

APPLICATION REPORT – FUL/349488/22
Planning Committee – 8th July 2026

Registration Date: 22 July 2022
Ward: Shaw

Application Reference: FUL/349488/22
Type of Application: Full

Proposal: Partial rebuild of the chapel walls, formation of salvaged stone storage enclosure within the footprint of the chapel. Restoring the existing graveyard to the front of the chapel and Refurbishment / Repair of 19th Century iron railings. Erection of New Permanent Gable wall to Sunday School/Chapel. Replacement to Entrance Door Sets to Sunday School and Internal works including repairing damaged timber floors, repairs to Escape Staircase

Location: Saint Paul's Methodist Church, Rochdale Road, Shaw, OL2 8AD

Case Officer: Stephen Gill
Applicant: Mr. Mohammed Hussain-Ahmed
Agent: Mr. Don Hobson

1. INTRODUCTION

1.1 The application, and the associated application for listed building consent (LBC/349489/22) are referred to Planning Committee for determination at the request of the Assistant Director Planning, Transport & Housing Delivery because of the level of concern surrounding these applications in the local community.

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 site is located on the northern side of Rochdale Road and is flanked by Chapel Street to the east, King Albert Street to the north, and Crompton Way is located to the west. The site comprises the Grade II listed St Paul's Methodist Church. The original chapel was built in 1863 and designed by architect James Simpson. The Sunday School to the rear was built in 1871. The former nursery building was a 20th century

addition. The site also encompasses a previously used car park which is accessed from Rochdale Road and a further car park to the rear, accessed from King Albert Street.

4. THE PROPOSAL

- 4.1 The application proposes the partial reconstruction of the Church and Sunday School buildings, including the reinstatement of a collapsed gable wall, the formation of a new permanent gable, and repairs to the structural and architectural elements. The scheme also includes internal adaptations, a new access arrangement, and the formation of a landscaped peace garden within the existing graveyard to the front of the chapel and refurbishment / repair of 19th Century iron railings.

5. PLANNING HISTORY

- PA/343832/19 - Part retrospective application for the demolition of a building previously forming part of the church – Approved, 21 November 2019
- PA/027596/91 - Removal of condition 3 in respect of lift enclosure on PA/027262/91 – Approved, 11 July 1991
- PA/027262/91 - New entrance and lift enclosure with internal alterations – Approved, 23 May 1991
- PA/001486/75 - Conversion of hall into church and hall – Approved, 16 April 1975

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 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 following policies are relevant to the determination of this application.

Joint Development Plan Document (Local Plan)

- Policy 09 - Local Environment;
- Policy 21 - Protecting Natural Environmental Assets; and,
- Policy 24 - Historic Environment

Places for Everyone

- PfE Policy JP-P1 - Sustainable Places;
- PfE Policy JP-C8 - Transport Requirements of New Development;
- PfE Policy JP-G7 - Trees and Woodland; and
- PfE Policy JP-P2 – Heritage

National Planning Policy Framework

- Chapter 16 – Conserving the Historic Environment

7. CONSULTATIONS

Highways Officer	No objection. Condition required for a Construction Environment Management Plan
Environmental Health	No objections subject to conditions
Historic England	Historic England welcomes the submission of the Heritage Statement and Archaeological Desk-Based Assessment, noting these provide a comprehensive understanding of the site, including the extent of burials. They acknowledge that whilst the proposals would result in harm, the consolidation and repair of the remaining structure, retention of salvaged materials, and restoration of the graveyard and railings would deliver heritage benefits. It is regretted that the chapel is not proposed to be rebuilt. Historic England advise that the LPA should weigh harm against public benefits in accordance with the NPPF and recommend conditions to secure detailed construction, stone reuse, and repair work
Shaw and Crompton Parish Council	Objection raised due to inadequate access and parking
Greater Manchester Archaeological Advisory Services	No objection subject to conditions. Comments discussed in detail within the report.
Growth Lancashire	Conclude that the development would result in substantial harm to a Grade II Listed Building. Comments are discussed in detail within the report.

Victorian Society	Objects to the proposals, raising concerns that further loss of historic fabric would reduce the likelihood of any future reconstruction of the chapel. They consider the scheme would effectively result in the loss of the building and advise that the application falls short of NPPF requirements due to insufficient information.
Historic Buildings and Places	Object to the proposals, advising that the proposals would consolidate the loss of the historic chapel and fail to meaningfully restore its significance. They conclude that the scheme is unacceptable in heritage terms.

