

Agenda Item 6



Report Title: Report to Planning Committee

Application Number	24/00568/FUL
Proposal	Change of use of dwelling house (Use Class C3) into Special Education Needs School (Use Class F1 (a)); demolition of outbuilding; erection of new single storey classroom building together with alterations to existing access and car park and the installation of multi-use games area and fencing.
Site	Rainshore House, Over Town Lane, Rochdale, OL12 7TQ
Applicant	Mr and Mrs Antony Whiteside
Recommendation	Refuse
Reason for Report	Call in from Ward Councillor Gartside
Background Papers	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

Site and Surroundings

1. The application site relates to a square parcel of land approximately 0.42ha in area located east of Over Town Lane, Rochdale, approximately 200m west of Greenbooth Reservoir. The site is located within the Green Belt and is located within a rural setting, with verdant trees to the western side boundary adjacent to the road.
2. A three storey detached 1920s Arts and Crafts style Villa dwellinghouse resides centrally within the site, with two large outbuildings located to the north western corner of the plot. It appears various extensions have been added to the Villa over the years, of which no evidence appears to have been submitted dating when these were erected. The setting of the house is defined by its large spacious gardens with ample green space and is well landscaped.

3. The land slopes upward to the north of the site however is generally flat. A large gate provides vehicle access into the site from the south western corner, and a timber boarded fence is located along the western boundary. The grounds of the site are landscaped. No trees are protected by a Tree Preservation Order. A public right of way runs across the north and western boundary of the site. The site is wholly within the Coal Mining High Risk Area.

Proposal

4. Planning permission is sought for the change of use from residential dwelling (Class C3) to a specialist SEN educational facility for children aged 3-18 (Class F1(a)). The submitted design statement details this would be for up to 55 pupils and employment for 25-30 staff.
5. External works proposed include widening of existing access points, construction of ramps, erection of various parking areas including taxi and drop off areas, visitor and staff car park, construction of a Multi-Use Games Area, allotments, wildflower garden and associated landscaping, gates, fencing and boundary treatment. Proposals also include the demolition of an existing single storey outbuilding, and the construction of a new single storey classroom building (measuring 8.54m width, 16.8m depth and 4m in height with a flat roof). The outbuilding to be retained on site is to be converted to a dining hall, and the design of the new outbuilding will link the two outbuildings together.
6. Internal works, such as the creation of new walls, are proposed inside the main building to modify the building into a school environment however such works are not development requiring planning permission and as such are not assessed as part of this application.

Pre-Application Advice

7. A pre-application enquiry was submitted by the applicant for advice on the proposal and Officers responded in November 2023. The design of the proposal has been amended slightly since this initial submission, however the proposal remains largely unchanged. A Green Belt Statement was submitted alongside this application and is assessed within this report.

Relevant Planning Policy

National Policy and Guidance

National Planning Policy Framework (NPPF) (2023)

National Planning Practice Guidance (NPPG)

National Design Guide (NDG)

Sub-Regional

Places for Everyone Joint Development Plan (Adopted 21st March 2024)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the 9 authorities covered by the plan on 21st March 2024. The following policies are relevant:

Policy JP-C8 – Transport Requirements of New Development

Policy JP-G1 – Landscape Character – Knowl and Rooley Moors, Fringes and Foothills - Open Moorlands and Enclosed Upland Fringes – West/South Pennines

Policy JP-G9 – The Green Belt

Policy JP-P1 – Sustainable Places

Policy JP-P5 – Education, Skills and Knowledge

Local

Adopted Rochdale Core Strategy (CS):

SO2 To create successful and healthy communities

C7 Delivering education facilities

SO3 To improve design, image and sense of place

P1 Improving image

P3 Improving design of new development

SO4 To promote a greener environment

G4 Protecting Green Belt

G7 Increasing the value of biodiversity and geodiversity

G9 Reducing the impact of pollution, contamination and land instability

SO5 To improve accessibility and deliver sustainable transport

T2 Improving access

DM1 General Development Requirements

Other Considerations

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

The application has been considered in accordance with the Rochdale Equity, Diversity and Inclusion policy – Embracing All Voices (2024-2026), which seeks to promote a culture of equity, diversity and inclusion that benefits the community as a whole.

