

APPLICATION NUMBER: 24/00549/FUL

## DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00549/FUL

CASE OFFICER

Rachel Carney

DETERMINATION DATE 28.08.2024 EXT OF TIME

**Address:** Middleton Campus Hopwood Hall College Rochdale Road Middleton M24 6XH

**Proposal:** Erection of two freestanding canopies to provide covered seating area

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

|            |                                                             |    |                                        |   |
|------------|-------------------------------------------------------------|----|----------------------------------------|---|
| 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? | NN | Called in or Planning Panel objection? |   |

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

|     |                                                  |   |
|-----|--------------------------------------------------|---|
| EIA | Screening opinion completed and saved to Onbase? | N |
|-----|--------------------------------------------------|---|

|            |                                                                      |         |
|------------|----------------------------------------------------------------------|---------|
| CONDITIONS | Pre-commencement conditions proposed?                                | N       |
|            | Pre-commencement conditions agreed (or notification period expired)? | N/<br>A |

RECOMMENDATION

APPROVE

CHECKED AND SIGNED OFF BY: LA DATE: 27.08.24

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## **SITE**

The application relates to part of the Middleton Campus of Hopwood Hall College with the specific development site siting on an area of hardstanding between the Henry West and Wardle buildings. The site is close to the Grade II\* Hopwood Hall, Grade II Hopwood Hall Chapel and Grade II listed gated and piers. The site is located within the Green Belt.

## **PROPOSAL**

The application seeks permission for the installation of two free standing canopies that would provide outside covered seating areas for the existing cafeteria.

One of the canopies would have a length of 21m and the other would be 10m and both would have a depth of 6.0m with lean to roofs and a maximum height of 3.2m. Beneath the two canopies there would be space for 17 tables and benches, three of which would be a larger (double) size.

The canopies would be constructed out of a PPC Steel frame, coloured dark grey and the roof would be polycarbonate. Rainwater goods would be Aluminium, coloured dark grey.

The proposed tables and benches are "Hurcules Benches. These are constructed with a heavy duty steel frame and thick steel slats, finished in a dura coat.

## **RELEVANT PLANNING POLICY**

### **National Guidance**

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

JP-S1 Sustainable Development

JP-G8 A net enhancement of biodiversity and geodiversity

JP-G9 The Green Belt

JP-P2 Heritage

JP-P5 Education, skills and knowledge

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

C7 Delivering education facilities

P1 Improving image

P2 Protecting and enhancing character, landscape and heritage

P3 Improving design of new development

G4 Protecting Green Belt

T2 Improving accessibility

DM1 General development requirements

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

G/D/2 Green Belt

D/5 Infilling at Major Existing Developed Sites in the Green Belt).

## **RELEVANT SITE HISTORY**

88/D21983 - Change Of Use From Residential College To Premises For The Provision Of Education - Approved

96/D33017 - Erection Of 2 Sports Rebound Walls - Approved

13/00544/FUL - Change of use of land to create livestock and horticultural area including refurbishment of existing greenhouse, potting shed and tool shed, erection of new storage shed, toilet block, changing room, greenhouse and polytunnel, relocation of existing animal enclosures and creation of new animal enclosures with associated shelters and fencing, and erection of 2.4m perimeter fencing - Approved

18/00234/FUL - Installation of replacement 3G synthetic turf pitch including new 4m high perimeter fencing to replace existing 3m high fencing - Approved

21/00511/FUL - Alterations to existing elevations and the extension of the

Technology Centre and Annex building to form an enlarged specialist education

facility for Construction, Engineering and Advanced Technologies, and the erection

of a recycling centre and associated hard and soft landscaping - Approved

22/00062/ANM - Application for a non-material amendment to planning permission

21/00511/FUL - alterations to include: changes to style and position of windows; removal and reduction in size of rooflights; rearrangement of internal layout; increase in height of recycling centre boundary and change to boundary materials; and, reduction footprint of northern annex at ground floor level only - Approved

22/01083/FUL - Retention of existing animal handling teaching facility and change of use to also include the public exhibition of animals (as a zoo), as well as the erection of polytunnels, animal sheds and other ancillary structures - part retrospective – Withdrawn

24/00130/FUL - Demolition of existing structures and erection of polytunnel, flamingo shelter, meerkat building, cattery and 4no. field shelters as well as extension and alteration of existing barn and teaching buildings to provide additional teaching and animal facilities associated with the existing animal management teaching provision (part retrospective) - Approved