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 by neighbour notification letters, display of a site notice, and publication of a press notice.

8.2 In response 294 representations and a petition with 338 signatures have been received objecting to the development.

8.3 The grounds of objection are summarised below:

8.4 **Highways, Access, and Parking**

- Repeated concern that only 24 spaces are proposed for a use that could attract 300–500 visitors, especially on Fridays.
- Local streets are already overloaded, with pressure on parking for residents and businesses.
- No formal parking strategy included in the application.
- Site is located at/near a signalised junction already under pressure.
- Anticipated volume of visitors would exacerbate existing traffic issues, particularly during school times and peak hours.
- Some objections highlight risks to highway safety, especially for pedestrians.
- Existing access point considered narrow and dangerous.
- Concerns raised about access for emergency and refuse vehicles.
- Layout may cause obstruction of pavements or visibility splays.

Highways matters are discussed in section 11 of this report.

8.5 **Heritage and Listed Building Concerns**

- The former church is statutorily listed; demolition was carried out without full consent.
- Many objectors claim that the proposal does not amount to faithful reconstruction, especially if salvaged materials are not reused.
- Proposals considered to cause harm to the character, appearance, and setting of the heritage asset.
 - The use of new modern materials (e.g., blockwork and render) is widely objected to.
 - Lack of a conservation-led strategy for rebuilding.
 - Is inappropriate in scale and form for the setting

Heritage matters are discussed in section 9 and 13 of this report.

8.6 **Residential Amenity Impacts**

- Concerns over late-night and high-volume activity from site use, including vehicle movements.
- Floodlighting is proposed or anticipated, affecting bedroom windows and neighbouring gardens.
- Increased traffic expected to worsen local air pollution, especially in a constrained area.
- Represents overdevelopment of a constrained, sensitive site

Amenity matters are discussed in section 10 and 13 of this report

8.7 **Incomplete Application Documents**

- Lack of detail in submitted plans and forms:
 - No confirmed internal floor layout
 - No detailed methodology for rebuild
 - No management plan for use
 - No operating hours, visitor capacity, or traffic assessment
- Reference to “temporary” works causes widespread concern and mistrust about the long-term intentions

8.8 **Local and National Planning Policy**

- Non-compliance with Local Plan Policies relating to heritage, design, and transport

This concern is discussed throughout the report.

8.9 **Ecological and Environmental Impact**

- Potential biodiversity impacts and lack of ecological information submitted with the application.

Ecology matters are discussed in section 12 and 13 of this report

8.10 **Religion & Disturbance to the Burial Ground**

- Perceived use of the site as a mosque or Islamic centre:
- Potential Loss of Christian heritage:
- Concerns that a Christian church and burial site would be repurposed for a different faith.
- Concerns about future use or expansion of a mosque:
- Potential inter-faith conflicts:
- Potential disrespect to the existing (Christian) burial ground:
- Belief that the site contains over 400 graves; strong opposition to disturbance.
- Calls for graves to remain undisturbed and for site to be treated as consecrated ground.
- Suggestions for a memorial garden or landscaped public space instead of parking

The above matters are discussed in section 13 of this report

8.11 **Other Concerns**

- Concerns raised in relation to frequency and scale of use (particularly Friday prayers), and cultural integration
- Concerns that the applicant does not own or control the land or building
- Parts (e.g., headstones, gates) belong to families or the community
- Concerns in relation to the applicant's past actions, including:
 - Unauthorised demolition of the church structure
 - Alleged theft or damage to stone and graves
 - Disregard for planning or heritage regulations
- Criticism of the Council or Planning Process
 - Lack of transparency
 - Failure to consult the community
 - Alleged bias or mishandling

The above matters are discussed in section 13 of this report

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, to the extent that development plan policies are material, planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise. This requirement is reiterated in Paragraph 2 of the National Planning Policy Framework (NPPF).

Heritage

9.2 In assessing the principle of development, the key consideration is the potential heritage impact of the works undertaken to St Paul's Methodist Church, a Grade II Listed Building. The end use as a place of worship does not require assessment in planning terms, as no material change of use is proposed; the building's previous and continued use is understood to be the same. Therefore, the principal issue is whether the proposed works are acceptable in heritage and design terms. Relevant legislation, along with national and local planning policies, will be set out and assessed accordingly below.

