

APPLICATION NUMBER: 23/00214/FUL

## DELEGATED DECISION CHECKLIST AND REPORT

| APPLICATION NO. | CASE OFFICER     | DATE          |
|-----------------|------------------|---------------|
| 23/00214/FUL    | Rosalind Gralton | 30 March 2023 |

**Address:** St Cuthberts RC Business And Enterprise College Shaw Road Rochdale OL16 4RX

**Proposal:** Installation of temporary single-storey modular unit with associated hardstanding access pathway and erection of 1.8m high boundary fencing and gate, following removal of existing external store

|           |                            |   |                       |   |
|-----------|----------------------------|---|-----------------------|---|
| PUBLICITY | Weekly list expired?       | Y | Site notice expired?  | Y |
|           | Neighbour letters expired? | Y | Press Notice expired? | N |

|            |                                                             |   |                                        |   |
|------------|-------------------------------------------------------------|---|----------------------------------------|---|
| 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/A |
|-----|--------------------------------------------------|-----|

|            |                                                                      |   |
|------------|----------------------------------------------------------------------|---|
| CONDITIONS | Pre-commencement conditions proposed?                                | Y |
|            | Pre-commencement conditions agreed (or notification period expired)? | Y |

|                |                               |
|----------------|-------------------------------|
| RECOMMENDATION | APPROVE SUBJECT TO CONDITIONS |
|----------------|-------------------------------|

CHECKED AND SIGNED OFF BY: LA

DATE: 28.06.23

## **SITE AND SURROUNDINGS**

The site relates to St Cuthbert's RC High School and College, located off Oldham Road (A671). The site is located 3 miles south of Rochdale Town Centre, and is well serviced by bus routes and is accessible off the M62.

The building is an existing flat roof college set across three stories, with the land levels to the south of the site slightly raised.

A temporary storage container is currently located on the site of the proposed works. It is indicated through aerial imagery the application site accommodated multiple mature trees, however these have been removed prior to submission of the application – these were not covered by a preservation order.

To the north of the site, various residential properties are located along Dene Bank Drive. Four ash trees, identified under Tree Preservation Order No 180, are located adjacent to the side of the proposed building.

## **PROPOSAL**

The site of the proposal relates to the northern boundary and north western corner of the plot. 1.8m high powder coated mesh fencing would be located along the front boundary of the site and cuts through the site to form an inclusion zone. A temporary 'Inclusion Unit' building is proposed on the site of the existing bike shed and current storage shed, a pedestrian entrance gate is proposed to the north western corner.

Hardstanding is proposed to the northern boundary of the plot, and erection of 1.8m high-fencing and pedestrian gate.

## **RELEVANT PLANNING POLICY**

### **National Guidance**

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

### **Adopted Rochdale Core Strategy (CS):**

**SO2** – Creating successful and healthy communities

C7 – Delivering education facilities

**SO3** – Improving design, image and quality of place

P1 – Improving image

P3 – Improving design of new development

**SO4** – Promoting a greener environment

G6 – Enhancing green infrastructure

**SO5** – Improving accessibility and delivering sustainable transport

T2 – Improving accessibility

DM1 – General development requirements

### **Unitary Development Plan (UDP):**

G/D/1 – Defined Urban Area

Supplementary Planning Documents (SPD):

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

**RELEVANT SITE HISTORY**

21/00379/FUL – Erection of single storey detached building to be used as Special Educational Needs and Disability Unit along with associated covered walkway – Grant subject to conditions – 27/05/2021

18/00089/FUL – Single storey front extension to form new main entrance – Grant subject to conditions 23/03/2018

18/00732/ANM – Non-Material amendment to planning permission 18/00089/FUL to allow for reduced size of extension, reduction in number of windows and use of part rendered finish – Grant subject to conditions 11/09/2018

16/01490/FUL – Surfacing of sports activity area and formation of new vehicular access including the erection of new 2m high perimeter security fencing and gates – Grant subject to conditions 10/03/2017

**CONSULTATION RESPONSES**

Highways And Engineering

The Council's Highway Officer commented:

*'The application site is within the existing school grounds and the size of the proposed unit is not likely to generate excessive vehicle movements and servicing requirements so we raise no highway concerns on these issues. If approved we would not expect that there would be any detrimental impact on road safety as a result of development.'*

*As the application site is within a school grounds and access to it is limited we would ask that a Construction Method Statement is submitted for approval to ensure there is no detrimental impact on safety during the construction period.*

*Subject to the requested condition Highways raise no objection to this application'*

Lead Local Flood Authority/Drainage

The Council's Drainage Officer was consulted on the application and has responded below:

*'Sustainable drainage proposals have now been provided; the new tarmac area will be "ultraporous asphalt" with 200mm deep open graded gravel. The overall depth of the paving is proposed as 300mm. The designer for the paving should consider whether the sub-base of the carpark is frost susceptible and whether depth of paving needs to be increased to 450mm or not.'*

*It is normal to include geotextile under the open graded gravel to avoid migration of sub-soil into the new sub-base, which is storage volume for rainwater.*

*Connection of foul water from the new building(s) to existing system is not shown on the plans, but building control will monitor this provision so the officer accepts the plans without the details being included on the plans.*

*Recommended condition attached.'*

#### Tree Officer

The Council's Tree Officer has been consulted and has provided the following comments. A condition relating to the submission of a tree protection plan is attached to the decision notice.

