

APPLICATION REPORT – FUL/354901/25
Planning Committee 8th July 2026

Registration Date: 5th August 2025
Ward: Chadderton North

Application Reference: FUL/354901/25
Type of Application: Full

Proposal: Change of use of existing building from part agricultural, part B8 industrial, to use class E (children's day nursery) with new car parking.

Location: Hill Top Farm, Healds Green, Chadderton, OL1 2SB

Case Officer: Sophie Leech
Applicant: Mrs Hayley Rennie
Agent: Spence & Oldham Architects Ltd

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee for determination in accordance with the Council's Constitution and Scheme of Delegation as it was called in by a local ward councillor (Councillor Colin McLaren) who is no longer an elected councillor. This referral was made based on concerns about highway safety, impact on the green belt, and given the level of public interest. Subsequently, the referral request has been maintained by Councillor Barbara Brownridge.

2. RECOMMENDATION

- 2.1 It is recommended that the application be approved subject to the conditions set out in this report, and that the Assistant Director Planning, Transport & Housing Delivery shall be authorised to issue the decision.

3. SITE DESCRIPTION

- 3.1 The site is 889m² in size and consists of the single storey building and its surrounding curtilage. The building measures approximately 177m² in footprint, currently used as half agricultural (88m²) and half industrial / storage (89m²). The external parts of the site are characterised by rough and patchy modified grassland, partially gravelled, with areas of hardstanding for vehicular access.
- 3.2 The site is bounded to the north by hedgerows along Heights Lane with gated vehicular access, and a fenced off electrical substation. To the east and south the site is bounded by a fence to the Hilltop Farm riding school (within the same land ownership), and to the west by a residential property, 2 Hilltop.
- 3.3 The site is allocated in the Local Plan Proposals Map as being within the Green Belt.

4. THE PROPOSAL

- 4.1 The application seeks planning permission for the change of use of the existing building from part agricultural, part B8 industrial, to use class E (children's day nursery) with new car parking. The nursery will provide 50 child spaces.
- 4.2 The existing building is a single storey timber portal frame structure, approximately 25.5m long x 7.2m wide and measuring approximately 4m at its highest point. The interior of the building is open and divided into two spaces which demarcate the two different uses of the building.

5. RELEVANT PLANNING HISTORY

FUL/356030/26 - Part change of use of agricultural building to Class E use - beauty salon (Pending Consideration).

AGR/354203/25 - Agricultural building for storage of farm machinery. – Granted, 24/04/2025.

FUL/348550/22 - Erection of an indoor manege extending to circa 35m by 25m – Refused, 30/08/2022.

FUL/346541/21 - Erection of building to provide indoor riding arena – Withdrawn, 11/06/2021

CD/340456/17 - Discharge of planning conditions numbers: 3 (protected species), 4 (contamination), 5 (materials) & 7 (landscaping) attached to PA/337077/15 (Conversion of existing barn/stables to form 4 no. dwellings). Disposed of, 05/12/2018

AG/339404/16 - Proposed agricultural building - Granted, 15/12/2016

PA/337077/15 - 1) Conversion of existing barn/stables to form 4 no. dwellings 2) Single storey side extension 3) Erection of garage block – Granted, 12/11/2015

Appeal History

REF/0152/23 - Erection of an indoor manege extending to circa 35m by 25m – Dismissed, 05/10/2023

6. RELEVANT PLANNING POLICIES

6.1 The adopted Development Plan is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. In addition, the Places for Everyone (PfE) Joint Plan which was adopted in March 2024 forms a material consideration in the assessment of planning proposals.

6.2 The following policies are considered relevant to the determination of this application:

- Local Plan Policy 1 - Climate Change and Sustainable Development;
- Local Plan Policy 2 – Communities;
- Local Plan Policy 9 - Local Environment;
- Local Plan Policy 14 - Supporting Oldham's Economy;

- Place for Everyone Policy JP-J2 - Employment Sites and Premises;
- Place for Everyone Policy JP-P5 - Education, Skills and Knowledge;
- Places for Everyone Policy JP-S2 - Carbon and Energy
- Place for Everyone Policy JP-P1 - Sustainable Places;
- Place for Everyone Policy JP-G8 - A Net Gain to Biodiversity and Geodiversity; and,
- Place for Everyone Policy JP-G9 - Green Belt.

