

Core Strategy

Policy 1: Climate Change and Sustainable Development
Policy 2: Communities
Policy 9: Local Environment
Policy 15: Centres
Policy 23: Open Spaces and Sports.
Policy 25: Developer Contributions

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 conditions in relation to ground investigations and acoustic protection.

TfGM	Recommend various conditions in connection with protection of Metrolink infrastructure.
United Utilities	Recommend that conditions be 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	No objections as the site should secure a minimum 10% biodiversity gain.
Mining Remediation Authority	No objections
GM Police Authority	Recommended that the development is built to Secured by Design standards.
GM Archaeological Advisory Service	No objections subject to a scheme of intrusive archaeological investigations.
Active Travel England	No objections subject to improvements in active travel infrastructure around the site.
Health & Safety Executive	The HSE is satisfied with the fire safety content as it affects land use planning considerations.

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 which involves a departure from the Development Plan and would affect the setting of a listed building by display of site notices and publication of a press notice.
- 8.2 In response one representations has been received objecting to the application on grounds of lack of infrastructure to serve the development, increased crime, and lack of demand.

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 £4.2M (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 The Council's Open Space Study has identified present 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.
- 9.14 In addition, the proposed layout encompasses significant 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, a financial contribution towards the provision of additional off-site open/green space will not be required.

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 An assessment of the impact on school places has been undertaken. This has concluded that at present, having regard to the anticipated early implementation of the development, the specific mix of accommodation proposed, and the availability of school places, no contribution can be required.

10. DESIGN AND LAYOUT

- 10.1 The site occupies a prominent location on the edge of the town centre. The scale and design of the proposed development is intended to create a gateway into the town centre when approaching from the east.
- 10.2 All blocks have been designed to reflect the same architectural styling and materiality, with minor differences between the blocks to provide some points of interest.
- 10.3 To blocks A and B, enlarged living room windows will be provided, which visually match the bedroom windows, and are combined with recessed brick panels of a different brick type. Block C will be constructed using a single external material.
- 10.4 In addition, it is proposed that the ground floor of block A will incorporate artwork from a local artist.
- 10.5 Landscaping and creation of public realm will feature throughout the development with a network of accessible green spaces. A 'Civic Plaza' will be provided adjacent to the tram stop which will include seating opportunities. This arrangement is illustrated on

the submitted landscape masterplan.

- 10.6 The applicant liaised with GM Police prior to submission of the proposal, and a number of recommendations have been incorporated, including defined boundaries to ground floor apartments and intruder alarms, illumination of street level building elevations, and secure entry arrangements.
- 10.7 Overall, the proposed design and layout will make a positive contribution to the townscape.

11. AMENITY ISSUES

- 11.1 As required by Places for Everyone Policy JP-H3, all new dwellings must comply with the nationally described space standards; and be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations (unless specific site conditions make this impracticable). In this instance, the applicant has confirmed that the whole development will be constructed to achieve those standards.
- 11.2 Opportunities to enjoy open space will be available throughout the development site.
- 11.3 Daylighting, sunlight, and overshadowing assessments have been carried out and accompany the submission. Consideration of the findings of the report has been used to inform the design of the scheme and confirms that the outcome would be acceptable within the town centre context.
- 11.4 A Noise Impact Assessment and a Ventilation and Extraction Statement have been submitted.
- 11.5 Due to its location adjacent to the A62 Oldham Way, an Air Quality Management Area encompasses the southern, eastern and north-eastern site boundaries. An Air Quality Assessment has been submitted.
- 11.6 The Environmental Health Officer has raised no objections, subject to implementation of various recommended conditions to protect the amenity of future residents.

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 immediately adjacent to Oldham Mumps tram stop and adjacent bus stops. Pedestrian access is readily available into the town centre where shopping, employment, and other amenities are available.
- 12.3 As noted above, the proposals have been designed to be as car-free as possible with car parking only providing 18 accessible car parking spaces. Service access will be provided, together with taxi pick-up and drop-off facilities.