First Response:

*'The proposals will affect mature broadleaved trees, including potentially trees protected under TPO 180, because the footprint of the new building and hardstanding will be greater than the footprint of the existing store. It would I think be possible to allow the development without causing direct losses to trees, but the development will affect the root protection areas of established mature trees. Precautions will be needed during construction to avoid causing substantive harm to retained trees.*

*I would advise that a Condition should be placed on any permission which may be granted to the proposals to protect trees'*

Following further information submitted from the agent, the following response, and recommended condition is attached:

*'Yes, given that the building is modular and installation will not involve substantive excavated foundations, and given the details provided about works access, a tree Condition could be slimmed down.*

*Details of any planned excavation or construction works within the RPA should still be required, to provide reassurance to the Council (and the adjacent land owners) that trees will not be harmed. Prohibiting all excavation would be unreasonably restrictive, given that services will likely need to be installed.*

*I would word a Condition as –*

*Prior to the commencement of any development a Tree Protection Plan (TPP)-shall be submitted to and approved in writing by the Local Planning Authority.*

*Specific issues to be dealt with in the TPP -*

- a) Location and installation of services/ utilities/ drainage.*
- b) Details of any construction within the RPA or that may impact on the retained trees.*
- c) A full specification for the installation of any boundary treatment works.*
- d) Tree protection measures during construction indicated on a TPP and construction and construction activities involving excavation clearly identified as prohibited in this area.*

*Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction'*

#### Schools Service

No objections

#### **REPRESENTATIONS**

The application was advertised by way of site notice and neighbour notification. No responses were received.

#### **ANALYSIS**

Rochdale CS Policy C7 emphasises the requirement to improve education, skills and training in the borough and raise educational achievement by providing good quality educational facilities and promoting growth of existing and new facilities. Similarly, the NPPF in Paragraph 95 states it is important a sufficient choice of school places is available to meet the needs of existing and new communities, and emphasises LPA's should give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications. Additionally, in Paragraph 93, the NPPF states 'To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;'

In addition, paragraph 92 of the NPPF, referring to crime, states how planning decisions should aim to achieve healthy, inclusive and safe places which: 'are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion ... which encourage the active and continual use of public areas'.

The application site is within the Defined Urban Area under the Rochdale Unitary Development Plan (UDP). Policy G/D/1 is therefore relevant to any applications on the site and in the supporting text to this policy it is established that new development should be located in the urban area, so as to support urban regeneration and to protect the countryside.

On the above basis, the principle of the development would be acceptable in accordance with Rochdale Core Strategy Policy C7, Saved UDP policy G/D/1 and the NPPF.

#### Visual amenity

Paragraph 126 and 130 of the NPPF states good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Policy P2 of the Core Strategy acknowledges that enhancing and protecting the Borough's unique character can lead to improvements in quality of life and can also help to booster the visitor economy and inward investment. Additionally, Policy G6, stated the Council will sustain and enhance a green network to support growth and regeneration in the borough, and provide a high quality environment which meets the needs of community and visitors to the borough.

The proposal seeks the erection of a temporary building, forming an inclusion unit, with 1.8m high anti climb green mesh and wire fencing sited adjacent to the perimeter of the site, as well as a 1.5m wide tarmacadam pathway. Additionally a single gate pedestrian access is proposed to the inclusion area in the north western corner of the site. The proposed tarmac would remove existing grass to the area and provide a hard edge to the northern boundary of the site. Additionally, the proposed fencing would show a visible double layer of fencing along that boundary, in order to form the pathway into the site.

The proposed fencing would be sited along the northern boundary of the site, and would provide tarmacadam hardstanding 1.5m wide along the sites perimeter. Aerial imagery shows four mature trees have been removed in order to facilitate the proposed pathway to the Inclusion Unit. As such, a landscaping condition has been secured as part of the decision notice, to ensure replanting is in accordance with

Policy G8 of the Core Strategy, and additionally, to ensure a softer edge is produced with hedging along the internal fencing to the pathway.

The proposed temporary building is a Portakabin and by its nature, design and appearance, would be simplistic and not in keeping with the immediate surroundings. The proposed building would not be visible from A671 Oldham Road, and while is visible from the cul de sac of Dean Bank Drive, would not be visible from long range views of the school. While the design is not a positive attribute, it is considered on a temporary basis the simplistic design would accommodate additional space required for the Inclusion area of the school. The appearance will be softened to a degree with the planting that is required by condition.

