

APPLICATION REPORT – VAR/354643/25
Planning Committee 10th September 2025

Registration Date:	9th June 2025
Ward:	Coldhurst
Application Reference:	VAR/354643/25
Type of Application:	Variation of Condition
Proposal:	Variation of Condition 2 (approved plans) for installation of new staircase and raised platform, sliding door entrance, and relocation of street furniture to Parliament Square frontage relating to app no. FUL/348415/22.
Location:	Spindles Town Square Shopping Centre, High Street, Oldham, OL1 1JD
Case Officer:	Graham Dickman
Applicant:	Oldham Council
Agent:	George Bissett

1. INTRODUCTION

- 1.1 This application is presented to Committee as a variation to a Major application involving the Council as applicant and landowner.

2. RECOMMENDATION

- 2.1 It is recommended that the application be approved subject to the conditions set out in this report.

3. THE SITE

- 3.1 The application relates to the south-eastern corner of the recently redeveloped Spindles where it fronts onto Parliament Square. This area of the building will comprise the food & beverage market with access to the events space above.

4. THE PROPOSAL

- 4.1 The proposal seeks amendments to the approved design of the access to the Parliament Street frontage.
- 4.2 This amendment comprises the installation of a 6.2m wide staircase with handrails and balustrades and an extended raised platform connecting with the existing platform entrance to the market area at the northern end of the frontage.
- 4.3 A new doorway with direct access to the building will be provided from the platform via an automatic sliding entrance door.

- 4.4 In addition, the amendment will include changes to the design and siting of the adjacent planters, benches, cycle stands and lampposts.

Environmental Impact Assessment

- 4.5 The original redevelopment proposal has been subject to a Screening Request and Opinion in respect of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), as to whether an Environmental Statement is required.
- 4.6 The development is of a type listed within the descriptions of development contained within Schedule 2 of the Regulations, falling under category 10(b) urban development projects (including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas).
- 4.7 The site is not within a 'Sensitive Area' as defined in the Regulations. However, the overall site area exceeds the threshold for assessment.
- 4.8 The proposal represents a "subsequent application" under the Regulations. Following careful assessment; it has been determined that the changes would not be significant in terms of environmental impact and an Environmental Statement remains not required.

5. RELEVANT PLANNING HISTORY

CND/354563/25 - Discharge of Condition 6 (Site Investigation) relating to FUL/348415/22. Discharged 2 June 2025

NMA/352622/24 – Non-material amendment to Condition 2 (Approved Details Schedule) – goods lift amendment relating to app no FUL/348415/22. Approved 27 September 2024

NMA/352858/24 – Non-material amendment to Condition 8 (energy report) relating to app no FUL/348415/22. Approved 17 June 2024

NMA/352622/24 – Non-material amendment to the Approved Details Schedule (Condition 2) relating to app no FUL/348415/22. Approved 22 April 2024

CND/351805/23 - Discharge of condition no's 3 (Materials), 4 (Coal Mining), 5 (Archaeology), 6 (Site Investigation) and 7 (Drainage) relating to app no. FUL/348415/22. Partly discharged 17 June 2025

NMA/351559/23 – Non-material amendment to the Approved Details Schedule (Condition 2) relating to app no FUL/348415/22. Approved 6 October 2023

FUL/348415/22 - Comprehensive redevelopment of the Spindles Town Square Shopping Centre comprising the rationalisation of the existing Upper Mall floorspace to create new flexible high quality office use including co-working space (Use Class E), Change of use of part of the existing Upper Mall and car park to create a new archive space (Sui generis) and construction of a new market hall (Use Class E) and event space (Sui generis) including rooftop terrace, together with external alterations, cycle storage and changing facilities, roof mounted solar photovoltaic panels, public realm improvements, and other associated works. Approved 8 June 2022

DEM/348220/21 – Prior approval for the demolition of the existing TJ Hughes unit.
Granted 11 January 2022.