9.3 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 (LPA) 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.

9.4 In this case the 'Development Plan' is made up of two documents: the Places for Everyone Joint Plan ("PfE"); and the Oldham Joint Core Strategy and Development Management Policies DPD (known as the Local Plan).

9.5 The Local Plan Policy 24 states (in summary) that the Council will protect, conserve, and enhance heritage assets and their settings which adds to the borough's sense of place and identity. PfE Policy JP-P2 (in summary) states that development proposals affecting designated and non-designated heritage assets and/or their settings will be considered having regard to national planning policy

9.6 Paragraph 210 of the NPPF outlines that in determining planning applications, local planning authorities should consider:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities and economic vitality; and

- c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 9.7 NPPF Paragraph 212 emphasises that great weight should be given to the conservation of designated heritage assets, with the degree of weight increasing with the asset's significance. This applies regardless of the level of harm (substantial or less than substantial).
- 9.8 NPPF Paragraph 213 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
 - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
- 9.9 Paragraph 214 sets out a stringent test where a proposed development would result in substantial harm to, or the total loss of significance of, a designated heritage asset. In such cases, local planning authorities should refuse consent unless it can be clearly demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Alternatively, consent may only be granted where all of the following criteria are satisfied:
- a) the nature of the heritage asset prevents all reasonable uses of the site;
 - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that would enable its conservation;
 - c) conservation of the heritage asset by grant-funding or through some form of not-for-profit, charitable or public ownership is demonstrably not possible; and
 - d) the harm or loss is outweighed by the public benefit of bringing the site back into use.
- 9.10 In considering the weight to be given to heritage assets within the planning balance, the judgment in *Forge Field Society v Sevenoaks District Council* [2014] EWHC 1895 (Admin) is particularly relevant. At paragraph 45 of the judgment, Lindblom LJ confirmed that:
- “There is a statutory presumption, and a strong one, against granting planning permission for any development which would fail to preserve the setting of a listed building or the character or appearance of a conservation area.”*

- 9.11 This reinforces the need for significant weight to be afforded to the conservation of designated heritage assets, in line with the statutory duties under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and section 16 of the NPPF.

Background

- 9.12 By 2016, despite its listed status, the building had deteriorated significantly and was placed on the Historic England *Buildings at Risk Register*. Early that year, part of the roof collapsed, confirming longstanding structural concerns. Emergency works were carried out to address immediate public safety risks, including partial wall removal and the installation of external scaffolding. However, the building remained unstable, and ongoing movement placed further strain on the temporary supports. In 2019, structural professionals concluded that substantial demolition was the only viable option to eliminate the risk posed by the building.
- 9.13 The work included reducing the height of the walls to 1 metre above ground floor cill level due to the dangerous structural condition. This caused a high level of harm to the significance of the listed building, but support for the works was predicated on Historic England's (HE) expectation that the chapel would be rebuilt. The demolition was carried out under the *Ecclesiastical Exemption (Listed Buildings and Conservation Areas) (England) Order 2010* and planning application ref: PA/343832/19.
- 9.14 Although the demolition caused substantial harm to the listed building's significance, no alternative means of stabilisation were identified. Listed Building Consent was not required due to the Ecclesiastical Exemption. While the demolition was regrettable, it was justified on grounds of structural safety and public protection.
- 9.15 The applicant purchased the site in 2023 and has advised that, at the time of purchase, conveyancing confirmed there was no legal requirement to fully reinstate the chapel building, beyond safeguarding the retained structure and preserving existing stone and building components. Following acquisition, a site clearance exercise was undertaken during which the west wall collapsed, resulting in further harm to the Listed Building. The agent for the application has also advised that the applicant was not aware of the building's listed status at the time of purchase. Notwithstanding this, the applicant has confirmed that remedial works will be undertaken, including the reconstruction of the west wall, which is addressed later in this report.

Proposed Works

- 9.16 This application proposes to bring the building back into use, which is a significant benefit of the scheme. The scheme includes constructing a new permanent stone gable wall on the south elevation of the former chapel. This wall will be built on a steel frame supported by concrete pad foundations and helical piles. The external face will feature new ashlar stonework with moulded coping stones and a pediment that reflects the original architectural character. The wall is purposefully set forward to protect the surviving internal plaster mouldings and decorative features from further deterioration. A void would be created between the new and existing walls to allow for future

maintenance, with secure internal access and a temporary decorative gate to facilitate this.