Planning History

8. None Applicable

Publicity

9. The application has been publicised with a site notice, press notice and neighbour notification letters. In response, 62 letters of objection have been received and 2 letters in support.

Members

10. The application is referred to the Planning and Licensing Committee in accordance with the scheme of delegation, following a call-in request from Councillor Gartside citing the need for suitable premises for SEN pupils, the proposed site is suitable and would not affect the view from the Green Belt, and the site is already within the green belt and any changes will not compromise this. Additionally, Councillor Gartside noted the significant number of objections to the scheme following his call in, and therefore it would be suitable for the application to be reviewed at committee regardless of the officer recommendation.

Summary of Third Party Responses

11. The points raised by the supporting letters include that the location is suitable for the type of school, particularly given the demand of spaces for children in SEN schools, the only concerns being the existing access and traffic in icy conditions.
12. The concerns raised by the objectors are summarised below:

Highways and servicing concerns

- The entrance to Greenbooth Reservoir is restricted, a school will cause chaos to the lane.
- Turning of vehicles in this area is restrictive and a school is not practical
- Access road is too narrow to support a minibus and school drop off/pick up area
- Impact on existing congestion due to visitors of reservoir
- Traffic collisions as a result of additional traffic, including impact of one lane access from properties on Field View Lane.
- Only 27 parking spaces for 35 staff not including visitors, deliveries, parents
- Existing lack of public transport in Norden will not encourage use of buses instead of private car
- No turning circle proposed
- Existing parking concerns on Over Town Lane and illegal parking
- Concern of pedestrians and users of public right of way and bridleway
- Access not suitable for emergency service vehicles
- If the scheme is to go ahead, traffic lights should be installed
- Transport statement inaccurate, unrealistic and not reflective of all year-round circumstances
- Similar SEN schools would show 50 parking spaces should be provided
- Can Over Town Lane become a two-way road, was this considered, has this been looked into, what can be done if the school was to go ahead and then problems were to arise?

- Increased traffic from staff, visitors and service provider
- Impact of traffic on the safety and well-being of pupils
- Impact of servicing schedule on residents
- Construction Management Plan should be secured.
- A number of photos have been submitted showing road traffic collisions on Over Town Lane.

Impact on character and landscape

- Proposed landscape changes leave a different footprint for the area
- The proposal will significantly alter the character of the area
- Concern about limited space proposed and future expansion required to accommodate the school
- Detrimental to the Green Belt
- Negative impact on visitors to the reservoir
- Increased litter
- Increase in footfall
- Removal of trees and impact upon wildlife
- Material encroachment of the countryside
- Increase of noise

Other concerns

- Concerns over impact on house prices reducing
- Concerns that mortgage providers may decline lenders a mortgage application due to living in a commercial area
- Unsure whether Rainshore House would be able to provide specific amenities and resources
- Do we need more SEN schools in the borough?
- Unclear what specific Special Educational Needs will be met as there is a range
- Safeguarding reassurances should be provided to the local community
- Anti-social behaviour already occurring along the lane in the evenings, this is not a suitable place for a school
- Major safety concerns relating to the very close proximity to the reservoir north of the property, and the instance of pupils falling into the tank.
- Request on clarification of if the school is to be locked down or open – what will be done to ensure pupils safety in the event of them leaving the site
- Does Rochdale Borough Council have control over where pupils are sent and who goes to what school
- Why the application was being rushed through.

Officer Response

13. Where comments are raised in relation to the possible operation of the school beyond material planning considerations (e.g. if the school is to be locked down, how the school will manage the safety of children etc) these are not relevant to the Officer's assessment. The impact of development on house prices, or the impact on whether a person could secure a mortgage on a property, is not a material planning consideration. The points which raise material considerations are assessed within the 'Assessment' section under the relevant subheadings.

Summary of Consultee Responses

Highways And Engineering

14. No objections to the proposal subject to conditions securing compliance with transport statement and dilapidation survey to be undertaken prior to first use of the school.

Environmental Health - Noise/Odours

15. Objection raised – to allow full consideration, a Noise Impact Assessment is required to fully quantify the potential noise of the scheme and mitigate as required. A noise management plan for the site can be secured via condition. A Noise Impact Assessment would be unsuitable to be secured post determination as a pre-commencement condition.