6. RELEVANT PLANNING POLICIES

- 6.1 The Places for Everyone (PfE) Joint 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 retained policies in 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 On the Proposals Map associated with the Development Plan, the site is located within the Central Shopping Core and Primary Shopping Frontage (part).
- 6.4 As such, the following policies are relevant to the determination of this application:

Places for Everyone

Policy JP-S1: Sustainable Development
Policy JP-P1 Sustainable Places
Policy JP-P2: Heritage
Policy JP-P3: Cultural Facilities
Policy JP-P4: New Retail and Leisure Uses in Town Centres
Policy JP-C5: Streets for All

Local Plan

Policy 9 - Local Environment

7. CONSULTATIONS

Highways Engineer: No objection.

8. REPRESENTATIONS

- 8.1 The application has been publicised by means of press notice and site notice.
- 8.2 In response, no representations have been received.

9. PLANNING CONSIDERATIONS

Principle of development

- 9.1 The principle of the site's re-development was established by the planning permission granted in 2022.
- 9.2 The present application involves a refinement to the access arrangements leading to the food & beverage market and to the events space above.

Design, appearance, and heritage

- 9.3 The site is located adjacent to the Oldham Town Centre Conservation Area and the setting of the Grade II listed Old Town Hall.
- 9.4 The application is accompanied by an Addendum Heritage Statement, which provides an assessment of the significance of the proposed amendments and their relationship to off-site designated heritage assets.
- 9.5 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.
- 9.6 Section 72 of the same Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
- 9.7 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”.
- 9.8 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.
- 9.9 The Heritage Statement submitted with the original application concluded that the development would cause ‘less than substantial’ harm to off-site heritage assets, including the Town Centre Conservation Area.
- 9.10 The proposed amendments would not involve a significant change in the relationship of the development to heritage assets and therefore the original conclusion continues to apply.
- 9.11 NPPF paragraph 215 states that “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”.
- 9.12 In this case, the impact must be weighed in the context of the significant regeneration benefits to the town centre from the regeneration of the Spindles, and therefore, approval would accord with the statutory duties and national and local planning policies.

10. CONCLUSION

- 10.1 The proposal relates to a change in a small part of the overall redevelopment of an important and prominent site within the Town Centre which will ensure benefits in reinvigoration of the existing retail core, indoor market, and nighttime economy.
- 10.2 The re-design enhances access to the building and therefore represents a positive amendment to the previously approved development.

11. RECOMMENDATION

- 11.1 It is recommended that planning permission is granted subject to conditions listed below.
- 11.2 Since the application is in the form of a Variation of Condition application, all conditions associated with the original approval continue to apply and have been updated to represent both the present change and previous Discharge of Condition applications.

12. RECOMMENDED CONDITIONS

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

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

2. Unless superseded by the details indicated on plan Ref: 14433-AEW-XX-XX-DR-A-1001 Rev P05, the development shall be implemented in accordance with the Proposed External Materials Schedule as approved under application CND/351805/23.

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 9 of the Oldham Local Plan.

3. The development shall be implemented in accordance with the details shown on plan SPO-JPS-02-XX-DR-C-000502 Rev P04 as approved under application CND/351805/23

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

4. The development hereby approved shall be implemented in accordance with the measures set out in the Energy Strategy Ref: SPO-IES-02-XX-RP-M-000002-Issue W03, dated April 2024 and the detailed scheme for the installation of photovoltaics as set out in the Roof PV Array Technical Submitted Ref: SPO-IES-02-XX-TS-0025 dated 24 April 2024. The measures shall be fully implemented in accordance with the approved details and shall be retained thereafter.

REASON – To ensure that the development accords with the provisions of Policy JP-S2 of the Places for Everyone Joint Development Plan.

5. The development hereby approved shall be implemented in accordance with the security measures set out in Section 4 of the submitted Crime Impact Statement Version A 08.03.22.

REASON - To secure a safe form of development having regard to Policy 9 of the Oldham Local Plan.

6. The development hereby approved shall be implemented in accordance with the measures set out in paragraph 6.15 of the submitted Framework Travel Plan VN212149 February 2022.

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

SITE LOCATION PLAN (NOT TO SCALE)