- 9.17 The west gable wall of the chapel, which as set out above collapsed as part of previous clearance work is to be reinstated up to 1 metre above ground level, using salvaged stone reclaimed from the original structure. This section would replicate the original detailing and align with the retained east wall in terms of height and appearance. Consolidation and repair of existing quoins and rubble masonry would also be carried out where necessary.
- 9.18 Repairs and alterations are also proposed to the surviving Sunday School building. Several door openings would be reinstated, including the replacement of an original timber entrance door with a frameless glass door set within an aluminium frame. Two new double doors are proposed, one replacing an unauthorised UPVC window and stone infill, and the other reinstated in a historically appropriate position, using designs that match the original. Internally, a previously removed staircase, likely dismantled during earlier demolition works, would be reconstructed using surviving elements such as the newel posts, handrail, and balustrades. The internal hardwood tongue-and-groove floor, partially removed due to damp issues, will require improved ventilation prior to reinstatement.
- 9.19 Externally, the graveyard to the front of the chapel would be cleared of overgrown vegetation, debris, and rubbish. All graves and gravestones would be retained and protected throughout. The area is to be repurposed as a community peace garden. The cast iron railings enclosing the graveyard would be repaired, refurbished, and refinished to reflect their original appearance. Additionally, new wrought iron infill panels are proposed within the chapel's former window openings to secure the structure, designed to complement the historic railings.
- 9.20 New copings, lead flashings, and rainwater goods would match the materials and profiles of the original features. Moulds would be taken of decorative elements, such as friezes, lozenges, and arch mouldings, prior to encapsulation, enabling future interpretation or reproduction if needed. Perished lime plaster would be removed and repointed using Natural Hydraulic Lime.
- 9.21 The applicant states that the overall design philosophy reflects a conservation-led approach focused on consolidating the site's historic significance rather than pursuing full reconstruction.

Heritage Harm

- 9.22 Historic England (HE) and Growth Lancashire (GL), the Council's conservation advisors, have been consulted and did raise initial concerns regarding the application for two principal reasons. Firstly, concerns relate to the nature of the proposed scheme. Secondly, insufficient information was initially submitted to enable a robust assessment of the impact on the significance of the Grade II listed buildings, including the absence of a Heritage Impact Assessment (HIA) and a lack of clarity regarding the extent and phasing of works.

- 9.23 HE's concerns originate from the 2019 works, when structural professionals concluded that substantial demolition was necessary to address the chapel's dangerous condition. Demolition was undertaken under the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) (England) Order 2010, reducing the chapel walls to approximately 1 metre above ground floor cill level. Whilst this resulted in a high level of harm to the significance of the listed building, HE supported those works on the expectation that the chapel would subsequently be rebuilt.
- 9.24 In subsequent responses, HE advised that, whilst the current proposals represent an improvement on earlier iterations, the application lacked sufficient supporting information, including both a Heritage Impact Assessment (HIA) and an Archaeological Desk-Based Assessment. Heritage consultees raised concerns that the proposals represent a consolidation approach following earlier substantial harm, without provision for full reinstatement of the chapel.
- 9.25 Whilst these concerns are noted, the current application must be assessed on its own merits. The partial demolition pre-dates the involvement of the current applicant, who was not party to those works and is not subject to any binding requirement to reconstruct the chapel. The LPA cannot require full reconstruction and must therefore determine the acceptability of the scheme as submitted.
- 9.26 In response, the applicant submitted a HIA in May 2026, prepared by Keystone Heritage, which assesses the significance of the heritage assets and the impact of the proposed works.
- 9.27 The HIA identifies that the principal source of harm arises from the introduction of a new gable to the former chapel. This would alter the historic plan form and spatial character of the surviving ruin, resulting in some loss of evidential and historical value. However, the HIA concludes that this harm is moderated by the sensitive design approach, including the use of compatible materials, retention of surviving fabric, and the structural necessity of the intervention.
- 9.28 The HIA also identifies a range of heritage benefits, including the partial reconstruction and stabilisation of the chapel using salvaged stone, the repair and retention of historic railings, and the restoration of the burial ground as a publicly accessible 'peace garden'. These measures would enhance the condition, legibility and communal value of the site. Internal works to the Sunday School building are similarly assessed as beneficial.
- 9.29 Overall, the HIA concludes that the proposals would give rise to less than substantial harm to the significance of the listed buildings, principally arising from the intervention within the chapel.
- 9.30 Both HE and GL have been re-consulted on the submitted HIA. HE welcomes the submission of a comprehensive HIA and Archaeological Desk-Based Assessment, noting that these provide a detailed understanding of the site's significance and the extent of potential below-ground remains, including additional burials.

