

Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 22/01587/VRCON

Name and address for correspondence:	Applicant name:
Kayleigh Dixon DPP Planning SPACES Deansgate 125 Deansgate Manchester M3 2BY	Morgan Sindall Construction (on Behalf Of The Department for Education)

Part I - Particulars of Application

Date of Application: 11 January 2023

Proposal:	Section 73 application for minor material amendment to planning permission 22/01191/PSID to provide additional solar PV panels , on 3 canopies within the site
Location:	Newhouse Academy, Newhouse Road, Heywood, OL10 2NT

Part II - Particulars of decision

The Rochdale Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended) that planning permission has been **GRANTED SUBJECT TO CONDITIONS** for the carrying out of the development referred to in Part I above.

The Council hereby permits the above development in accordance with the details given on the application form and submitted plans subject to the following condition(s):

Conditions and Reasons:

- 1 The development must be begun not later than 14th December 2025.

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:

Location Plan (ref: 0007 rev P03)
General Arrangement Elevations New & Refurbished Buildings (ref: 05-001 rev C6)

Proposed Ground Level Plan (ref: 0001 rev P22)
Proposed First Level Plan (ref: 0001 rev P21)
Proposed Second Level Plan (ref: 0001 rev P22)
Proposed Roof Level Plan (ref: 0001 rev P09)
Proposed Building Elevations (ref: 0021 rev P16)
Proposed Boomerang Ground Level Plan (ref: 0007 rev P08)

Proposed Boomerang First Floor Plan (ref: 0007 rev P05)
 Proposed Boomerang Extension Elevations (ref: 2022 rev P09)
 Proposed Plant Elevations (ref: 2003 rev P01)
 Ground Floor Plan (ref: 03-110 rev P4)
 First Floor Plan (ref: 03-111 rev P2)
 Second Floor Plan (ref: 03-112 rev P2)
 Canopy 1 Plan (ref: SRP1019-JMA-01-ZZ-DR-A-0031-D2-P01_PV Canopy 1)
 Canopy 2 Plan (ref: SRP1019-JMA-01-ZZ-DR-A-0032-D2-P01_PV Canopy 2)
 Canopy 3 Plan (ref: SRP1019-JMA-01-ZZ-DR-A-0033-D2-P01_PV Canopy 3)
 Proposed Canopies Layout (ref: SRP1019-DEP-ZZ-00-DR-L-0001-P15)

and the development shall be carried out in accordance with the approved drawings.

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

- 3 No development shall take place until the trees that are to be retained within the site have been enclosed with temporary protective fencing and temporary ground protection has been fully installed in full accordance with BS:5837:2012 'Trees in relation to design, demolition and construction' and in complete accordance with the submitted Arboricultural Impact Assessment & Arboricultural Method Statement (ref: 002 rev V3., prepared by Wardell Armstrong). The fencing and flooring shall be retained during the period of construction and no work, excavation, tipping, or stacking/storage of materials shall take place beyond such protective fencing during the construction period. The development shall thereafter be carried out in full accordance with the Arboricultural Impact Assessment & Arboricultural Method Statement.

Reason: In order to protect the existing tree on the site in the interests of the amenities of the area and in accordance with Policies P2, P3, G1, G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

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

- 4 The development hereby permitted shall not be brought into use until full details of both hard and soft landscaping, have been submitted to and approved by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and replacement trees, and, a scheme for the timing / phasing of implementation works. Replacement trees shall be provided at a ratio of 2:1 against those lost.

The landscaping works shall be carried out in accordance with the approved scheme for the 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 a similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with policy DM1 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 5 Within three months of the first occupation of the new building, a scheme of biodiversity enhancements for the site including, but not limited to, the provision of bird boxes, bird bricks, bat boxes and bat bricks to be situated externally on, or integrated into the fabric

of the buildings/structures within the site, bug hotels, hibernaculum, wildflower seeding and hedgehog habitat shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall also include a timetable for implementation. The biodiversity enhancement scheme shall be implemented in full in accordance with the approved scheme and timetable for implementation.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 6 No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March - August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 7 No development affecting the existing playing fields shall take except in accordance with the feasibility report (ref: TGMS0901.14 dated 12/12/22) approved under application 23/00052/DOC.