Tree Officer

16. No comments received to date

Greater Manchester Ecology Unit

17. No objections. Conditions recommended.

Transport for Greater Manchester

18. No objections. Recommendation to condition a School Travel Plan should be produced for the development.

Schools Service

19. No objections

The Coal Authority

20. No objections following submission of the Coal Mining Report.

Public Right of Way Officer

21. Concerns raised and outstanding queries regarding the access of the public right of way during construction, and impact upon users of the PROW

Assessment

Principle of Development – Provision of School Facility

22. Paragraph 99 of the NPPF states *'It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:*

- b) Give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and*
- b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted".*

23. Policy JP-P5 of the PfE states that enhancements and skills to residents will be promoted by *'Enabling the delivery of new and improved accessible facilities for all ages, such as early years, schools, further and higher education, and adult training to ensure our workforce is ready to benefit from new employment opportunities'*. Additionally, Rochdale Core Strategy Policy C7 states the Council improve education in the borough by promoting existing and new facilities and providing educational facilities in appropriate and accessible locations.

24. Rochdale Borough Council published the plan 'Raising Rochdale', a five year plan for children and young people with special educational needs and disabilities (SEND) in Rochdale, for 2022-2027 which outlines the vision, strategy and outcomes of what needs to be achieved for all children and young people with SEND in Rochdale. The document states that the 'numbers of children and young people with SEND is going up each year (up 56% in last three year).

25. The proposed development would provide 55 school places for children and young people with SEN and disabilities, run by a private operator. As stated within the NPPF at paragraph 99, great weight is afforded to ensure a sufficient choice of school place is available, and the meet the need to create schools via planning decisions. This also is in accordance with Policy C7 of Rochdale CS, and Policy JP-P5 of PfE, enabling and promoting delivery of new facilities. As such, it is established that policy support exists for the provision of a Special Educational Needs school. The acceptability of the proposed school within a Green Belt location is considered below.

Principle of Development - Green Belt

26. The proposed development seeks to convert the existing dwellinghouse and its curtilage, wholly located in the Green Belt, to a specialist SEN educational facility for children aged 3-18 (Class F1(a)), for up to 55 pupils and employment for 25-30 staff. The site is located within the Green Belt as allocated under the Rochdale Unitary Development Plan Proposals Map. The National Planning Policy Framework (NPPF), states that *'The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence'*.

27. Paragraph 154 states that Local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt unless it meets one of the listed exceptions – those of relevance are listed below:

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

28. Paragraph 155 also identifies certain other forms of development which are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

d) the re-use of buildings provided that the buildings are of permanent and substantial construction;

e) Material changes in the use of land (such as changes for outdoor sport or recreation, or for cemeteries and burial grounds);

29. In relation to paragraphs 154 and 155, the five purposes of the Green Belt are:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

30. The application has been presented to the Local Planning Authority as an exception to inappropriate development in the Green Belt, by exception (c) of paragraph 154, as a result of the proposed outbuilding to be constructed. However Officers have assessed all elements of the proposed development against all relevant criteria above.

31. The starting point for the assessment of the proposed development under Green Belt policy is the change of use of the main building from a dwellinghouse to a school and the change of use of the associated land, in conjunction with all other associated works. External works include widening of existing access points, the construction of ramps, the erection of various parking areas including taxi and drop off areas, visitor and staff car park. The construction of a Multi-Use Games Area, on-site allotment, wildflower garden and associated landscaping. Additionally, the erection of gates, fencing and other boundary treatment. The proposals also include the demolition of an existing single storey outbuilding, and the construction of a new single storey classroom building (measuring 8.54m width, 16.8m depth and 4m in height with a flat roof). The outbuilding to be retained on site is to be converted to a dining hall, and the new outbuilding will link the two outbuildings together.
32. No calculations to demonstrate volume percentages have been submitted to support the application, nor any evidence of the size of the original property as it stood in 1948. Based on maps published from 1948 and officer calculations, the volume of the proposed 'new' outbuilding would be 28% of the cubic volume of the original buildings. Cumulatively with the contemporary link extension on the main building, the total extensions would amount to approximately 30% of the cubic volume of the original building. As such, the proposed outbuilding extension would not be considered a disproportionate addition over and above that of the original building.
33. However, the overall impact of the total development on the Green Belt must be assessed, including the use by up to 55 children plus staff, the significant areas of hard landscaping required for the change of use, the erection of multiple areas of hardstanding, Multi-Use Games Area (MUGA) pitch, and associated fencing.
34. The exceptions to development in the Green Belt being considered as inappropriate, are exemptions (d) and (e) outlined above. These exemptions are subject to the development preserving the openness of the Green Belt and not conflicting with the purposes of the Green Belt, including land within it. As such, the proposed change of use of the building and its curtilage, in addition to any associated operational development must be considered against whether they preserve openness and do not conflict with the purposes of the Green Belt.