7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Environmental Health	Following submission of requested noise assessments, no objections subject to conditions.
Highways	Formal response received. No objections, subject to cycle storage condition.
Greater Manchester Ecology Unit	Formal response received. No objections, subject to BNG condition and Habitat Management Monitoring Plan being discharged.

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.

8.2 In response, 73 objections have been received and 34 comments of support.

Summary of objections:

- Highways and traffic problems;
- Noise and disturbance to a small hamlet;
- A nursery is not needed in this location;
- A vacant nursery building in Chadderton could be used;
- No pavements serve the site;
- Previous applications have been refused in this location; and,
- Significant increases in traffic will occur.

Summary of support:

- Nurseries provide critical early years learning;
- There is a shortage of early years places in the area;
- The reuse of a building is positive;
- Local children will benefit from a local nursery;
- Locals will benefit from new employment;
- Rural setting will enhance children's learning; and,
- Working parents need reliable childcare locally.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

- 9.1 The building is in mixed use at present and forms part of a wider mixed-use site consisting of a horse-riding school and other ancillary uses. The remaining hamlet consists of residential use.
- 9.2 The proposed offering of a daycare nursery in the Chadderton Fold area will offer the local community with a much-needed and in-demand service and will provide opportunities for skilled jobs in the early years care and education sector.
- 9.3 The proposal seeks to make effective use of currently underused land. Previous agricultural buildings such as that on the site are no longer of requirement to the farm and are available for a range of alternative uses which may benefit the surrounding community.
- 9.4 The proposal seeks to make full use of the existing building on the site and enhance the existing curtilage through a range of biodiversity uplifts including new planting and enhancement of existing habitats. At the same time, the existing building whilst being upgraded will retain its existing size, shape, and look and feel to remain in keeping with the rural surroundings.
- 9.5 The site is located within the Green Belt where development is more restricted. However, the National Planning Policy Framework makes provision for the re-use of existing buildings and for material changes in the use of land provided they maintain openness and do not conflict with the overarching aims and objectives of the Green Belt's main purposes referenced in paragraph 143 of the Framework.
- 9.6 The proposed development is considered acceptable in principle, subject to compliance with all relevant local and national planning policies, including Green Belt considerations which are set out below.

10. GREEN BELT IMPACT

- 10.1 The NPPF makes exemptions to inappropriate development which are set out in paragraph 154 of the Framework. These include the reuse of buildings of permanent and substantial construction as well as material changes in use of land.
- 10.2 The proposed development is a change of use with no extensions to the building, therefore no increase in built footprint. There will be a hard surfaced playground which would be considered under an engineering operation. This surfacing will not give rise to any material impact upon the Green Belt due to its presence as hard surfacing only. As such, the proposed development complies with Policy 22, Policy JP-G9 and the NPPF.

11. DESIGN AND APPEARANCE

- 10.1 Policy JP-P1 Sustainable Places of the Places for Everyone Plan (2024) states that all development, wherever appropriate, should conserve and enhance the natural environment, landscape features, historic environment and local history and culture; enable a clear understanding of how the place has developed; and respect and

acknowledge the character and identity of the locality in terms of design, siting, size, scale and materials used.

- 10.2 The building will largely remain unchanged in both appearance and size. The existing timber boarding will be repainted, and new metal gutters will be installed. The building will also receive new UPVC windows and doors. No other alterations are proposed. It will retain its agricultural character and will continue to sit comfortably within its setting and the wider landscape.
- 10.3 An external play area will be created and enclosed with 2-metre-high acoustic timber fencing. The play area will be hard-surfaced, as will the frontage of the building to provide car parking. These works are modest in scale and reflect the existing hard standings already present across the site. Consequently, the additions are not expected to materially alter the appearance of the site or result in any harmful visual impact. Overall, the proposed development is considered acceptable and complies with Policy JP-P1.