- 12.4 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.
- 12.5 The Council does not presently utilise specific car parking standards.
- 12.6 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.
- 12.7 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.
- 12.8 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.
- 12.9 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.
- 12.10 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.
- 12.11 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.
- 12.12 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

- 12.13 The development will involve the removal of existing 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.

- 12.14 Nonetheless, it is recognised that removing the public car parks on this site and other sites will lead to an imbalance in parking provision across the town centre.
- 12.15 Therefore, 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 site presently has limited ecological interest being largely defined by hardstanding areas.
- 13.5 GM Ecology Unit is satisfied that a 10% biodiversity net gain can readily be achieved on site.
- 13.6 Furthermore, within significant areas of the site, the development will include the creation of newly landscaped open spaces with new tree and shrub planting throughout.
- 13.7 Any grant of planning permission will be subject to a condition to require a 30-year Habitat Management and Maintenance Plan to be approved. In addition, following the grant of a planning permission, it will be necessary for the applicant to submit a statutory Biodiversity Gain Plan for approval which will ensure the required measures are implemented.
- 13.8 A clear benefit in terms of ecology and biodiversity can therefore be demonstrated.

14. HERITAGE

- 14.1 The site located in proximity to the Grade II listed Former NatWest Bank and to a number of non-designated heritage buildings. It is therefore important to consider the impact of the development on these this heritage structures.
- 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 Due to previous demolitions and redevelopment of the Princes Gate site and its vicinity, the heritage buildings do not form part of a coherent whole which would allow their significance to be appreciated. Historically Mumps would have formed an entry point to Oldham town centre which is not presently discernible.
- 14.7 The tallest proposed building, Block A, will be located in the north-east corner of the site facing the front elevation of the listed building. Although of significantly greater height, it will help frame the town centre approach views from the east.
- 14.8 Furthermore, the degree of separation (resulting from the presence of Mumps and the tram stop) will ensure that the listed building is not physically or visually dominated and views of its setting will be largely retained. The creation of a 'civic plaza' to the north side of the proposed buildings will facilitate further opportunities for the heritage buildings across Mumps to be appreciated.
- 14.9 In this context, it is considered that any harm to the listed building will be 'less than substantial'
- 14.10 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.
- 14.11 As noted above, the redevelopment proposals would directly enhance the setting of the building, replacing its apparent visual isolation with a welcoming setting. In addition, the development would result in significant public benefit through revitalisation of the surrounding area and the creation of needed residential opportunities.
- 14.12 Similar benefits would accrue to the non-designated heritage buildings across Mumps and to the west towards Union Street.
- 14.13 Consequently, it can be satisfactorily demonstrated that no significant harm would accrue to heritage features having regard to the clear benefits from the redevelopment of the site.

- 14.14 The application is supported by an archaeological desk-based assessment. GM Archaeological Advisory Service agrees with the conclusions that the site should be subject to a scheme of intrusive archaeological investigation focussed on the former Mumps Mill site. 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.
- 15.6 In addition, United Utilities has requested confirmation that the development will not impact on the large diameter water main within the site and a condition to require such confirmation is also recommended.

16. GROUND CONDITIONS

- 16.1 A Phase 1 Desk Study and Preliminary Risk Assessment. report has been submitted with the application.
- 16.2 The Environmental Health Officer has accepted the findings which recommends that further intrusive site investigations, including in relation to mine gas, should be carried out along with any necessary scheme of remediation.
- 16.3 An appropriate planning conditions is recommended accordingly.
- 16.4 The Mining Remediation Authority has noted that the site falls within a Development High Risk Area. The application is accompanied by a Coal Mining Risk Assessment which has been informed by both historical records and the findings of intrusive site investigations.
- 16.5 The Mining Remediation Authority has therefore confirmed that there are no objections to the proposals.