- 9.31 Whilst HE reiterates that the absence of proposals to rebuild the chapel is regrettable, they acknowledge that the scheme includes positive measures, including the safeguarding and reuse of masonry and the consolidation of the remaining structure, which would assist any future reconstruction.
- 9.32 HE advises that the LPA should weigh the identified harm against the public benefits of the proposal, giving great weight to the conservation of the designated heritage asset in accordance with the NPPF.
- 9.33 GL acknowledge that the HIA provides a comprehensive account of the site's history and the proposed works.
- 9.34 However, GL advise that the HIA does not adequately justify its conclusion that the development would result in less than substantial harm. In particular, it does not sufficiently address the implications of the chapel's previous collapse in 2019 or fully engage with the requirements of paragraph 214 of the NPPF, including consideration of whether the chapel should be rebuilt.
- 9.35 GL note that, when considered in isolation, the proposals may give rise to less than substantial harm, with some heritage benefits arising from the restoration of the burial ground and the limited safeguarding of surviving fabric. However, they advise that such an approach would effectively confirm the permanent loss of the chapel, which was accepted previously in 2019.
- 9.36 When assessed in its full context, including the absence of proposals to rebuild the collapsed chapel and the lack of clear justification under paragraph 214 of the NPPF, GL conclude that the development would result in a substantial level of harm to the significance of the listed building.
- 9.37 Accordingly, GL advise that the LPA must assess whether the identified substantial harm is outweighed by substantial public benefits, or whether the criteria set out in paragraph 214(a–d) of the NPPF have been met.

Archaeological Harm

- 9.38 The site is located within an area of known archaeological potential associated with the historic chapel and its graveyard. In particular, there is clear evidence that burial activity has taken place both within the external graveyard and potentially within the footprint of the later chapel building itself.
- 9.39 The application is supported by a Desk Based Archaeological Assessment (May 2026) (DBA). The DBA draws upon historic mapping, archival sources, burial records and site inspection to establish the archaeological baseline and assess potential impacts. The Greater Manchester Archaeological Advisory Service (GMAAS) has been consulted and confirms that the submitted DBA is robust and agrees with its conclusions.
- 9.40 The DBA identifies that earlier burial ground associated with the original Bethel Chapel (shown on mapping from 1845) was partially built over by the later Methodist chapel

(1881). As a result, there is potential for previously unrecorded burials, including within the southern and western parts of the chapel footprint, in addition to those known within the surviving graveyard. Burial records indicate the presence of both in-ground interments and burial vaults, although the precise locations of some of these remain uncertain.

- 9.41 GMAAS advises that the proposed groundworks, including the construction of the new south gable, clearance of internal material, and preparation of surfaces, have the potential to disturb both known and unknown burials, as well as earlier structural remains. As such, archaeological investigation and mitigation will be required.
- 9.42 In order to address this, GMAAS recommends that a programme of further archaeological works is secured by condition. This would include an initial phase of archaeological evaluation, followed where necessary by detailed excavation, recording, and appropriate treatment of any remains identified.
- 9.43 GMAAS welcomes the proposed restoration of the burial ground as a 'peace garden', subject to appropriate safeguards to ensure that gravestones and ledger stones are protected during clearance works. The recording of inscriptions is encouraged as a means of enhancing public understanding and community engagement with the site.
- 9.44 Subject to the imposition of a suitably worded planning condition securing a phased programme of archaeological investigation, recording, and post-excavation analysis, the development is considered acceptable in archaeological terms. The development would therefore accord with the requirements of the NPPF in respect of conserving and recording heritage assets.
- 9.45 The DBA concludes that the development would cause less than substantial harm to non-designated buried archaeology. GMAAS have not questioned this conclusion.