Impact on openness

35. As identified above, the change of use of the building and land is not inappropriate development providing it is of permanent and substantial construction, and so long as it preserves the openness of the green belt and the purposes of the land within it. No structural survey has been submitted alongside

the application to support the claim the building is of permanent and substantial construction. However, it can be reasonably assumed by looking at the buildings in their current use that the buildings are sound and suitable for conversion. The proposed change of use of the building includes significant engineering works, including large areas of hard landscaping and the erection of an additional outbuilding to be used as a classroom. The proposals also include the erection of a multi-use games area (MUGA) with fencing, in addition to secure metal fencing to the perimeter of the site, the creation of 27 car parking spaces, and ramps would be installed across the site.

36. The site is located immediately adjacent to Over Town Lane, which runs along the eastern boundary of the site. A public right of way, RocARupp9, also follows this boundary. To the north of the site, leading to Greenbooth Reservoir is another public right of way, RocARupp8. The eastern boundary is characterised by mature verdant trees, with opaque views into the site possible from the vehicle entrances at the north eastern and south eastern corners only. It is difficult to see the scope of the buildings and landscaped grounds of the site as a pedestrian walking along Over Town Lane, which contributes to the privacy the Victorian Villa property holds, located centrally within the square shaped plot.
37. The proposed 'new' outbuilding measuring 8.5m in width and 16.86m in length would exceed the size of the existing outbuilding, and would link the two together. The siting would mean the new outbuilding is tucked between the existing outbuilding and the main two-storey building, and therefore only a limited section of the new outbuilding would be visible in views from the streetscene along Over Town Lane. Additionally, from the public right of way to the rear of the site, views of the buildings are obscured by boundary treatment and mature trees. The proposed new outbuilding would be set back from the boundary, however the presence of the building would remain visible. As a result, when considering the presence of the new outbuilding only, limited visual harm would occur to the openness of the green belt. While details of fencing are not submitted as part of this application, it is noted metal fencing is proposed which would be likely to be highly visible from the road and public rights of way. Compounding this, the significant landscaping and engineering works proposed on the site in order to facilitate the necessary demands of the site for conversion into a SEN school, the views of the building and it's grounds would be transformed from the large private garden of a detached dwellinghouse into a busy development characterised by hard landscaping to facilitate adequate parking, as well as multiple comings and goings with minimal circulation room.
38. Consequently, the development would result in visual harm to the openness of the Green Belt, as a result of the erection of the outbuilding, and the scale of changes required to the site in order to facilitate the conversion of the building.
39. When considering the spatial element of openness, the physical presence of the outbuilding, as well as the proposed hard landscaping required, introduction of car parking spaces, and the multi-use games area, in tandem with the operational

use of the vehicle spaces and the comings and goings associated with the site, would result in a clear and demonstrable harmful effect on the spatial openness of the Green Belt, by introducing a considerable intensification of the use site compared to the current residential use, which is limited and largely open.

40. In light of the above it is considered that, when viewed as a whole, the proposal would result in a loss of openness to the Green Belt, both visually and spatially. The impact is exacerbated by the small size of the site, allowing very limited space and increasing the sense of intensification. The proposal would conflict with the purposes of the green belt by way of encroachment of the countryside as a result of the physical and operational development. Planning policy requires that “substantial weight” be given to any harm to the green belt. Neighbour representations raise objections in relation to Green Belt harm. As such, the proposal constitutes inappropriate development in the Green Belt that should not be approved unless there are very special circumstances present that would outweigh the substantial harm to the Green Belt by reason of inappropriateness, plus any other harm that may be identified. These matters are considered below.