24/00547/FUL - Conversion of former chapel to provide education/teaching facility including internal and external repairs and internal works to provide classrooms and associated facilities, alongside external landscaping and the addition of one accessible parking space - Undetermined

24/00548/LBC - Conversion of former chapel to provide education/teaching facility including internal and external repairs and internal works to provide classrooms and associated facilities, alongside external landscaping and the addition of one accessible parking space - Undetermined

## **CONSULTATION RESPONSES**

### **Conservation And Design**

A neutral impact can be achieved with amendment to materials.

## **REPRESENTATIONS**

The application has been publicised with a site notice, press notice and neighbour notification letters. No letters of representation have been received.

## **ANALYSIS**

### **Principle of development**

The application site is located within the Green Belt as allocated under the Rochdale Unitary Development Plan Proposals Map. The National Planning Policy Framework, 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’.

The NPPF lists the five purposes of the Green Belt:

- 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.

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:

- a) buildings for agriculture and forestry;
- 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;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
  - not have a greater impact on the openness of the Green Belt than the existing development; or
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Under paragraph 155 of the NPPF certain other forms of development are also 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:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- 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 of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

The proposed application doesn't clearly fall within any of the exceptions to inappropriate development provided above, although it could be argued that the entire site, which has education use, is previously developed land, therefore meaning that the development could sit within para 154 g. Nonetheless, saved UDP policy D5 is also relevant to the application with the site allocated as a major existing site within the Green Belt. This policy sets out that limited infilling within the major existing

developed sites within the green belt will be permitted provided that the development:

- a) Is related to the continuing use of the site
- b) Is contained within the boundary shown on the proposals map
- c) Has no greater impact upon the purposes of including land in the green belt than the existing development
- d) Does not lead to a major increase in the developed proportion of the site; and
- e) Does not exceed the height of the existing buildings on site.

As set out in the description of development and the site history, the site has an established educational use and this development is set within a relatively small area between two existing college buildings.

In considering the application against the requirements of policy D5 it is clear that the proposals would be related to the continuing use of the site, to provide additional seating facilities for the college to complement their existing cafeteria. The application states that the existing inside café is at full capacity.

Based on the above, it is clear that the facilities proposed under this application would support the existing welfare facilities for students at the site and therefore support the education provision at Hopwood Hall College and allow them to provide modern facilities to complement and enable their continued provision of education. The NPPF clearly establishes the importance of education and sets out under paragraph 99 that great weight should be given to the need to create, expand or alter schools. With this in mind, subject to the development complying with criteria c-d of saved policy D5, it is considered that the proposal comprises acceptable development within the Green Belt.

#### Assessment under saved policy D5

The application proposes the installation of two canopies and outside seating to provide additional seating for the cafe support the education provision offered on site.

The proposed canopies would be sited between two existing buildings where visibility would only be possible from within the college grounds. The canopies would have a lightweight and open appearance (visual amenity and heritage discussed below) and would have no greater impact upon the purposes of including land in the green belt than the existing development. Similarly, the application would not lead to a major increase in the developed proportion of the site nor would the scale/height of the structures exceed those currently in existence.

Further to the above, it is considered that the application complies with the requirements of saved policy D5 for limited infilling of an existing major developed site within the Green Belt and the application therefore comprises acceptable development in the Green Belt in accordance with saved policies G/D/2 and D5, Core Strategy policy G4, PfE policy JP-G9 and the NPPF.

#### Heritage

The application site lies within the Middleton Campus of Hopwood Hall College. The site lies within the setting of the grade II listed former chapel and the grade II\* listed Hopwood Hall. A number of the oldest college buildings have also been identified as non-designated heritage assets. The application is supported by a heritage statement.

NPPF paragraph 206 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

In accordance with NPPF paragraph 208, where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Places for Everyone (PfE) policy JP-P2 and Rochdale CS policy P2 also apply.

Consultation has been undertaken with the Council's Conservation Officer and it is noted that the canopies would be set in the context of the modern college buildings. While they would be features in the views of the listed chapel and NDHA's, in principle the presence of these structures would not be intrusive or harmful.