Harm vs Benefits

- 9.46 As established in *Forge Field Society v Sevenoaks District Council* [2014] EWHC 1895 (Admin), any harm to the significance of a designated heritage asset must be given considerable importance and weight in the planning balance.
- 9.47 GL conclude that the development would result in substantial harm to the significance of the Grade II listed building. In such circumstances, as set out above, NPPF paragraph 214 requires that consent should be refused unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm, or that the alternative criteria (A-D) set out within that paragraph are met.
- 9.48 It is also accepted that the development would result in less than substantial harm to non-designated archaeological remains. In accordance with paragraph 215 of the NPPF, this harm must also be weighed against the public benefits of the proposal.
- 9.49 The identified public benefits of the scheme include:

- The repair and partial restoration of a severely damaged Grade II listed building, securing its long-term retention;
- The reintroduction of the building's use as a place of worship, delivering social and community value;
- The creation of a publicly accessible 'peace garden', providing communal and heritage benefits; and
- Economic and social benefits associated with construction activity and ongoing use.

9.50 The identified less than substantial and substantial harm is afforded significant weight in the planning balance. It is noted that the concerns raised by HE and GL appear to be influenced, in part, by the extent of previous demolition works and the absence of proposals to fully reconstruct the chapel.

9.51 However, those earlier works predate the current applicant's involvement, and there is no legal requirement for the applicant to re-build the chapel in full. On that basis, the LPA must assess the application as submitted and cannot require the full reconstruction of the chapel. The assessment is therefore focused on whether the current proposals represent an acceptable and justified approach to the conservation of the remaining asset.

9.52 As set out above, since acquiring the site, the applicant has undertaken clearance works during which a further section of the western wall collapsed, increasing the level of harm. The current proposals however include remedial measures to stabilise and reconstruct the western wall as described above.

9.53 In considering the planning balance, significant weight is given to the current condition of the site. The building is in a very poor state of repair, is not publicly accessible, and currently provides no viable use, detracting from the character and appearance of the area.

9.54 The proposed scheme would secure the stabilisation, partial reconstruction and viable reuse of the listed building and associated Sunday School. It would significantly improve the condition and appearance of the site, secure its long-term occupation, and deliver meaningful public access and community benefit. When considered in the context of the building's current condition, it is concluded that the substantial harm identified would be outweighed by the substantial public benefits arising from the scheme.

9.55 On this basis, the proposal is considered to comply with the requirements of Chapter 16 of the NPPF, Policy JP-S2 of Places for Everyone, and Local Plan Policy 24.

10. AMENITY

10.1 Oldham Local Plan Policy 9 states that development should not cause significant harm to the amenity of current or future occupants, or to neighbouring users, through impacts

such as loss of privacy, noise, visual intrusion, or access to daylight, among others. Paragraph 135 of the NPPF requires that new development ensures a high standard of amenity for existing and future users.

- 10.2 The development primarily relates to the restoration of the listed building. While concerns have been raised regarding the end use and potential amenity impacts, as set out above, an assessment of the end use is not required because it does not constitute development requiring planning permission.
- 10.3 Residential properties are located close to the site, particularly to the east and north. As such, there is some potential for disturbance during the construction and restoration phases. Although Environmental Health has raised no objection to the proposals, they have recommended that a scheme be submitted to demonstrate how noise and vibration impacts on nearby properties will be mitigated during construction. This can be secured by condition. Subject to this, the development is considered to comply with Local Plan Policy 9.

11. HIGHWAYS

- 11.1 PfE Policy JP-C8 requires development to promote sustainable travel by prioritising walking, cycling and public transport, ensuring safe, inclusive access and appropriate connectivity, alongside adequate and well-integrated parking provision. Paragraph 116 of the NPPF states that development should only be refused on highways grounds where there would be an unacceptable impact on highway safety or severe residual cumulative impacts on the road network.
- 11.2 In highway terms, the use of the building would remain as a place of worship, which does not require planning permission. As such, the key consideration relates to potential impacts arising from the construction phase, particularly construction traffic. A condition requiring the submission of a Construction Management Plan will ensure that such impacts are appropriately managed and minimised.
- 11.3 Subject to this condition, the development is not considered to result in any unacceptable impacts on the highway network or highway safety. The proposal is therefore considered to comply with PfE Policy JP-C8 and Chapter 9 of the NPPF.

12. ECOLOGY

- 12.1 PfE Policy JP-G8 states (in summary) that development proposals should avoid fragmenting or severing connectivity between habitats and is expected to deliver a minimum of 10% measurable net gain in biodiversity and include suitable long-term management arrangements for habitats and geological features associated with the development. Oldham Core Strategy Policy 21 states that new development and growth pressures must be balanced by protecting, conserving, and enhancing our local natural environments.