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/ Sustainability and a Sustainability Statement has been submitted with the application. It is outlined how a 'fabric first' approach to minimise energy use intensity has been used with passive measures adopted across the buildings. The development as a whole therefore achieves a 75% improvement over the Building Regulation's Target Emission Rate.
- 17.3 Consequently, it is considered that the development would ensure 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 eastern 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. COMMENCEMENT

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. APPROVED PLANS

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

No residential unit within the development shall be occupied until the access to the site and car parking and servicing space for that part of the development has been provided in accordance with the approved layout plan ref:18501-HBA-ZZ-ZZ-D-A-080010 Rev P04.

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.

4. CYCLES

The use of each building hereby approved shall not commence until the arrangements for the provision of secure cycle parking as indicated on the approved plans ref: 18501-HBA-ZZ-GF-D-A-080100 Rev P02 and 18501-HBA-1C-GF-D-A-083100 Rev P02 have been made available. The facilities shall be retained at all times thereafter.

REASON - In order to promote sustainable means of travel having regard to Policy JP-C8 of the Places for Everyone Joint Development Plan.

5. TRAVEL PLAN

Prior to the first occupation of any building hereby approved, an interim green travel plan for that building shall be submitted to and approved in writing by the Local Planning Authority. Within 6 months of first occupation within any building, 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.

6. MATERIALS

No development comprising the erection of any external walls on a building shall take place until a specification for the materials to be used in the construction of the external surfaces of that building, including the roof, have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details.

REASON - To ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area having regard to Policy JP-P1 of the Places for Everyone Joint Development Plan.

7. LANDSCAPING

All hard and soft landscape works shall be carried out in accordance with the approved plans Ref: 18501-PLA-XX-XX-DR-L-000001 P14, 18501-PLA-XX-XX-DR-L-100000 P02, and 18501-PLA-XX-XX-DR-L-200000 P02, and with a programme to be agreed in writing with the Local Planning Authority prior to the first occupation of any dwelling hereby approved. Thereafter any trees or shrubs which die, are removed or become seriously damaged or

diseased within a period of five years from the completion of the development shall be replaced in the next planting season with others of a similar size, number and species to comply with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

REASON - To ensure that the landscaping scheme is carried out and protected in the interests of visual amenity and to safeguard the future appearance of the area having regard to Policy JP-G7 of the Places for Everyone Joint Development Plan

8. BIODIVERSITY

The use of the building hereby approved shall not commence until a scheme and timetable for the achievement of Biodiversity Net Gain on site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a written 30-year Habitat Management and Monitoring Plan (HMMP) for biodiversity within the site.

REASON - To ensure that the proposals result in enhancement of biodiversity having regard to Policies 9 and 21 of the Oldham Local Plan, paragraph 174 of the NPPF, and Policy JP-G8 of the Places for Everyone Joint Development Plan.

9. 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.

10. 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.

11. GLAZING SPEC

All residential windows for the whole development should meet the minimum glazing performance as detailed within the Noise and Vibration Impact Assessment 18501-MXF-XX-XX-T-O-10000 Issue P04 dated 26 March 2025 unless otherwise agreed in writing by the Local Planning Authority.

REASON - To protect the amenities of the occupiers of the development from sources of noise, including the Metrolink tram line, having regard to Policy 9 of the Oldham Local Plan.

12. 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.

13. VENTILATION

Prior to the occupation of any residential unit, the Mechanical Ventilation and Heat Recovery system shall be installed in accordance with a Noise and Ventilation Strategy which 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.

14. EXTRACTION

Prior to the occupation of any residential unit, an external plant scheme, which has been submitted to and approved in writing by the Local Planning Authority, detailing how the extraction unit will be attenuated and mounted to minimise the transmission of airborne and structure-borne noise and vibration, shall be completed entirely. Thereafter the works forming the approved scheme and shall at all times remain in place.

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.

15. 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): < 56 dBA L_{Ar,Tr}
- Night-time (23:00 to 07:00): < 47 dBA L_{Ar,Tr}.

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.