12. RESIDENTIAL AMENITY

- 12.1 Policy 9 of the DPD sets out that the Council will protect and improve local environmental quality and amenity by: ensuring development does not cause significant harm to the amenity of the occupants and future occupants; by ensuring there is no significant harm on neighbouring privacy and outlook, and lastly by ensuring there is no significant loss of light.
- 12.2 Residential properties lie immediately to the west and south of the site, with additional housing situated along the northern boundary. Given this context, the proposed use of the building as a children's nursery requires appropriate consideration of potential effects on neighbouring amenity.

Noise & Disturbance

- 12.3 Noise and disturbance are a key issue in the determination of the application given the site and its surroundings regarding residential amenity. The Applicant has provided the following to mitigate any noise and disturbance on site:
- Noise Assessment covering vehicle noise impact for pick up and drop offs in the newly created car park area.
 - Both recently approved planning applications for garage conversion dwellings adjacent to the site now considered in the acoustic modelling.
 - All windows along the north-west facade fixed and non-opening.
 - For ventilation rather than going with a HVAC system we are proposing an array of high-level opening windows along the opposite facade which faces away from the residential dwellings, this is accounted for in the acoustic modelling.
 - (02)004B Proposed Plans and Elevations: Revised proposed south-east elevation to show above mentioned windows for ventilation, and removal of HVAC notes / external units. Note that these windows are high level for ventilation, and face a boundary fence, and are positioned in line with the existing boarded windows along this façade.

- 12.4 The Council's Environmental Health department have considered the above and raised no objections to the proposed development, subject to the imposition of three conditions relating to opening house, noise levels, maximum numbers of children outside at any one time, and restriction on window openings.
- 12.5 It is considered that the development would be acceptable having regard to conditions set out above, which are set out in the recommendation.

Residential Amenity – Light/Outlook/Privacy

- 12.6 The building is located within an established cluster of non-residential structures, with the nearest neighbouring buildings positioned at a reasonable distance from it. As no external alterations or extensions are proposed, the development will not give rise to any adverse impact on nearby residential amenity in terms of loss of light, outlook, or privacy.
- 12.7 Given the above assessment, the proposed development complies with Policy 9.

13. PARKING AND HIGHWAY SAFETY

- 13.1 The surrounding area does not benefit from public transport and access from the wider area is predominantly along country lanes without footway provision. The plans originally submitted with the application had no information on how children could safely access the nursery, nor for how staff would park.
- 13.2 Amended plans now show a car parking area for staff along with a dedicated drop off area for parents with safe walking routes through the car park to the primary entrance. A dedicated pedestrian route between both car park areas and the building has been provided and can be seen on the proposed site plan.
- 13.3 There will be an intensification of traffic and an increase in the demand for on street parking. It is anticipated that some parents will still park on the nearby highways, but they will be required to do so safely and legally.
- 13.4 The Council's Highways Engineer is now satisfied that access to the proposed development is adequate in terms of access to the main entrance for children and their parents, and the demand for on street parking has been mitigated as far as possible given the constraints of the site and the wider area.
- 13.5 As such, insofar as parking and highway considerations are concerned, the proposal is acceptable having regard to the requirements of Local Plan Policy 9 and paragraph 116 of the National Planning Policy Framework.

14. ENERGY AND SUSTAINABILITY

- 14.1 Policy JP-S2 (Carbon and Energy) requires new development to promote the retrofitting of existing buildings with measures to improve energy efficiency and generate renewable and low carbon energy, heating and cooling. The policy states that development proposals should set out how this has been achieved in an energy statement in accordance with the energy hierarchy.
- 14.2 A Carbon Energy Efficiency Statement has been submitted by the Applicant outlining what measures will be put in place to promote the retrofitting of this building to improve

energy efficiency. Measures include retaining the timber structure rather than rebuilding, insulating existing walls and roof, low energy LED lighting and an energy efficient boiler system and the promotion of sustainable travel via cycling and walking to the site.

