

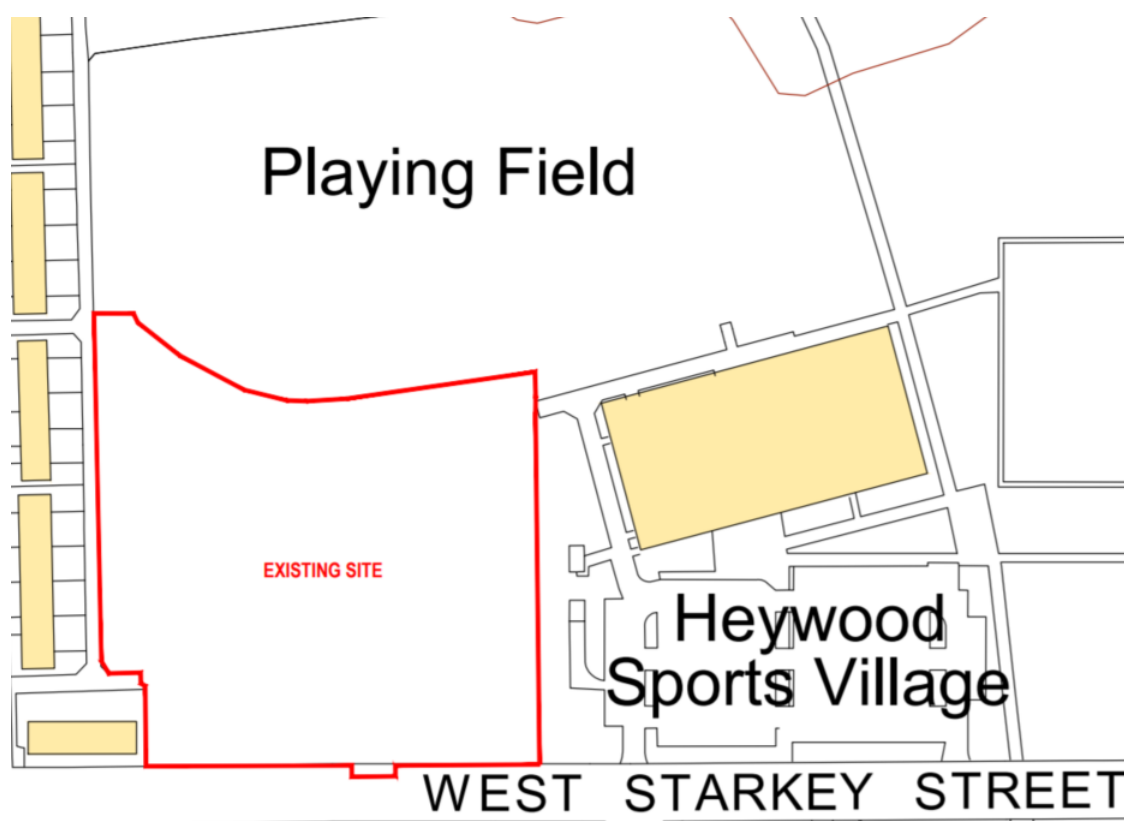
Report to Planning and Licensing Committee



Date of Meeting	7 December 2023
Portfolio	Councillor Daniel Meredith Cabinet Member for Regeneration & Housing
Report Author	James Hughes
Public/Private Document	Public

Application: 23/00852/PSID	Township: Heywood	Ward: North Heywood
Applicant: Department of Education		Agent: Icen Projects
Site Address: Land North of West Starkey Street, Heywood		
Proposal: Erection of a two-storey school building, with associated access, parking, refuse store, outdoor recreation facilities, landscaping and ancillary works		

SITE LOCATION



DELEGATION

- 1.1 The application is referred to the Planning and Licensing Committee in accordance with the scheme of delegation, as the application would represent a departure from the Local Plan.

PROPOSAL SUMMARY

- 2.1 The application proposes the erection of a two-storey educational facility (School for pupils aged 11-19 with Special Educational Needs and Disabilities (SEND)).