Character and Appearance - Design

41. The NPPF states that good design is a key aspect of sustainable development and that planning policies and decisions should ensure that developments function well and add to the overall quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. This is largely reflected within Policies DM1 and P3 of the Council’s adopted Core Strategy, which requires development proposals to demonstrate high quality design.
42. The outbuilding would have a flat roof, timber framed, clad in timber weatherboarding, with dark/grey windows and matching fascia, and have 36 solar panels atop the roof. The flat roof to the outbuilding is presented as a ‘green roof’. The building would be overall contemporary in appearance however and the material palette, given the scale this would not jar with the dwelling or the existing outbuilding. The proposed material palette would be considered acceptable subject to conditions providing further details.
43. Minimal alterations are proposed to the main building. These include the addition of a new entrance canopy and privacy film added to existing windows. Similarly, minor alterations are proposed to the existing annexe, which would replace an existing window opening with a door. These alterations would also be considered acceptable.

Character and Appearance – Landscape

44. Policy P2 of the Core Strategy recognises the importance of protecting the Borough’s unique character. New development will be expected to protect and enhance the countryside and landscape of the borough by:

- Successfully integrating with its key natural features;
- Protect and open up important views of hills and valleys
- Protecting, enhancing and utilising cultural landscapes.

45. Places for Everyone designates the site as Landscape Character Type - Open Moorlands and Enclosed Upland Fringes (West/South Pennines). Policy JP-G1 requires that development within a Landscape Character Type should reflect and respond to the special qualities and sensitivities of the key landscape characteristics of its location, having regard to:

- Topography, geology and drainage;
- Land-use and field patterns;
- Semi-natural habitats and woodland cover;
- Archeology and cultural heritage;
- Settlement, road pattern and rights of way; and
- Views and perceptual qualities.

46. Policy JP-G1 also establishes that the interface of new development with the surrounding countryside/landscape is of particular importance. These transitional areas require well-considered and sensitive treatment. In particular, opportunities to improve the intactness and condition of the landscape should be taken. Policy JP-G5 sets out the importance of uplands. The uplands contain important component parts of the green infrastructure network and amongst other requirements, new development should integrate into the landscape by utilising existing tree/woodland cover and dips in the landform.

47. At the national level the NPPF (paragraph 180) requires planning decisions to enhance the natural and local environment, by protecting and enhancing valued landscapes, and by recognising the intrinsic character and beauty of the countryside.

48. Views of the development site from the PROW and the highway would mainly be from the northern, southern, and eastern boundaries. The proposed new outbuilding would only be visible in small glimpses from the northern and eastern boundaries of the site. As the land level decreases towards the southern half of the site, the south eastern corner is the most visible viewpoint into the site. Therefore the landscaping works in this south eastern corner, would expose views of the staff car park and most of the hard landscaping works. As such, irrespective of the comings and goings associated with the development when in operation, it is demonstrated that the overall visual character of the site will be altered.

49. The existing property is an isolated dwellinghouse in the Green Belt, with no immediate neighbours of a similar character. The proposed change of use of the building and subsequent works would alter the character of the site from a large residential property with private garden and minimal demands on access and

servicing, to a school, with various servicing requirements and a consistent flow of people circulating the property, whether that be pupils, staff or deliveries to manage the day-to-day operation of the building. This alteration to character is therefore considered to result in some harm to the landscape. Officers note that local residents have objected on the grounds of harm to the character of the area and its landscape.

50. In conclusion, the proposed conversion and associated works would be detrimental to the visual amenity of the site and character of the area, by virtue of introduction of hard landscaping, as well as removal of soft landscaping. This is contrary to policies JP-P1 of the PfE Joint Development Plan, policies DM1 and P1, P2 and P3 of the Rochdale Core Strategy and policies contained within the NPPF.