- 12.2 Regarding Biodiversity Net Gain (BNG), the statutory requirement to deliver a 10% net gain under Article 7 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) does not apply in this case, as the application was submitted prior to 2 April 2024, when BNG requirements were extended to small sites. Therefore, the development is exempt from the requirement to deliver 10% net gain

13. RESPONSE TO REPRESENTATIONS

- 13.1 Many of the concerns raised through public representations have been addressed in the main body of this report. However, for completeness, those not explicitly covered are expanded upon below.
- 13.2 Concerns relating to access, highway impacts, parking, and the absence of a parking strategy have been noted. As set out above in this report, the end use of the building does not require planning permission and is therefore not a material consideration in this application. This application relates solely to the proposed physical works to the listed building.
- 13.3 Heritage concerns have been fully assessed in the report. While some harm has been identified, this has been judged to be less than substantial and is outweighed by the public benefits of the scheme, including the restoration and long-term retention of a designated heritage asset.
- 13.4 Issues relating to residential amenity have been considered in Section 8. Concerns regarding the future use of the building fall outside the scope of this application, as no change of use is proposed. Additionally, objections relating to religious beliefs or potential religious conflicts are not material planning considerations and cannot be taken into account in the determination of this application.
- 13.5 There are no identified unacceptable impacts in relation to ecology arising from the development, given the nature of the works proposed. The development is exempt from the requirement to deliver Biodiversity Net Gain under current regulations and guidance, and no further assessment is required in this regard.
- 13.6 Land ownership issues are not material to the determination of a planning application. Speculation regarding ownership or rights over the land does not affect the assessment of the planning merits of the proposal.
- 13.7 In response to concerns regarding the Council's handling of the application, all submitted plans and supporting documents have been made publicly available. The application has been publicised in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Planning (Listed Buildings and Conservation Areas) Act 1990. This included neighbour notification letters, the display of site notices, and publication of a press notice. The Local Planning Authority has fulfilled its statutory obligations in this regard.

- 13.8 Concerns regarding potential disturbance to graves or burial areas have been considered by GMAAS, and further planning conditions relating to the submission of additional archaeological investigation works will ensure that this matter is dealt with thoroughly. This application does not propose to remove any buried remains from the site.

14. CONCLUSION

- 14.1 In conclusion, the principle of development is considered acceptable for the reasons set out above.
- 14.2 The proposals have been assessed against the relevant legislative tests, including Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the heritage policies set out in the NPPF and the Core Strategy
- 14.3 The development would result in harm to the significance of the Grade II listed building and non-designated archaeological remains. This harm has been carefully considered and is afforded considerable weight in accordance with the NPPF. However, the scheme would deliver substantial public benefits, including the repair, stabilisation and viable reuse of a heritage asset in a poor and deteriorating condition, alongside enhanced public access and community use. Subject to the recommended conditions, including archaeological mitigation, these benefits are considered to outweigh the identified harm.
- 14.4 The proposal is therefore considered to comply with the requirements of Chapter 16 of the NPPF, together with relevant local and strategic planning policies. Accordingly, the application is recommended for approval, subject to conditions.

Appropriate controls can be secured by condition to manage construction impacts, including noise, vibration, and construction traffic, thereby ensuring compliance with local policy requirements.

On balance and having given considerable importance and weight to the preservation of the designated heritage asset, it is concluded that the proposed development is acceptable and in accordance with the development plan and national planning policy when read as a whole.

15. RECOMMENDATION

- 15.1 The application is therefore recommended for approval subject to the imposition of conditions referenced below:
1. 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. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

3. No development groundworks shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Project Design (PD) submitted to and approved in writing by Oldham Council. The PD shall cover the following:
 1. Informed by the North West Historic Environment Research Framework, a phased programme of site investigation and recording to include:
 - i. Archaeological evaluation through test-pits/trenches/strip-map areas
 - ii. (informed by i) A scheme for the detailed excavation and recording of structural remains identified, including graves, and for the removal and reburial of human remains at risk (subject of a new detailed PD)
 2. A programme of post excavation assessment to include:
 - i – analysis of the site investigation records and finds
 - ii - production of a final report on the significance of the heritage interest recorded.
 3. Deposition of the final report with the Greater Manchester Historic Environment Record.
 4. Dissemination of the results commensurate with their significance.
 5. Provision for archive deposition of the report and records of the site investigation.
 6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved PD.