The approved scheme shall be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with policy C8 of the adopted Rochdale Core Strategy and paragraph 99 of the National Planning Policy Framework.

- 8 No development affecting the existing indoor or outdoor sports facilities shall commence until a scheme has been submitted to and approved by the Local Planning Authority which shall ensure either:
- o The continuity of the existing indoor and outdoor sports use of the playing fields/sports facilities; or,
 - o The provision of replacement facilities during construction works.

If replacement facilities are proposed, the scheme must set out details of the size, location, type and make-up of the facilities or replacement facilities (as appropriate) together with arrangements for access. The scheme must include a timetable for the provision of the facilities or replacement facilities (as appropriate). Sports facilities impacted during construction shall be restored in accordance with the approved details before occupation of the development hereby approved.

The approved scheme shall be implemented and complied with in full throughout the carrying out of the development.

Reason: To protect playing fields/sports facilities from loss or availability of use during the construction of the development and to accord with policy C8 of the adopted Rochdale Core Strategy and paragraph 99 of the National Planning Policy Framework.

- 9 No development of the sports hall and changing rooms, or of the hard court games areas, shall commence until details of the design and layout of the sports hall and changing rooms have been submitted to and approved by the Local Planning Authority. The details shall include scale plans of the layout and dimensions of the courts with run off areas, and height of the sports hall.

The development shall be constructed in complete accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to accord with policy C8 of the adopted Rochdale Core Strategy and paragraph 99(b) of the National Planning Policy Framework.

- 10 The sport facilities on site shall not be used for any use which would fall outside of the normal operation of the school and which would typically be controlled by a Community Use Agreement, unless a Community Use Agreement has been submitted to and approved by the Local Planning Authority. The agreement shall apply to all sports facilities managed by the school, or their management company, and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review.

The development shall be used in accordance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with policy C8 of the adopted Rochdale Core Strategy and paragraph 99(b) of the National Planning Policy Framework.

- 11 The development hereby approved shall be carried out in complete accordance with the approved Construction Method Statement (received by the Local Planning Authority on 18/11/2022).

Reason: To minimise the detrimental effects to the natural environment through risks of pollution during the construction phase in accordance with Policies DM1, G7 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 12 Prior to commencement of each phase of the development as set out in the approved Construction Method Statement (received by the Local Planning Authority on 18/11/2022), an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The details for each phase may be submitted ahead of the completion of subsequent phases where such an approach otherwise accords with the requirements of this condition.

The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced and shall have been first submitted to and approved in writing by the Local Planning Authority before each phase of the development commences. The report of the findings must include:

- i) a survey of the extent, scale and nature of contamination
- ii) an assessment of the potential risks to:
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - o adjoining land,
 - o groundwaters and surface waters,
 - o ecological systems,
 - o archeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s)

Each phase of the development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report shall be submitted to and approved in writing by the Local Planning Authority before each phase of the development as set out in the approved CMS is first brought into use.

Reason: To ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Further investigation will be necessary prior to commencement of any building or engineering works on site.