RECOMMENDATION

- 3.1 It is recommended that the committee resolves it is **minded to GRANT** planning permission subject to referral to the Secretary of State. If the Secretary of State is not minded to 'call in' the application for determination, the head of planning be delegated to release the decision notice subject to the conditions listed in this report and any other conditions.

REASON FOR RECOMMENDATION

- 4.1 The site lies to the north of West Starkey Street and to the west of the Heywood Sports Village building within relative proximity to Heywood Town Centre. The site has previously been used as playing pitches however, these are no longer in use and effectively comprise disused sports pitches associated with Heywood Sports Village, with the appearance of scrubland. Nonetheless, as the site was used as playing pitches, the loss of the playing pitches whether disused or not must be appropriately mitigated against.
- 4.2 The proposed erection of an educational facility, providing much needed school places for pupils aged 11-19 who have special educational needs within the Borough of Rochdale would relieve significant pressure, on existing educational facilities and services within the Borough and also reduce reliance on out of borough placements. This attracts 'great weight' in determining this application, as required by paragraph 95 of the NPPF.
- 4.3 Whilst it is noted that the proposed school would be relatively functional in appearance and design, the proposed siting, layout, appearance and proposed landscaping treatment are acceptable in this context and conditions requiring further details following the granting of planning

permission and across the lifetime of the development are recommended.

- 4.4 No unacceptable harm has been identified in respect of residential living conditions of surrounding occupiers or upon the local highway network. In addition, no unacceptable harm that cannot be controlled through the imposition of conditions has been identified regarding contaminated land or relating to historic coal mining activity.
- 4.5 Overall, the proposal comprises suitable development on an appropriate site, subject to mitigation relating to loss of the former playing pitches that is consistent with local and national planning policies, as well as emerging regional policies as set out in Places for Everyone.

SITE

The application relates to land on the north side of West Starkey Street in Heywood and which is designated as 'Recreational Open Space' as set out in Saved UDP Policy G/3. The site is comprised of former playing fields / open space, currently unused, adjacent to Heywood Sports Village leisure centre. The site is a regular shaped parcel of land, with Heywood Sports Village immediately to the east. The rear boundaries of dwellings on the east side of Cedar Avenue lie to the west and an existing playing field lies to the north, beyond which are the rear boundaries of dwellings on the south side of Clay Bank Street. There is an existing strip of woodland/scrub along the west boundary of the application site, as well as an existing hedgerow to the south of the site, along the north side of West Starkey Street.

PROPOSAL

The application seeks permission for the erection of a two-storey school. The school will provide education facilities for up to 76 pupils with special educational needs. The main school building will occupy roughly the centre of the application site, with the principal elevation facing south towards West Starkey Street, set back from the highway. An existing hedge is to be largely retained along the front boundary, with separate vehicular and pedestrian access points created from the north side of West Starkey Street into the site.

The proposed school building will be largely rectangular, with a rear projection close to the northeast corner of the school. A flat roof is proposed, with external walls consisting of a mix of dark grey and light grey brickwork to the ground floor elevations, with coloured cladding panels to the first floor (white render and buff render). Fenestration will consist of dark grey aluminium frames. A feature canopy is proposed over the main entrance to the front elevation, with two first floor windows feature a projecting box frame. External learning spaces are proposed to the rear elevation of the school, which are to be covered by canopies.

Parking (32 spaces including three accessible bays, four EV bays and a cycle shelter with eight hoops) is proposed between the front elevation of the proposed school and the south boundary with West Starkey Street, including areas of grass and tree planting. Existing woodland/trees along the west boundary are to be retained, but trimmed where necessary to allow for the provision of a new boundary fence. Additional landscaping and amenities are proposed to the side (west) and rear grounds of the school including species-rich grassland planting, orchard trees, a Multi-Use Games Area (MUGA) and informal football pitch.