REASON: In accordance with NPPF Section 16, Paragraph 218 - To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

4. No above-ground works shall take place until details and samples of all external facing materials have been submitted to and approved in writing by the Local Planning Authority. The details shall include:
 - Samples of all stone, including type, colour and texture;
 - Full details of mortar mixes; and
 - A sample panel of proposed pointing.

The development shall be carried out in accordance with the approved details.

REASON: To ensure the use of appropriate materials in the interests of retaining as far as possible the character and significance of the Listed Building in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.

5. Notwithstanding the submitted plans, no works relating to the reconstruction of the collapsed or reduced-height chapel walls shall take place until the proposals have

been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

- Elevations and sections;
- Details of stone coursing, bonding and jointing;
- The use, selection and placement of salvaged stone; and
- Construction and finishing details informed by site clearance and investigation works.

The works shall be carried out in accordance with the approved details.

REASON: To ensure a sympathetic reconstruction of historic fabric in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.

6. No development shall commence until a detailed method statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:

- Construction methodology for the new gable wall;
- Measures to protect retained historic fabric, including internal plasterwork;
- Details of the removal of existing lime plaster;
- Repointing methodology;
- Methodology for repair of existing railings and gates; and
- Details of the storage, handling and protection of salvaged stone.

The works shall be carried out in accordance with the approved method statement.

REASON: To safeguard the historic fabric of the Listed Building during construction works in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.

7. Notwithstanding the submitted plans, no above-ground works shall take place until detailed drawings and specifications of the following have been submitted to and approved in writing by the Local Planning Authority:

- Wrought iron infill panels;
- Boundary railings and gates (including temporary gates);
- External doors and frames;
- Ventilation grilles; and
- Rainwater goods.

The development shall be carried out in accordance with the approved details.

REASON: To ensure all external features are appropriate to the character and significance of the Listed Building in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.

8. Prior to the installation of any new flooring, details of the proposed flooring works shall be submitted to and approved in writing by the Local Planning Authority. The submission shall include:
- Materials and construction details; and
 - Justification for replacement where existing flooring cannot be retained and repaired.

The works shall be carried out in accordance with the approved details. REASON: To safeguard historic fabric and ensure appropriate replacement works in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.

9. No works to the staircase within the Sunday School shall take place until detailed drawings and a method statement for its repair and reinstatement have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details. REASON: To ensure the appropriate conservation of an important internal feature in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.

10. Prior to the commencement of works to the existing entrance structure, details of the proposed repair and refurbishment shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details. REASON: To preserve the character and appearance of the Listed Building in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.

11. No works to the burial ground area shall take place until a detailed scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Hard and soft landscaping details;
- Treatment and protection of gravestones and ledger stones;
- Surface materials; and
- Boundary treatments where applicable.

The development shall be carried out in accordance with the approved details. REASON: To ensure the setting of the Listed Building is preserved and enhanced in accordance with Oldham Local Plan Policy 24 and Places for Everyone Policy JP-P2.

12. Works shall take place only between:

- 08:00 to 18:00 Monday to Friday
- 09:00 to 13:00 Saturday
- No works shall take place on Sundays or Bank Holidays.

REASON: To protect the amenity of existing residents in accordance with Oldham Local Plan Policy 9.

13. No burning of waste or other materials shall take place on site at any time unless otherwise agreed in writing by the Local Planning Authority. REASON: To protect the amenity of nearby occupiers and to prevent air pollution in accordance with Oldham Local Plan Policy 9.
14. No development shall commence (other than works to remove invasive species) until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include details of measures to control stone crushing activity (if applicable), dust, noise, vibration, and traffic management measures arising from construction activities and shall have regard to the Institute of Air Quality Management's latest guidance on the assessment of dust from construction and demolition. The approved CMP shall be adhered to throughout the construction period. REASON: To protect the amenity of nearby occupiers in accordance with Oldham Local Plan Policy 9.
15. Piling shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details. REASON: To protect the amenity of nearby occupiers in accordance with Oldham Local Plan Policy 9.
16. In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), is submitted to and approved in writing by the Council as local planning authority and the development shall be carried out in accordance with the agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this. Reason – To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety.

SITE LOCATION PLAN (NOT TO SCALE)

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