Concerns are however raised over the proposed materials and it is noted that the canopies should have a high quality finish that reflects their location in the setting of a number of heritage assets. In this regard, there are specific concerns over the use of a polycarbonate roof, which could have a temporary appearance and age poorly. It is therefore advised that an alternative roof material is considered.

Further to the above, subject to the provision of acceptable materials, the development would have a neutral impact on the significance of the designated heritage and non-designated heritage assets. Alternative materials can be conditioned on approval.

#### Design and visual amenity

Notwithstanding the heritage assessment, consideration needs to also be given to the general appearance of the proposals and their impact on the visual amenities of the area.

As detailed in the heritage assessment, the canopies would be viewed in the context of modern buildings around the site and would provide a functional need for the college. It is noted that improvement to materials are required, nonetheless, the canopies would on the whole appear as lightweight structures within the college and would not unduly harm the visual amenities of the site or the wider area. Subject to approval of materials it is considered that the development would be acceptable in respect of visual amenity and in accordance with policies P1, P3 and DM1 of the Core Strategy.

#### Ecology

Policy G7 of the Core Strategy requires developments to protect existing biodiversity including trees and vegetation. The NPPF also requires the planning system to contribute to and enhance the natural and local environment and policy JP-G8 of PfE requires that through local planning a net enhancement of biodiversity resources will be sought.

Biodiversity net gain became mandatory on minor sites on the 2nd April 2024 and is therefore applicable to this application. Legislation sets out that all sites should provide 10% net gain unless the proposal falls into a prescribed exception, which includes de-minis development, i.e. development that does not impact a priority habitat and impacts less than 25 square meters (e.g. 5m by 5m) of onsite habitat, or 5 metres of linear habitats such as hedgerow).

A biodiversity net gain letter of exception has been submitted with the application and this confirms that the development would not impact 25m2 of habitat.

The LPA are satisfied that this letter demonstrates that the development is exempt from BNG requirements. Additionally, due to the existing nature of the development site (hardstanding), its siting and relatively unobtrusive form (in terms of built development and impact on adjacent land and structures) it is considered that there are no additional ecological impacts from the development and the proposal complies with the requirements of policy G7 of the Core Strategy.

#### Other considerations

Given that the development would complement the existing use of the site and be relatively small in scale it is considered that there are no highway safety concerns, with the site currently be served by good access and adequate parking provision. The development would also not result in excessive noise to warrant any concerns over noise and/or disturbance.

#### Summary

The application would provide appropriate facilities to complement the existing education use at the site. With a change to roofing materials the development would adequately protect the setting of adjacent heritage assets and the recommendation is for approval.

### **RECOMMENDATION**

### **APPROVE**

1. The development must be begun within three years of the date of this decision notice

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

2. The development shall be carried out in accordance with the following application plans and documents unless otherwise required by the conditions below:

- Location Plan – Drawing no. 00500 Rev P01
- Existing Site Plan – Drawing no. 00501 Rev P01
- Proposed Site Plan – Drawing no. 00502 Rev P02
- Existing Plans – Drawing no. 503 Rev P01
- Proposed Plans – Drawing no. 504 Rev P02
- Existing Elevations – Drawing no. 00505 Rev P01
- Proposed Elevations – Drawing no. 00506 Rev P02
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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. Notwithstanding the details shown on drawing no. 00506 Rev P02 – Proposed Elevations, the use of polycarbonate for the roofs of the canopies is not approved. No above ground works shall take place until samples and/or specification for an alternative roofing material have been submitted to and approved in writing by the Local

Planning Authority. The development shall be constructed of the approved materials and retained as such thereafter.

Reason: In the interest of visual amenity and to protect the setting of the nearby designated and non-designated heritage assets and to accord with policies P1, P2, P3 and DM1 of the adopted Rochdale Core Strategy, policy JP-P2 of Places for Everyone and the National Planning Policy Framework.

4. Unless specified by other conditions, the canopies shall first be constructed in accordance with the materials identified on drawing no. 00506 Rev P02 - Proposed Elevations, and be retained as such thereafter.

Reason: In the interest of visual amenity and to protect the setting of the nearby designated and non-designated heritage assets and to accord with policies P1, P2, P3 and DM1 of the adopted Rochdale Core Strategy, policy JP-P2 of Places for Everyone and the National Planning Policy Framework.

### **Procedure Statement**

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

### **Notes for Applicant:**

Report Author Rachel Carney