16. CONTAMINATION

No 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 a site investigation and assessment into landfill gas risk and ground contamination has been carried out and the consultant's written report and recommendation have been submitted to and approved in writing by the Local Planning Authority. Written approval from the Local Planning Authority will be required for any necessary programmed remedial measures and, on receipt of a satisfactory completion report, to 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.

17. DRAINAGE

Prior to the commencement of above ground works within any development plot as indicated on plan ref: 18501-HBA-ZZ-ZZ-D-A-080010 P04, 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.

18. DRAINAGE MANAGEMENT

Prior to occupation of any development plot as indicated on plan ref: 18501-HBA-ZZ-ZZ-D-A-080010 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.

19. SEWER PROTECTION

No above ground construction shall commence until details have been submitted to and approved in writing by the Local Planning Authority to demonstrate the protection of existing retained sewers which cross the site.

REASON - To ensure the protection of drainage infrastructure having regard to Policies 9 and 19 of the Oldham Local Plan.

20. CEMP

Prior to the commencement of any development plot as indicated on plan ref: 18501-HBA-ZZ-ZZ-D-A-080010 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.

21. METROLINK 1

In addition to the general requirements of Condition 20, no development shall take place until a Metrolink specific Construction Management Plan (CMP) with detailed method statements of construction and risk assessments, has been submitted to, and approved in writing by the Local planning Authority, and if deemed necessary, an Asset Protection Agreement has been entered into. The approved CMP shall include agreed safe methods of working adjacent to the Metrolink Hazard Zone and Exclusion Zones and shall be adhered to throughout the construction period. The CMP shall, as a minimum, provide for: -

- a. the retention of 24hr unhindered access to the trackside equipment cabinets and chambers for the low voltage power, signalling and communications cables for Metrolink both during construction and once operational.
- b. loading and unloading of plant and materials;
- c. storage of plant and materials used in constructing the development;
- d. construction and demolition methods to be used; including the use of cranes (which must not oversail the tramway);
- e. the erection and dismantling of scaffolding or similar, please note the installation and dismantling may require an electrical isolation of the Metrolink overhead wires;
- f. the erection and maintenance of security hoarding, location to be agreed with Metrolink due to proximity of operational tramway and infrastructure;
- g. measures to control the emission of dust and dirt during construction; and
- h. no urban realm works (including soft landscaping) and drainage shall take place until it has been demonstrated that it will not adversely impact the safe operation of the tramway.

REASON - To ensure that the developer complies with all the necessary system clearances and agrees safe methods of working to meet the safety requirements of working above and adjacent to the Metrolink system having regard to Policy 9 of the Oldham Local Plan.

22. METROLINK 2

No excavation works shall be carried out within the Metrolink exclusion zones as defined in Working Safely Near Metrolink or any piling works carried out within the zone of influence until a full monitoring regime of Metrolink assets with agreed trigger levels has been submitted to and approved in writing by the Local Planning Authority.

REASON - To ensure that the development does not adversely affect Metrolink systems or track alignment and therefore the operation of Metrolink having regard to Policy 9 of the Oldham Local Plan.

23. PART L

Prior to the residential occupation of any building hereby approved, 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.

24. 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.

25. CRIME

The development hereby approved shall be built in line with the recommendations in the Crime Impact Statement reference 2025/0066/CIS/01 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.

26. 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.

27. ARCHAEOLOGY

No development works, other than enabling works (the details of which have previously been agreed in writing by the Local Planning Authority), 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:

1. A phased programme and methodology of investigation and recording to include:
 - an archaeological evaluation;
 - pending the results of the above, open-area excavation.
2. A programme for post-investigation assessment to include:
 - production of a final report on the investigations and their significance.
3. Deposition of the final report with the Greater Manchester Historic Environment Record.
4. Dissemination of the results of the site investigations commensurate with their significance,
5. Provision for archive deposition of the report, finds and records of the site investigation.
6. 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.

28. PUBLIC REALM MANAGEMENT

Prior to the first occupation of any development plot as defined on plan ref: 18501-HBA-ZZ-ZZ-D-A-080010 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)