Impact on Residential Amenity – Noise

51. Policy DM1 of the adopted Core Strategy requires all new developments to demonstrate that they are compatible with surrounding land uses, both in terms of its impact upon those uses and the impact of the surrounding land uses upon the amenities of future residents / users. Paragraph 191 of the NPPF requires planning decisions to ensure that new development is appropriate for its location, taking into account the likely effects on health, living conditions and natural environment, as well as the impacts that may arise from the development.
52. The character of the area surrounding the site is open and somewhat rural, just south of Greenbooth Reservoir, although with a recent residential development of approximately 55 dwellings, located 120m to the north of the site. An isolated property is located 80m to the north of the site also, on the other side of Over Town Lane. The site is wholly located in the Green Belt, and while the road is busy with access to the reservoir and the residential estate, it is a quiet area.
53. The NPPF requires planning decisions to firstly understand any potential adverse impacts resulting from noise, and secondly, where they are likely, for developments to mitigate and reduce them. In the absence of a noise assessment with the application, it is not known whether the proposal will give rise to adverse impacts on noise to nearby residential properties.
54. The proposed development will result in a considerable intensification of the use of the site when operating as a school compared to the existing use as one dwelling and it is important that the impacts of this are fully understood. Owing to the intensification of the site within a quiet, rural setting with low levels of background noise but in proximity to nearby housing, there is a likelihood that adverse impacts may occur and as such it is not possible to determine the acceptability of the proposed development in this location. The Council's Environmental Health Officer has advised that a noise assessment is required prior to determination of the application, to determine if the site is suitable for the

proposed use, having regard to its surroundings. Officers are aware that local residents have raised concerns regarding noise and disturbance.

55. The applicant was advised of the need for a noise assessment in 2023 as part of the pre-application advice provided by the Planning Officer, however the application was submitted without. During the determination of the application a further opportunity was provided however no such assessment was submitted. Instead the applicant has requested that the matter be addressed by way of a pre-commencement planning condition. Officers have given consideration to this request, being mindful of paragraph 55 of the NPPF which requires LPAs to consider whether unacceptable development could be made acceptable through the use of conditions. However, the conclusion of the noise assessment travels to the heart of the acceptability of the proposed development within this location. Leaving such a matter to a planning condition is not appropriate in this case and it presents a considerable risk to the parties concerned. As such, officers remain of the view that the noise assessment is required prior to determination of the application.
56. Accordingly, insufficient information has been provided to demonstrate that the proposed development will not harm the living conditions of the occupiers of nearby housing from increased noise, contrary to policies G9, DM1 of the Rochdale Core Strategy, PfE policy JP-P1 and the NPPF.
57. The proposal would not result in other residential amenity impacts to neighbours such as overlooking, overshadowing or be overbearing due to the distances away.

Highways and Access

58. 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 114 of the NPPF requires applications to be considered against certain criteria, including that *“safe and suitable access to the site can be achieved for all users”*. Paragraph 115 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.
59. The application is accompanied by a Transport Statement and car parking management strategy. The application has been assessed by the Council’s Highways team and their comments are incorporated into the analysis below.

60. The proposed school would largely operate between 07:30-19:30hrs Monday-Friday. The proposed site plan shows 27 car parking spaces. 18 are dedicated staff parking, 9 are labelled as staff/visitor parking with 3 of these disabled parking spaces. A taxi/drop off zone is identified. 2 parking spaces are shown for minibuses, which would typically transport children to visits outside of the school grounds on day trips. Storage for 10 bicycles is shown.
61. The car parking management strategy outlines that due to the nature of an SEN school, most pupils will arrive by vehicle, and therefore the taxi and short stay zone is required. The car parking strategy details that start and finish times, and drop offs and pick-ups are staggered to see demand managed in waves. In regard to car parking, the Highways Officer is satisfied that the proposed spaces largely meets the adopted standards and are therefore acceptable. In the instance the application was to be approved, a planning condition would be used to require the provision of the spaces prior to the first operation of the development.
62. The Highways Officer commented that although the access to the site is within a busy location, it is acceptable. No concerns are raised regarding the servicing of the facility's refuse vehicles and deliveries, if outside of drop off and pick up period. It is understood that in relation to drop off periods and pick up periods involving SEN schools, these are taken very seriously and it is in the best interest of the school that these periods run smoothly. These periods are as important a part of the school day as any other. In the instance of traffic and congestion, for some pupils this can exacerbate health and behavioural issues. As such, Highway Officers have no reason to doubt that the school will adhere to the car parking management plan as submitted. Should planning permission be granted, a compliance condition requiring implementation of the car park management strategy would be attached.
63. It is acknowledged that a significant number of objections have arisen from members of the public, concerning the impact of the school on a road which already suffers from parking demands due to the proximity of Greenbooth Reservoir. The issue of the reservoir parking is an existing concern and it is not possible to require the proposed development to resolve such issues. While this proposal will increase activity around this location, the proposed parking within the site meets the required standards and the site is served by a safe and suitable access as required by planning policy. As such the proposed development is acceptable in planning terms in this regard.
64. The Council's Public Right of Way Officer was consulted on the application and requested further information regarding access for the public right of way during periods of construction. The Planning Officer notes many of these concerns are covered by other legislation within the Highways Act. In the instance the application was to be approved, Officers would consider whether planning conditions are necessary.