RELEVANT PLANNING POLICY

Development Plan

Adopted Rochdale Core Strategy (RCS):

SD1	Delivering sustainable development
DM1	General development requirements
SO1	Delivering a more prosperous economy
E2	Increasing jobs and prosperity
SO2	Delivering successful and healthy communities
C6	Improving health and wellbeing
C7	Delivering education facilities
C8	Improving community, sports and 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
G7	Increasing the value of biodiversity and geodiversity
SO5	Delivering sustainable transport
T2	Improving accessibility

Unitary Development Plan (UDP):

G/D/1	Defined Urban Area
G/3	Protection of Existing Recreational Open Space

Places for Everyone (PfE)

PfE is a joint Development Plan Document being prepared by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). It identifies the quantum of new housing and employment development, supports the delivery of key infrastructure, and protects environmental assets. The Plan has been submitted to the Secretary of State for Levelling Up, Housing and Communities, and its Examination in Public commenced in November 2022. Hearings sessions concluded in July 2023 and the inspectors advised in September 2023 that they are satisfied at this stage of the examination that all of the proposed main modifications are necessary to make the Plan sound and/or legally compliant, and would be effective in this regard. Consultation of the Main Modifications commenced on 11 October 2023 and will close on 06 December 2023. Consequently, the plan is at a very

advanced stage in the plan making process and substantial weight can be attached to its policies.

Emerging policies relevant to this application are:

JP-S 1 – Sustainable Development

JS-P 4 – Resilience

JP-S 6 – Clean Air

JP-G 9 – A Net Enhancement of Biodiversity and Geodiversity

JP-P 1 – Sustainable Places

JP-P 5 – Education, Skills and Knowledge

JP-P 7 – Sports and Recreation

JP-C 7 – Transport Requirements of New Development

National Planning Policy and Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

RELEVANT HISTORY

No relevant history.

CONSULTATION RESPONSES

Coal Authority (CA) – Received 31 August 2023

NO OBJECTION.

Note that the application site falls within the defined Development High Risk Area. Therefore, the application site and surrounding area has potential development hazards relating to historic coal mining activity.

CA note that the application has been submitted with the support of a Coal Mining Risk Assessment (CMRA). The CMRA concludes there is potential risk posed to the development by past coal mining activity. Therefore, intrusive site investigations are recommended. CA have recommended a pre-commencement condition and informative notes that should be added in the event the application is approved.

Environmental Health (EH) – Received 07 September 2023

NO OBJECTION.

EH requested a condition requiring that cumulative noise from external plant not exceed 47 dB(A) measured from 1m from noise sensitive receptors. Plant

should only operate during the daytime (07:00 – 19:30). If plant is required to operate during the night, a further noise impact assessment will be required.

EH have accepted the submitted Noise Impact Assessment prepared by Hydrock. The proposed development should operate in accordance with the recommendations contained therein, including Section 6.2

EH confirmed acceptance of the submitted CEMP. A compliance condition relating to the CEMP is proposed.

Environmental Management (Open Space) – Received 18 August 2023

No comments to make.

Environmental Protection (EP) – Received 30 October 2023

NO OBJECTION, subject to a pre-commencement condition.

Greater Manchester Ecology Unit (GMEU) – No Response Received

No response was received from GMEU. *Officer Comment:* No trees will require removal as part of the development. The application has also been supported by a Preliminary Ecological Appraisal Report and a Biodiversity Metric Report.

Greater Manchester Police (GMP) – Received 06 September 2023

NO OBJECTION, subject to a recommended condition regarding compliance with relevant sections within the submitted Crime Impact Statement.

Highways and Engineering – Received 24 August 2023

NO OBJECTION.

Highways observed that the proposal is for a SEND school, which would have a more reduced traffic impact than a standard entry educational establishment.

The application has been submitted with the support of a Transport Assessment (TA) and highways consider that there are no inherent road safety issues on the surrounding network.

RBC Highways Have requested that the applicant funds amendments to existing TWOs, including introduction of a standard school zone around entrances and 20mph speed restriction on West Starkey Street.