- 13 No development other than the demolition of buildings and structures to be removed shall take place until such time as a scheme for the disposal of foul and surface waters from the site has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be/include:
- (i) Based upon the FRA & Drainage Strategy document ref. RP1019-CUR-00-XX-RP-D-92001 by Curtins issued 27.7.2022 and the submitted drawings Proposed Drainage Plan Sheets 1 & 2 drg ref. SPR1019-CUR-XX-00-DR-C-9212/P04 & 9213/P04 by Curtins, issued 26.7.2022;
 - (ii) Restricted rates of discharge to public sewer agreed with United Utilities and the local planning authority;
 - (iii) The background calculations of the MicroDrainage® model or any other software or calculations that have been used for the drainage design;
 - (iv) Mitigation measures to manage the risk of sewer surcharge, if UU Developer Services advise that this is necessary;
 - (v) Construction details for the permeable drainage of the MUGA sports pitch;
 - (vi) Provision of a Maintenance Document explaining how the surface water scheme will be maintained and managed after completion.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. 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.

Reason for pre-commencement condition: Drainage infrastructure will need to be implemented prior to commencement of above ground works and a scheme therefore needs to be agreed in advance of the same.

- 14 Development shall be carried out in accordance with the materials detailed set out on the plans listed in condition 2 of this permission, as well as in accordance with the Outline Specification (ref: DR-L-0011 rev P04).

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 15 No external lighting shall be installed on the approved buildings and structures except in accordance with a scheme that shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of the visual amenity and to prevent undue harm to the residential amenity of surrounding occupiers and in accordance with Policies P3, G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 16 The recommendations and monitoring contained within the Interim Travel Plan (ref. TP-00002, dated 26 July 2022) shall be implemented and maintained in full.

Reason: In the interests of road safety and amenity, in accordance with Policy T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 17 The new buildings hereby approved shall not be occupied until a scheme for the installation of electric vehicle charging points with a minimum power rating of 7Kw, universal sockets and at least mode 3 or equivalent, has been submitted to and approved by the Local Planning Authority.

Reason: In the interests of air quality management in accordance with Policy T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 18 The parking areas shown on the External Access and Circulation Strategy (ref: 0005 P06) shall be made available prior to occupation of the new buildings hereby approved and retained thereafter for their intended purpose.

Reason: In order that there is adequate provision for vehicles to be parked clear of the highway in the interests of highway safety in order to comply with the requirements of policies T2 and DM1 of the adopted Rochdale Core Strategy, saved policies EM/7 and EM/8 of the Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 19 The development shall be carried out in accordance with the recommendations contained within sections 3 and 4 of the submitted Crime Impact Statement (ref. 2008/0180/CIS/03, dated 10th June 2022), with the exception of any measures relating to the existing boundaries and car parks.

Reason: In order to ensure that the development is safe to use and access and to reduce the risk of crime, in accordance with Policy C3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Statement under Article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended):

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition.

Date Decision Issued 22 March 2023

Daniela Ripa
Interim Head of Planning Services

IMPORTANT

PLEASE ENSURE THAT YOU HAVE READ AND FULLY UNDERSTOOD THE CONTENTS OF THIS DECISION NOTICE. YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

INFORMATIVE:

The Local Planning Authority's reasons for its decision are set out in the accompanying officer's report.

INFORMATIVE:

The applicant is reminded of the need to submit and obtain formal approval of those details required by the conditions of this planning permission before development may lawfully commence on the site. The formal discharge of a planning condition is currently subject to payment of an additional fee per request: £34.00 for householder applications and £116.00 in all other cases.

INFORMATIVE:

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. Any intrusive activities which disturb or enter any coal

seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority Property Search Service on 0845 762 6848 or at www.groundstability.com.

INFORMATIVE:

The applicant is advised that the supply and delivery of refuse containers (including all wheelie bins and food waste caddies) for residential developments is chargeable and the responsibility for these charges rests with the applicant/developer. The cost is based on a variable rate per property depending on the property size and number of bedrooms but as an indication, the present charge for a suite of three 240l recycling bins and one 240l refuse bin is £144 per residence. Please contact environmental.management@rochdale.gov.uk for a quotation for your development.

INFORMATIVE:

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

In the event that the road markings around the school are damaged at any point during the construction phase, road markings should be replaced at the expense of the developer to ensure that the current road safety arrangements and parking restrictions are emphasised.