

APPLICATION NUMBER: 23/00788/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00788/FUL	Aimee Bovaird	9 October 2023

Address: Land Opposite Newhouse Academy Newhouse Road Heywood OL10 2NT

Proposal: Installation and use of land as a temporary construction site car parking period up to 2 years including the erection of perimeter fencing

PUBLICITY	Weekly list expired?	Y	Site notice expired?	N/A
	Neighbour letters expired?	Y	Press Notice expired?	N/A

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?	N	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N
	Neighbour comments received?	Y

EIA	Screening opinion completed and saved to Onbase?	N
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CONDITIONS	Pre-commencement conditions proposed?	Y
	Pre-commencement conditions agreed (or notification period expired)?	Y

RECOMMENDATION	GRANT subject to conditions
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CHECKED AND SIGNED OFF BY: LA DATE: 04/12/23

SITE

This site relates to land Opposite Newhouse Academy, Newhouse Road. Newhouse academy is a secondary school and the land is currently part of their associated playing fields and is adjacent to the existing staff car park. The site is accessed off Newhouse Road. South east of the site is residential dwellings.

This is an area of protection of existing recreational open space and is within the Defined Urban Area. Trees south of the site are protected.

PROPOSAL

The application proposes the installation and use of land as a temporary construction site car parking period up to 2 years including the erection of perimeter fencing.

The proposal will consist of removing the top soil of the existing surface and installing a layer of geo grid and when the construction is completed the topsoil will be reinstated.

Twenty car parking spaces are proposed. Temporary permission is sought for two years. The fencing will be Herras Fencing.

The temporary car park is associated with works permitted under 11/01191/PSID. The car park is to act as contractor parking during the demolition and construction period.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

SO3	Improving design, image and quality of place
P1	Improving image
P2	Protecting and enhancing character, landscape and heritage
P3	Improving design of new development
SO5	Improving accessibility and delivering sustainable transport
T2	Improving accessibility
SD1	Delivering sustainable development
DM1	General development requirements
DM2	Delivering planning contributions and infrastructure

Unitary Development Plan (UDP):

G/D/1	Defined Urban Area
G/3	Protection of Existing Recreational Open Space

Supplementary Planning Documents (SPD):

Supplementary Planning Guidance note 'Guidelines and Standards for Residential Development' (June 2016).

RELEVANT SITE HISTORY

22/01191/PSID - Two storey school building, with lobby and toilet facilities, together with associated refurbishment of existing plant, water tank and substation block, and associated landscape works, following demolition of existing main school building – Approved

CONSULTATION RESPONSES

Highways And Engineering

The following comments were received,

'The proposed parking area would utilize and existing vehicular access crossing on Newhouse Road which presumably is used as access to the playing field for maintenance and grass cutting etc. Another similar gate is located adjacent to 30 Newhouse Road so maintenance access would continue.'

The existing site fencing along the site boundary to Newhouse Road provides adequate visibility and this fencing would remain which is acceptable.

The application includes a Construction Method Statement and whilst it is not comprehensive it is acceptable.

The use of an unbound surface would not allow the car park to be marked out therefore it may not achieve its intended capacity, however we could accept this as its use is temporary. The unbound surface is also likely to be carried onto the footway by vehicles exiting the car park so we would ask that the area of footway and carriageway is kept clean during its temporary use.

We would not expect that this temporary use would have any impact on highway capacity or road safety.

The site would not generate an excessive amount of servicing during its use.

Highways raise no objection to this application but would ask that the site is used as a standard car park and not for the parking of large construction vehicles or plant and not to be used for the storage of construction equipment and materials.'

Env Health - Noise/Odours

No comments received to date

Lead Local Flood Authority/Drainage

The following comments have been received,

'The LLFA Officer suggests that the Drainage Condition shall be that:- the Temporary Carpark shall be constructed in accordance with the CONTRACTOR CAR PARK PLAN SRP1019-DEP-ZZ-00-DR-L-9004/P04 DATED 03.7.23 BY DEP LANDSCAPE ARCHITECTURE LTD.'

Tree Officer

The following comments were received,

*'I believe that it would be possible to allow the development without causing undue harm to the trees on the boundary, **providing** that a Tree Protection Plan is required to be prepared and, once agreed, implemented in full. Root Protection Areas should be protected as part of the TPP.'*

Sport England

The following comments were received,

'Sport England raises no objection to this application as it is considered to meet exception 3 of our Playing Fields Policy and to accord with Paragraph 99 of the National Planning Policy Framework (NPPF).'

REPRESENTATIONS

Letters of representation have been sent to neighbouring properties. Three letters of objection have been received, they raise concerns over:

- Limiting parking causing congestion in the area.
- Dangers to pedestrians and road users.
- The proposal is opposite a residential property and this may be affected by noise and lights from traffic.

ANALYSIS

Principle of Development

The site lies within the Defined Urban Area and Protection of Existing Recreational Open Space G/3 and this seeks to safeguard open space from development. Appendix 3 of the adopted Rochdale Core Strategy states that Saved UDP Policy G/3 should be read in conjunction with Policy C8 and G6 of the Core Strategy.