The proposed development is located close to the centre of Heywood with access to local amenities and public transport links. The submitted Framework Travel Plan is accepted. A full Travel Plan would be expected to be submitted soon after occupation.

Internal access arrangements are acceptable, as are refuse servicing requirements.

Further details of the vehicular access arrangements onto West Starkey Street and internal access arrangements within the site will be required. However, the principle of the access appears acceptable.

Parking arrangements are acceptable. A condition should be added requiring retention of the car parking areas and retention for their intended purpose. All parking areas and access roads within the development must be SUDs compliant.

The expected traffic generation data is accepted and no undue impact is expected on the capacity of the local highway network. A construction & Environmental Management Plan (CEMP) has been submitted and accepted. As such, the required condition will be a compliance condition.

Lead Local Flood Authority (LLFA) – Received 04 September 2023

NO OBJECTION, subject to the imposition of a pre-commencement condition relating to sustainable surface water drainage scheme and foul water drainage scheme. The condition is similarly worded as the recommended condition from United Utilities. As such, the two conditions will be combined/adapted for clarity and so as to avoid imposing an unnecessary number of conditions.

Play Pitch Programme & Project Development Officer – Received 22 August 2023

NO OBJECTION.

Stated that any Section 106 Agreements for formal sport would be allocated to Heywood Sports Village.

Public Rights of Way Officer (PROW Officer) – No Response Received

No response received. However, it is not expected that any existing PROWs would be impacted by the proposed development and, as such, no response is required.

Schools – Received 21 August 2023

NO OBJECTION.

Sport England (SE) Response I – Received 06 September 2023

OBJECTION.

'Sport England objects to this application as it does not currently meet Sport England's Playing Fields Exception 4 and Paragraph 99(b) of the NPPF.

However, Sport England would consider withdrawing the objection once the necessary legal mechanisms to secure the proposed mitigation is secured and the recommended conditions as set out are included on any decision notice'

The objection goes on to provide a policy review and full assessment against SE's policies. This was shared with the applicant and it is understood discussions between the applicant, the LPA's Schools team and SE took place.

Sport England (SE) Response II – Received 11 October 2023

OBJECTION.

'Sport England maintains its objection to this application as it does not currently meet Exception 4 and Paragraph 99(b) of the NPPF. However, Sport England would consider withdrawing the objection once the necessary legal mechanisms to secure the proposed mitigation is secured and the recommended conditions as set out are included on any decision noise. An assessment of the submitted is set out below with a suggested potential resolution.

The objection, again, goes on to provide a policy review and full assessment against SE's policies. This was again shared with the applicant and additional communication between the applicant, planning agent, LPA's Schools Team, LPA's Legal Team and Sport England took place.

Sport England (SE) Response III – Received 14 November 2023

OBJECTION.

'Sport England maintains its objection to this application as currently is it not considered to meet Exception 4 of the Playing Field Policy, and paragraph 99(b) of the NPPF.

Should the LPA be minded to grant planning permission for the proposal, contrary to SE's objection, then in accordance with The Town and Country Planning (Consultation) (England) Direction 2021, the application should be referred to the Secretary of State, via the Planning Casework Unit.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

Potential Resolution

- The submission of a legal mechanism is required which should include the following:
 1. Identification of the precise site(s) and pitch(es) for the mitigation sum to be invested in – shown on a location plan and in address form.

2. Confirmation of the source of the mitigation sum which should be directly from the development and not from existing public money.
3. Schedule of works required informed by a Feasibility Study undertaken by a sports turf specialist composed of a turf agronomy report and consequent schedule and timetable of works.
4. Agreed cost of works
5. Timetable for implementation including timetable for securing planning approval should that be required. Normally, mitigation would need to be secured and implemented prior to commencement of the development. However, in this case the area of playing field that will be lost is disused with no existing pitch users affected. For that reason, SE suggests the timetable for delivery of mitigation works be agreed with the LPA in conjunction with SE.

Strategic Planning – Received 05 September 2023

NO OBJECTION.