- 14.3 These measures are considered appropriate and acceptable for a change of use application that is not proposing to increase any floor area for new development.
- 14.4 As such the proposal is acceptable having regard to the requirements of Policy JP-S2.

15. BIODIVERSITY NET GAIN

- 15.1 Paragraph 187 of the NPPF requires that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan), amongst others.
- 15.2 In addition, the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the condition that development may not begin unless a Biodiversity Gain Plan has been submitted to the planning authority, and the planning authority has approved the plan. However, there are exemptions to the legislation which apply in some certain cases.
- 15.3 The proposed development has been accompanied by a Small Sites Metric and associated plans. The Metric shows a gain of 0.0173 habitat (10.39%) and 0.139 (35.54%) hedgerow units because of the development. This will be secured through the enhancement of existing grassland, existing hedgerow and planting of additional hedgerow.
- 15.4 The Greater Manchester Ecology Unit also require a small-scale Habitat Management and Monitoring Plan to be provided at condition discharge stage, detailing how the proposed enhancements will be achieved and maintained.
- 15.5 The submitted Preliminary Ecological Appraisal noted low possibility of roosting bats and no further surveys are required. A condition for bat and bird boxes will be added to the decision notice.
- 15.6 As such, it is considered that the proposal complies with Local Plan Policy 21 and PFE Policy JP-G8.

16. CONCLUSION

- 16.1 The proposed development is considered acceptable on the basis that it is in accordance with relevant policies contained within the Places for Everyone Plan (2024) and the Oldham Local Plan (2011) and meets the requirements of the National Planning Policy Framework.
- 16.2 Therefore, the application is recommended for approval, subject to the conditions listed below:

17. RECOMMENDED CONDITIONS

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. The development hereby approved shall be completed in accordance with the external materials as shown on the approved plans. REASON - To ensure that the appearance of the development is acceptable having regard to Policy JP-P1 (Sustainable Places) of the Places for Everyone Plan (2024).
4. No development shall commence unless and until a site investigation and assessment to identify the extent of land contamination has been carried out and the consultant's report and recommendations 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 - Prior approval of such details is necessary as they are fundamental to the initial site preparation works and in order to protect public safety having regard to Policy 9 of the Oldham Local Plan.
5. The development hereby approved shall not commence until a scheme and timetable for the achievement of on-site Biodiversity Net Gain, to include a written 30-year Habitat Management and Monitoring Plan (HMMP), has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved plan. REASON - To ensure that the proposals result in enhancement of biodiversity having regard to Policy JP-G8 of the Places for Everyone Plan (2024).
6. The development hereby approved shall not become operational unless and until a scheme for the provision of bat / bird boxes has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved boxes shall be installed and shall remain in place for the life of the development. REASON - To ensure a net gain to biodiversity on site having regard to Policy JP-G8 of the Places for Everyone Plan (2024).
7. The use of the development hereby approved shall not commence until a scheme for the provision of secure cycle parking has been implemented in accordance with details which shall have previously been submitted to and approved in writing by the local planning authority. The approved facility shall remain available for users of the development thereafter. Reason - In order to promote sustainable means of travel having regard to Policies 5 and 9 of the Oldham Local Plan.
8. The premises shall only be open to children between 07:30 and 18:00, Monday Friday. REASON - To protect the amenity of nearby residential occupiers having regard to Policy 9 of the Oldham Local Plan.
9. The 1-hour LAeq from the premises shall not exceed 38dB when measured in free field conditions at a height of 1.5m outside any residential property in the area.

REASON – In order to protect the amenity of nearby residential occupiers having regard to Policy 9 of the Oldham Local Plan.

10. There shall be a maximum of 15 children in the playground at any one time.
REASON – In order to protect the amenity of nearby residential occupiers having regard to Policy 9 of the Oldham Local Plan.

11. No windows serving the development hereby approved shall be opened for ventilation except those located on the south-eastern elevation. REASON – In order to protect the amenity of nearby residential occupiers having regard to Policy 9 of the Oldham Local Plan.

SITE LOCATION PLAN (NOT TO SCALE):