65. Subject to the proposed conditions relating to car parking and access arrangements, the proposed development would accord with policies DM1 and T2 of the adopted Core Strategy, PfE and the NPPF.

Trees, Ecology and Biodiversity

66. The application is accompanied by an Ecological Appraisal and Roost Assessment, in addition to a BNG baseline assessment and metric. In addition to buildings and hardstanding, the site comprises grassland, tree lines, scattered trees and hedgerow. The majority of the existing trees on site are to be retained.
67. The most up to date development plan policy relating to biodiversity is Policy JP-G8 of PfE which states development will be expected to achieve a net gain in biodiversity of no less than 10%. The provisions of the Environment Act in respect of BNG are now a statutory requirement for planning applications and so the proposed development should achieve net gains for biodiversity via species enhancement as guided by the NPPF (paragraphs 180d and 185 b) to achieve 10% net gain for biodiversity. Development plan policy also requires that any trees that are lost are replaced on a 2:1 basis.
68. The Greater Manchester Ecology Unit was consulted on the application and after assessing the supporting technical reports, have no objections subject to a number of conditions regarding bats, birds, and proposed biodiversity enhancements. The Ecologist concludes that as the majority of trees on site are to be retained (and the baseline value of the site is low), coupled with the landscaping and planting detailed on the proposed site plan, it is reasonable that a 10% net gain can be provided and secured by planning condition in the event of an approval, including a 30 year management and monitoring plan.
69. It is noted that neighbour representations include objections on grounds of tree removal and impact on wildlife. However, in light of the advice received from GMEU, subject to the use of planning conditions, the application would accord with the NPPF, PfE and Policy G7 of the Core Strategy.

Other Considerations

70. Paragraph 152 of the NPPF states 'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'. Additionally, Paragraph 153 requires LPAs to attach substantial weight to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
71. The applicant has set out a case of 'other considerations' which they consider amount to 'very special circumstances' (VSC). This includes the current demand for SEN spaces within the Borough and relies on information obtained from RBC from a Freedom of Information (FOI) request, pertaining to the number of children on waiting lists, or educated outside of the borough to fulfil SEN requirements,

and the costs associated with these spaces, including transport. An updated FOI response to supplement the application was sent to the Planning Officer from the agent on 19th September. Additionally, the VSC section references general news articles from 2023 and 2024 which refer to challenges of SEN provision and specialist school places across England.

72. The results of the FOI with figures from RBC Children's Services show 449 children in the Borough are educated outside Rochdale in 2024 and it states that the cost of transport associated with these children travelling to and from schools outside of Rochdale in the school year 2023/2024 exceeds £1.3m. Additionally, 39 children currently in a non-SEN school await an SEN place, and 25 SEN children were home-schooled in the year 2023/2024.

73. The application does not provide details of the admissions process for SEN children in privately operated schools, and whether the proposed SEN school would provide spaces for children exclusively in Rochdale, or whether the places may be used by other children in neighbouring boroughs. This is a matter raised in objections from local residents. Following the Planning Officer's discussions RBC Children's Services, it is understood that with a private operator, while provision may be given to some children living in the Rochdale Borough, the places available could be applied for by any local authorities in the North West or Yorkshire area. Additionally, there is no guarantee all the placements would be for children from Rochdale area and no guarantee of a fee reduction for the Local Authority. As such, it cannot be assumed all the places available would serve the children and young people identified in the statistics provided.

74. Overall, in view of the policy support for school provision, and the need for SEN places at the local level, significant weight is afforded to the provision of up to 55 school places.