“The application site is part of a wider area which is afforded protection under Policy G3 (Protection of Existing Recreational Open Space) of the Rochdale UDP, however it is acknowledged that the site previously used as a sports pitch has been decommissioned and out of use for a number of years. The pre-application discussions on the site and mitigation approach agreed with Sport England are also noted.”

Transport for Greater Manchester (TFGM) – Received 11 September 2023

NO OBJECTION.

TFGM made observations on the submitted Transport Assessment (TA) and provided some commentary on existing TROs. The LPA has referred back to their Highways and Engineering team.

United Utilities (UU) – Received 02 October 2023

NO OBJECTION.

UU confirmed no objection to the proposals, subject to conditions requiring full details of a sustainable surface water drainage scheme and a foul water drainage scheme prior to commencement of the development, as well as a separate condition regarding its ongoing maintenance.

The UU consultation response included a large amount of additional information for the applicant to consider. The consultation response was duly shared with the applicant for their further consideration.

TOWNSHIP PLANNING PANEL

These will be included in the Update Report, should any comments be received.

MEMBER REPRESENTATIONS

None.

PUBLIC REPRESENTATIONS

Letters of notification were sent to surrounding properties on 18 August 2023. In addition, a 'Departure' site notice and 'Major Application' site notice were displayed on West Starkey Street on 17 August 2023. The proposed development was also advertised in local press as a departure from the development plan and a major development on 24 August 2023.

No representations were received following expiry of the notifications, site notices and/or press notices.

ANALYSIS

Principle of Development

1. Paragraph 95 of the NPPF states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. LPAs should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education, by:
 - Giving great weight to the need to create, expand or alter schools through decisions on applications
 - Work with school promoters, delivery partners and statutory bodies through the preparation of plans and decisions on applications
2. Core Strategy Policy C7 states that the Borough will seek to improve education, skills and training in the borough and raise educational achievement by, amongst other things, providing good quality primary and secondary educational facilities and promoting new facilities which have the opportunity to encourage and promote better links with schools and colleges. These aims will be achieved by, inter alia:
 - Providing educational facilities in appropriate and accessible locations
 - Improve accessibility to educational facilities by foot, cycling and public transport
 - Seek high quality design of educational buildings with facilities appropriate to support learning
 - Ensure educational facilities are sustainable and provide good access to communities, the natural environment, heritage, culture and lifelong learning

3. Emerging PfE Policy JP-S 4 states that development will be managed so as to increase the capacity of its citizens, communities, businesses and infrastructure to survive, adapt and grow despite challenges. This includes through promoting significant enhancements in education, skills and knowledge.
4. The application seeks permission for the erection of an educational facility, consisting of a SEND (Special Educational Needs and Disabilities) School for 76 pupils aged of 11-19. Pupils in attendance will have an EHCP (Educational Health and Care Plan) and have a diagnosis of ASC (Autism Spectrum Condition). The proposed school is located in a sustainable location within close proximity to Heywood Town Centre.
5. As noted above, the NPPF is clear that 'great weight' should be afforded to the need to create, expand or alter schools through decisions on applications. However, the site is allocated as Protected Open Space in the UDP and the principle of development therefore requires further consideration in relation to the relevant policies.

Protection of Existing Recreational Open Space

6. Paragraph 92 of the NPPF sets out that planning decisions should aim to achieve healthy, inclusive and safe places which should, inter alia, enable and support healthy lifestyles through the provision of safe and accessible green infrastructure and sports facilities.
7. Paragraph 98 goes on to state that access to a network of high quality open spaces and physical activity is important for the health and wellbeing of communities. Paragraph 99 goes on to state that existing open space, sports and recreational land, including playing fields, should not be built on unless:
 - a) *An assessment has been undertaken which has clearly shown the open space or land to be surplus to requirements.*
 - b) *The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.*
 - c) *The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*
8. Emerging PfE Policy JP-P 7 sets out that a network of high quality and accessible sports and recreation facilities will be protected and enhanced, supporting greater levels of activity for all ages. This will be achieved by, inter alia, requiring new development to support the achievement of strategic and local plan standards by providing new and/or improving existing facilities commensurate with the demand they would generate, ensuring that they meet accessibility standards.