### Residential Amenity

The proposal would not project beyond the existing boundary of the school. The proposed inclusion unit would incorporate a W/C, office and inclusion unit. The proposal would not seek to intensify the use, but to relocate demand from within the existing school. A 40m distance would be from the proposed windows of the inclusion unit to the nearest properties on Dene Bank Drive, and would not be sited so as to overlook, or seek to detriment that of the adjacent residential properties to the north of the site.

As such, it is not considered the proposal would result in any unacceptable impact upon residential amenity.

### Highways

Relating to sustainable transport, Paragraph 111 of the NPPF states '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.'

Policy DM1 sets out the general development requirements and establishes that proposals should not adversely impact on highway safety. To fully assess this matter consultations have taken place with Highways officers who have confirmed no objection to the application. As such the application is considered to be acceptable in terms of highway safety and in accordance with policy DM1 in this regard. There are no additional public safety concerns with the application and as discussed above the application is considered to be acceptable in terms of amenity.

Given the nature of the works within the grounds of a school, and the proposals proximity to Dene Bank Drive, a Construction Management Condition has been secured to the decision notice, to ensure no detrimental impact on highway safety would occur.

### Drainage

The proposal introduces new areas of hardstanding, and subsequently proposals require drainage proposals to be in accordance with the drainage hierarchy set out in NPPG. Additional drainage information has been submitted and the Council has consulted the drainage engineer. The Council's Drainage Engineer have accepted the amended details, and is secured via condition. The proposals would be in accordance with the relevant paragraphs of the NPPF and Policy G8 of the Core Strategy.

### **RECOMMENDATION**

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:-

Application form  
Proposed External Gate Elevation – P07  
Proposed Site Plan – P03  
Proposed Layout Plan (Partial) P05  
Proposed Unit Layout Plan & Elevations P06

and the development shall be carried out in accordance with these drawings hereby approved 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 building hereby approved shall be removed from the site and the land restored to its former condition on or before 31<sup>st</sup> December 2028, in accordance with a scheme of works that shall first have been submitted to and approved in writing by the Local Planning Authority.

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/modular construction, and are not of a suitable appearance for permanent retention on site.

4. The materials used in the construction of the exterior of the development hereby permitted shall match those detailed within the application form and as per annotations within drawings:

Proposed External Gate Elevation – P07  
Proposed Site Plan – P03  
Proposed Layout Plan (Partial) P05  
Proposed Unit Layout Plan & Elevations P06

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5. No development shall commence until a Tree Protection Plan (TPP) has been submitted to and approved in writing by the Local Planning Authority.

The TPP shall include:

- a) Location and installation of services/ utilities/ drainage.
- b) Details of any construction within the RPA or that may impact on the retained trees.
- c) A full specification for the installation of any boundary treatment works.

d) Tree protection measures during construction indicated on a TPP and construction and construction activities involving excavation clearly identified as prohibited in this area.

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

Reason for pre-commencement condition: To satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area and in accordance with policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

6. The temporary building hereby approved, shall not be occupied until the paving has been constructed in permeable paving, in accordance with "Section through Proposed Permeable Paving" drg ref. P08-A by LMM dated 5th May 2023.

Reason: To prevent an increased risk of flooding as a result of the development and to ensure satisfactory disposal of surface water from the site in accordance with Policy G8 of the adopted Rochdale Core Strategy, saved Policy EM/7 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

7. Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of replacement planting works of trees and hedges/shrubs, have been submitted to and approved in writing by the Local Planning Authority. The details shall include planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To compensate for the recent loss of mature trees and to ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Core Strategy Policies G6 and G7 and the National Planning Policy Framework.

8. No development shall take place (including any site clearance or preparation works) until a Construction Management Plan (CMP) has been submitted to, and approved in writing by the Local Planning Authority. This shall include the following:
  - a. the parking of vehicles of site operatives and visitors;
  - b. loading and unloading of plant and materials;
  - c. storage of plant and materials used in constructing the development;

- d. the erection and maintenance of security hoarding;
- e. measures to protect surrounding sensitive receptors from fugitive dust and debris both during and after the construction phase;
- f. hours of construction, including deliveries (which should not take place outside of the hours of 08:00-18:00 Monday to Friday and 09:00-14:00 Saturday, with no work taking place on Sundays or Bank Holidays); and;

The approved method statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved method statement without the prior written permission of the Local Planning Authority.

Reason: In the interests of protecting the amenity of local land uses or neighbouring residents, the character of the area and highway safety in during the construction phase in accordance with Policies DM1, G7 and G9 of the Core Strategy and the National Planning Policy Framework.

Reason for Pre-Commencement: Site clearance poses a threat to surrounding occupiers and a scheme therefore needs to be agreed in advance of any works taking place.

### **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.

### **Notes for Applicant:**

None

Report Author Rosalind Gralton