

APPLICATION NUMBER: 22/01587/VRCON

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/01587/VRCON	John Copestake	02 March 2023

Address: Newhouse Academy, Newhouse Road, Heywood, OL10 2NT

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

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

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

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

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

RECOMMENDATION	GRANT SUBJECT TO CONDITIONS
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CHECKED AND SIGNED OFF BY: LA

DATE: 22/03/23

SITE

The application relates to Newhouse Academy, a secondary school located on Newhouse Road on the southern edge of Heywood. The school site is split into two distinct areas

PROPOSAL

Planning permission 22/01191/PSID was granted in December 2022 for:

Two storey school building, with lobby and toilet facilities, together with associated refurbishment of existing plant, water tank and substation block, and associated landscape works, following demolition of existing main school building.

This application made under Section 3 of the Town and Country Planning Act 1990 seeks to amend the approved scheme to include three canopies with solar PV panels within the site.

The first canopy will be located over the proposed canopy garden, with the second and third over hard play areas. The canopies will be sloped, with a maximum height of 5.1m.

The applicant has explained that the changes are being made to enhance renewable energy generation for use by the school, thereby reducing the carbon impact of the school.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – February 2019
National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (RCS):

SP2 The Spatial Strategy for the borough
SP3 The Spatial Strategy for the townships

SD1 Delivering sustainable development
DM1 General development requirements
DM2 Delivering planning contributions and infrastructure

SO2 Creating successful and healthy communities

C6 Improving health and well being
C7 Delivering education facilities
C8 Improving community, sport, leisure and cultural facilities

SO3 Improving design, image and quality of place

P1 Improving image
P2 Protecting and enhancing character, landscape and heritage
P3 Improving design of new development

SO4 Promoting a greener environment

G1 Tackling and adapting to climate change
G2 Energy and new development
G6 Enhancing green infrastructure

- G8 Managing water resources and flood risk
G9 Reducing the impact of pollution

Rochdale Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

EM/7 Development and Flood Risk

EM/8 Protection of Surface and Ground Water

Supplementary Planning Documents:

- Guidelines & Standards for Residential Development (June 2016)
- Oldham and Rochdale Urban Design Guide (September 2007)
- Oldham and Rochdale Residential Design Guide (September 2007)

RELEVANT SITE HISTORY

22/01191/PSID was granted in December 2022 for:

Two storey school building, with lobby and toilet facilities, together with associated refurbishment of existing plant, water tank and substation block, and associated landscape works, following demolition of existing main school building.

Various older applications relating to extensions and alterations to the school.

CONSULTATION RESPONSES

Sport England: no objection, subject to previously approved conditions remaining effective.

LLFA: no objection, subject to previously approved condition not being amended.

Education: confirmed no comments to make.

Air Quality: no response received.

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours. No representations have been received.

ANALYSIS

Principle of Development

The principle of the proposed development was established by the granting of planning permission 22/01191/PSID, with the associated assessment addressing all material planning considerations. The proposed amendments will not materially alter the approved use and character of the site.

The amendments will assist with tackling and adapting to climate change by introducing renewable energy generation on site, in accordance with Core Strategy policy G1 and section 14 of the NPPF.

Impact on Residential Amenity

The canopies will be at least 30m from any site boundary and typically much further, with a maximum height of 5.1m. By virtue of their relative size and separation, the canopies will have no harmful impact on any nearby dwelling or any other sensitive receptor. The proposed amendments accord with the aims of the Guidelines & Standards for Residential Development SPD. The amendments will have no harmful impact on residential amenity and therefore accord with the requirements of Policy DM1 of the RCS and the NPPF with respect to the impacts on amenity of surrounding occupiers, and the standard of amenity for future occupiers of the development.

Impact on Character

The canopies will be set within the approved school site and although they will cover a not insignificant combined area, this will be within the context of larger buildings and areas for play and sport. Canopies of this type are not unusual within school sites, particularly when being used for solar panels. For the reasons, the proposed amendments will not harmfully alter the character and appearance of the site and will meet the requirements of Policies P1 and P3 of the RCS and the NPPF.

Impact on Drainage

The LLFA has confirmed that the proposed amendments will have no impact on the approved details and the remaining pending details to be confirmed by condition.

Impact on Sport Provision

The canopies will be close to some areas for formal play and sport. Sport England have reviewed the proposals and subject to the previously imposed conditions being sustained, they have confirmed no objection to the amendments.

RECOMMENDATION

GRANT subject to the following conditions:

1. The development must be begun not later than 14 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:
 - ☐ The continuity of the existing indoor and outdoor sports use of the playing fields/sports facilities; or,
 - ☐ 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:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - 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.

Procedure Statement

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.

Notes for Applicant:

INFORMATIVE:

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.

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