9. The proposed school would be sited on land that is allocated as existing recreational open space. Saved UDP Policy G/3 (Protection of Existing Recreational Open Space) states that the development of such space for any other purpose will not be permitted, unless one or more of the following exceptions are triggered:

- a. The development is for a non-commercial community use within a park or other outdoor recreation area, is ancillary to the recreational use of the area, would not lead to any deficiency in recreational open space in relation to present or future needs, and does not harm the recreational, townscape or nature conservation value of the remaining open space.*
- b. Alternative provision is made of at least the equivalent quantity and quality of recreational open space, is in a satisfactory location and taking account of local environmental and traffic considerations.*
- c. The development funds improvements to existing outdoor sports facilities within the site or on another site, commensurate with the open space being lost.*
- d. The development comprises a built recreational facility of greater benefit to the wider community than the open space being lost and does not result in a serious deficiency in open space in the area.*

Where exceptions are to be made under (b) and (c) above, the Council may impose planning conditions and/or seek planning obligations under S106 of the Town and Country Planning Act 1990 to secure the suitable replacement or improvement of open space.

With regard to criterion (d), such proposals will only be permitted where no suitable alternative brownfield site exists.

School playing fields which are surplus to educational requirements, and privately-owned sports ground which have deteriorated due to lack of use and maintenance, will continue to be safeguarded from development as they still offer potential to meet current and future recreational needs.

10. CS Policy G6 states that the LPA will take into account local and national planning policy requirements when considering the appropriateness of development proposals that may affect sports, recreation and open space provision through, amongst other things, being consistent with a focus on green infrastructure and the wider than local value that green infrastructure can have.
11. CS Policy C8 sets out that the Council will support and promote the provision of better community, sport, leisure and cultural facilities. Policy C8 states that it will be ensured that development protects existing

facilities from development for other uses and ensure that development, through land assembly and financial contributions to new or improve facilities are provided where development will increase demand and there is a recognised deficiency.

12. Before considering this policy in full it is relevant to consider the Development Plan comprises the Core Strategy (2016) and the saved policies of the Unitary Development Plan. The Core Strategy was adopted in October 2016 and as such has exceeded the 5 years in which the NPPF expects a Local Plan Review to have taken place. It is therefore necessary to consider the policies of Rochdale Council's Core Strategy against the latest NPPF policies for consistency. Of greatest relevance to the principle of development for this application is the consideration of UDP Policy G/3. From a comparison of the criteria to allow release of existing open space and playing fields it is clear that NPPF provides a less restrictive route in criteria (a) whereby an assessment of whether the space is surplus to requirements would be sufficient justification to comply with the policy. It is therefore considered that UDP Policy G/3 should be afforded limited weight in relation to its prescriptive criteria albeit its general principle of protecting open spaces remains consistent with the overarching national objectives.
13. The proposed school is sited on an area of land that is allocated as 'Protected Existing Recreational Space', with the site consisting of a disused and/or informal area of recreational space or playing fields. As set out in Paragraph 99 of the NPPF, the assumption is that development proposals for any other use are inappropriate and should not be supported on such land unless the necessary criteria have been met. As set out in Saved UDP Policy G/3, this includes such land that has deteriorated due to lack of use and maintenance, with this land continuing to be safeguarded from development as such land still offers potential to meet current or future recreational needs.
14. The proposed educational facility would thus lead to a loss of recreational land and this is unacceptable. However, provision is made in saved UDP Policy G/3 for development to be made acceptable in the event that alternative provision is made of at least the equivalent quantity of recreational open space in a satisfactory location. Alternatively, development proposals can also be made acceptable if the development funds improvements to existing outdoor sports facilities within the site or to another site, commensurate with the open space being lost. This is further set out under Paragraph 99 of the NPPF, which states that development proposals that would build on playing fields can be acceptable if the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality.
15. Rochdale's Playing Pitch Strategy (PPS) identifies that there may be future deficiency of junior pitches however dealing specifically with Heywood Sports Village it is identified that there is capacity in the area

and that unused areas within the facility could be released, with further investment focused on improvements to the existing used pitches.