Policy G6 seeks to improve the quality of accessible greenspace close to where people live and work. Additionally, Policy C8 seeks to improve community, sport, leisure and cultural facilities, by serving needs of communities. In conjunction, Policy G/3 states 'The development of public or private recreational open space for any other purpose will not be permitted unless one or more of the following exceptions applies: a) The development is for a non-commercial community use within a park or other outdoor recreation area, is ancillary to the recreational use of the area, would not lead to a deficiency in recreational open space in relation to present or future needs, and does not harm the recreational, townscape or nature conservation value of the remaining open space;' [...] d) The development comprises a built recreational facility of greater benefit to the wider community than the open space being lost and does not result in a serious deficiency in open space in the area.'

At the national level the NPPF at paragraph 99 states that 'existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: Page 101 a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.'

Sport England has provided a response saying the proposal accords with paragraph 99 of the NPPF. Therefore in principle the development is acceptable. Further material considerations are set out below.

Design and Appearance

Core Strategy Policy DM1 requires all development proposals to demonstrate that they will not have a negative impact upon the amenity of future residents and occupiers. Paragraph 130 of the National Planning Policy Framework advises that planning decisions should result in places with a high standard of amenity for existing and future users.

The car park surface will be a layer of geo grid and on top will be stones to the current level with a clean MOT type 1 material. Temporary contractor fencing will be put up around the site. The design and appearance of the temporary car park is acceptable and will be visibly similar to the adjacent car park.

No details of the proposed Heras fencing have been submitted. Heras fencing is typically silver. If the application is approved full details will need to be provided via condition.

Impact on Surrounding Occupiers

Core Strategy policy DM1 requires all development proposals to demonstrate that they will not have a negative impact upon the amenity of future residents and occupiers.

An objection from a neighbour raised concern with lights from cars impacting surrounding residential development. Dwellings most likely to be affected from the proposal are no. 11 and no.13 Newhouse Road. These dwellings are 19m away from the proposed car park and it is not considered that development will have a negative impact on surrounding occupiers because of this separation distance. They are set back from the highway and there is vegetation along their front boundary.

The development is in accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Highways and Refuse Collection

Policy T2 of the adopted Core Strategy seeks to improve accessibility by locating development where good access to public transport is available or can be provided and in all circumstances, prioritises the safety, accessibility and amenity of those who live or have business in the area. Policy DM1 also states that all development proposals should provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location. Paragraph 111 of the National Planning Policy Framework 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.

Consultation has been undertaken with the Highways Authority. They considered that the proposal will not have an adverse impact on the highway network. The car park should not be used for large construction vehicles or plant and should not be used for the storage of construction equipment and materials and this will be secured by condition. This is to maintain the site as a car park and reduce parking on the road and in residential areas.

Subject to conditions, it is considered that the proposed development accord with Policy T2 of the adopted core strategy.

RECOMMENDATION

GRANT subject to conditions.

1. The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. This permission relates to the following plans:-

Proposed Site Plan - SRP1019-DEP-ZZ-00-DR-L-9003 REV P01
Contractor Car Park Plan - SRP1019-DEP-ZZ-00-DR-L-9004/P04

And the development shall be carried out in accordance with the approved plans unless otherwise required by the conditions below.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Core Strategy, the Unitary Development Plan and the National Planning Policy Framework.

3. The temporary car park hereby approved, including the boundary fencing, is for a 2 year period following the date of this decision, by which date the car park, hardstanding, and fencing shall be removed in full from the site. Details of how the site will be restored shall be submitted and approved in writing prior to first use of the car park hereby approved.

Reason: In accordance with Policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework, as the structures are of temporary construction, and are not of a suitable appearance for permanent retention on site.

4. Prior to the commencement of the development hereby approved (including all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP), shall be submitted to and approved in writing by the Local Planning Authority.

As part of the scheme a specification for protective fencing to safeguard trees during construction phases and a plan indicating the alignment of the protective fencing should be provided.

The construction of the development should be carried out in accordance with approved tree protection details.

Reason: In order to ensure that appropriate protection is given to trees of amenity value adjacent to the site in accordance with G6 of Rochdale Adopted Core Strategy.

Reason for pre commencement condition: The trees must be protected before any works are carried out.

5. The temporary car park hereby approved shall be constructed in accordance with the Contractor Car Park Plan SRP1019-DEP-ZZ-00-DR-L-9004/P04 dated 03.7.23 by Dep Landscape Architecture Ltd.

Reason: To keep in accordance with the requirements of Policy G8 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

6. The temporary car park hereby approved shall be used for the parking of cars and / or vans only and there shall be no external storage of containers or storage of construction equipment, waste skips or bins, materials, goods, large construction vehicles or plant, equipment or trailers on the site in the designated parking or vehicular turning areas as indicated on the approved plan, drawing no SRP1019-DEP-ZZ-00-DR-L-9003 REV P01.

Reason: In order to ensure that there is adequate provision for vehicles to be parked clear of the highway and to turn within the site so as to be able to leave the site in a forward gear, in the interests of road safety and amenity and to prevent obstruction, in accordance with Policies A/7 and A/10 of the Council's Unitary Development Plan.

7. Prior to its installation, full details of the proposed fencing shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be installed in accordance with the approved details.

Reason: To ensure the fencing is of an appropriate design and to comply with Policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Procedure Statement

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

Report Author Aimee Bovaird