75. The applicant has provided details of the 'green credentials' as follows:

- a. The proposed new outbuilding will be constructed to achieve Net Zero rating by the inclusion of high thermal insulation values to the floor, timber framed walls and roof which also incorporate a 'green' sedum construction. The outbuilding will also benefit from triple glazed windows.
- b. The demolition of the existing uninsulated single storey triple garage will mitigate the construction of the new outbuilding.
- c. The existing dwellinghouse (main building) has recently had all the windows replaced with double glazed, thermally efficient frames which add towards the Net Zero aspirations.

76. Moderate weight is given to the sustainability factors above.

77. Absent from the application are details of alternative sites that have been considered by the applicant. Specifically, any sites which are larger, with more

room for circulation within the site which is not present in the proposed site plan. Additionally, no exploration of alternative sites within the Borough, which are not located in the Green Belt (or within the Green Belt with less harm) have been presented. While the Planning Officer understands the requirement to have an SEN school in a quiet, rural setting, away from a busy urban environment, the proposals demonstrate a plot which is overdeveloped and results in unacceptable harm. The lack of demonstration of alternative sites weighs against the proposal in the planning balance.

78. The applicant considers that parts of the proposed development could be carried out using permitted development rights under the current residential dwelling use, and that this is their fall-back position. They consider this to include the classroom building, car parking areas, removal of trees, MUGA and landscaping, using Classes A, E and F of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). No further detail is provided to substantiate this point. However, as previously stated, Officers consider the erection of the classroom building as acceptable within the Green Belt and as such, the consideration as to whether an outbuilding could be constructed as permitted development as part of the existing dwelling house does not weigh positively in the balance. In regard to the construction of large car parking areas, Officers consider this would go beyond a hard surface that is “incidental to the enjoyment of a dwellinghouse” which is the appropriate test under Class F. Such works may also constitute engineering operations and for these reasons, the proposed hard surfacing / car parking areas require planning permission. The proposed MUGA is not permitted development under Class E – it is on land forward of the principal elevation and is unlikely to be considered as incidental to the dwelling house.

79. For the reasons above, the applicant’s “fall back” position is not accepted and as such, carries no weight in the planning balance.

Green Belt Balance and Conclusion

80. The proposed development constitutes inappropriate development in the Green Belt. It would reduce the visual and spatial openness of the Green Belt, by reason of the proposed works required to convert the building and curtilage into a school for up to 30 staff and 55 pupils, and the associated activities and comings and goings. The harm to the Green Belt by reason of inappropriate development, attracts substantial weight. The development would also have a harmful impact on the landscape character of the area, and in the absence of a noise impact assessment (notwithstanding the multiple opportunities given to the applicant to provide this), the potential harm to the living conditions of neighbours is unknown. Both of these factors add to the harm identified.

81. Careful consideration has been given to the arguments put forward by the applicant including the need for SEN school places. However, these other considerations do not clearly, individually or cumulatively outweigh the totality of harm arising from inappropriateness and the harm caused to the landscape and character of the area, nor the living conditions of neighbours. It has not been demonstrated that it is not possible to locate the proposed development on an alternative site that results in less harm.
82. Therefore, the very special circumstances required to justify the development have not been demonstrated meaning that the proposal development is contrary to national and local planning policy. There are no other material considerations that lead Officers to reach an alternative conclusion.

Recommendation

83. It is recommended that planning permission is **REFUSED** for the following reasons:

1. The proposed development comprises inappropriate development in the Green Belt that is harmful by definition and furthermore, fails to preserve the openness of the Green Belt and the purposes of including land within it through encroachment. In addition, the development results in harm to landscape character, and potential harm to the living conditions of neighbours. Very special circumstances do not exist as the identified harm (by definition and other harm) is not clearly outweighed by other considerations, and the application is therefore contrary to policies G4, P1, P2, P3 and DM1 of the adopted Rochdale Core Strategy, JP-P1, JP-G9 and JP-G1 of Places for Everyone, and the National Planning Policy Framework.
2. Insufficient information has been provided to demonstrate that the proposed development will not harm the living conditions of neighbouring occupiers from increased noise. Accordingly, the proposal is contrary to Policy DM1 and G9 of the Rochdale Core Strategy, Policy JP-P1 of Places for Everyone and the National Planning Policy Framework.