16. Sport England (SE) is the relevant national body and statutory consultee and has a relevant policy (Playing Fields Policy) that states: 'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or any part of a playing field, including land which has been used as a playing field and remains undeveloped, or land allocated for use as a playing field'. The Policy goes on to set out exceptions, 'Exception 4' being 'The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field of equivalent or better quality, of equivalent or greater quantity, in a suitable location and subject to equivalent or better accessibility and management arrangements'.
17. Pre-application discussions are understood to have taken place between SE and the Council, including the PPS Manager. It was agreed in principle that any contribution or mitigation for the loss of the disused playing pitches should be spent or made at Sutherland Road Playing Fields and/or Heywood Sports Village, where most of the local children's sports teams train and play. SE are understood to have agreed to this approach and a contribution of £95,000 for mitigation works at one/both these location(s) to mitigate against the loss of recreational space.
18. On receipt of the planning application, SE were duly consulted and subsequently objected to the proposal. SE accept the contribution of £95,000 and the locations of both or either Heywood Sports Village and Sutherland Road. As such, SE's 'Exception 4' has been met. However, their objection is raised on the basis that the submitted application has not been supported with information pertaining to the extent of works required to provide this mitigation and specific pitch improvements. In addition, SE expect such mitigation to be agreed through an appropriate legal mechanism, with no details provided with the application.
19. SE have suggested the following alterations, as set out below:
 - Submission of a legal mechanism/Section 106 Agreement is required which should include identification of precise site(s) and pitch(es) for the mitigation sum to be invested in – shown on a location plan and in address form.
 - Schedule of works required informed by a Feasibility Study undertaken by a sports turf specialist composed of a turf agronomy report and consequent schedule and timetable of works.
 - Agreed cost of works
 - Timetable for implementation including timetable for securing planning approval should that be required. Normally, mitigation would need to be secured and implemented prior to commencement of development. However, in this case, the area of playing field that will be lost is disused with no existing pitch

users affected. For that reason, SE suggests the mitigation commence at the same time as commencement of the development of the school.

20. The LPA reviewed the objection received, with further extensive discussion having taken place between Sport England, Department for Education, the Local Planning Authority and various other officers and representatives for and on behalf of the council. However, regrettably, no agreement could be reached that would allow for Sport England to remove their objection to the proposal prior to publication of this report. Sport England maintain their objection as the proposed development would not be considered to be consistent with Sport England's 'Exception 4', as set out in Section 6 of Sport England's 'Playing Fields Policy and Guidance' dated March 2018. As such, the proposal would also fail to be consistent with Paragraph 99(b) of the NPPF, which sets out that existing sports land, including playing fields, should not be built on unless the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

21. Section 4 of the Playing Fields Policy and Guidance sets out that 'The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- Of equivalent or better quality, and
- Of equivalent or greater quantity, and
- In a suitable location, and
- Subject to equivalent or better accessibility and management arrangements.

22. As set out previously, it is the Council's intention to invest £95,000 into playing fields at Heywood Sports Village and/or Sutherland Road, Heywood. The monies would be used to improve the relevant play pitches, with it the LPA's intention to secure this by way of the following condition, to be imposed in the event the application is approved.

'Within 6 months of the commencement of above ground works a scheme for compensatory pitch improvements, relating to pitches at Sutherland Road and/or Heywood Sports Villages, will be submitted to and approved in writing by the Local Planning Authority. The use of the school shall not commence other than in accordance with a timetable for delivering the scheme for compensatory provisions to be agreed in writing with the Local Planning Authority.'

23. As also previously addressed, Sport England have confirmed their flexibility for the submission of a timetable for implementing pitch improvements. Normally, mitigation is needed prior to commencement of development. However, as Sport England note, no existing pitch users would be affected by the proposed development as the existing sports

pitches that the school is to be built upon are not in use. Sport England thus suggest that a timetable of mitigation works be agreed with the LPA in conjunction with Sport England. Nonetheless, the LPA are instead seeking to approach the issue through the imposition of the planning condition as set out in Paragraph 27 of this Report.

24. It is not possible to provide the exact details and evidence required to remove Sport England's objection within their desired timeframe without serious and untenable delays to the delivery of the SEND School. With regards to funding specifically, the LPA cannot have a Section 106 agreement with itself as a matter of law. The use of suitably worded conditions would ensure the practical matters of delivery required by SE are addressed. Given the nature of the application and the control of the areas of land being considered, the council would have full control of this delivery hence it is considered reasonable and enforceable through a planning condition. Sport England have raised concern on where the funding will be sourced in relation to the council's involvement however this is not a relevant matter in planning which would in no case control the source of funding for mitigation measures needed to make an application proposal acceptable. In summary SE's prohibition for funds being provided by the Council rather than the applicant (Department for Education) is not a matter or limitation for Sport England to have regard to or impose.
25. It is acknowledged that the current scheme of mitigation for the loss of the playing field lacks full details for a decision to be made under 'Exception 4' of Sport England guidance. The principle of what funding is required and where this is to be allocated is a matter of agreement with SE and the LPA, applicant and planning agent are working collaboratively to provide full details which would comply with the proposed planning conditions. However, the build schedule for the crucial SEND School requires that these details be submitted following commencement of the proposed school. Whilst the proposed condition allowing submission of the details within 6 months may not meet Sport England's internal guidance, this approach is consistent with existing policy. In relation to Paragraph 99(a) of the NPPF, the council have considered the assessment within the PPS which identifies that the existing sports pitches at Heywood Sports Village are already underutilised and could be released with reinvestment on the remainder of the site which has sufficient capacity. In relation to Paragraph 99(b) of the NPPF, the quality of the land means it would be uneconomical to bring it back into use as playing pitches and off-site provision represents a better use of the £95,000. It should also be noted that this sum is agreed by Sport England. As such, the proposed planning condition attached to the permission will ensure that these funds produce better provision in the locality as a result of the development.

Design & Visual Impact

26.Paragraph 126 of the NPPF states that the creation of high quality, beautiful and sustainable buildings is fundamental to what the planning and development process should achieve. Paragraph 130 goes on to states that planning decisions should ensure that development:

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development
- Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping
- Are sympathetic to local character and history, including the surrounding built environment and landscape setting.
- Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development.
- Create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

27.Emerging PfE Policy JP-P 1 states that all development, wherever appropriate, should respect and acknowledge the character and identity of the locality in terms of design, siting, size, scale and materials used. Development should be visually stimulating, creating interesting and imaginative environments through the use of, amongst other things, quality design. Development should be durable, being built to last and using robust materials that reflect local character, weather well and are easily maintained.

28.CS Policy C3 sets out that all new developments, including associated landscaping and regardless of location in the borough, should adhere to high standards of design and follow relevant design principles, including:

- Enhance the borough's identity and sense of place by respecting context and having regard to scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general.
- Ensure that buildings contribute positively to the townscape and are well proportioned.
- Incorporate design measures that design out crime and ensure developments and spaces are safe to use and access (including lighting as appropriate).

- Ensure a development is easy to move through and get around, especially for pedestrians, cyclists, public transport, disabled people and emergency service vehicles.
- Ensure that the intended functions of buildings and spaces are easily understood, and their entrances appropriately located and visible.
- Design buildings and spaces so that quality and appearance can be maintained over time
- Reduce the monotony and visual impact of car parking areas by using substantial and well integrated landscaping.

29. CS Policy DM1 goes on to set out that all development proposals are expected to demonstrate that they are of a high quality design and take the opportunity to enhance the quality of the area.

30. The application proposes the erection of a single two-storey building, to be used as a SEND School. It is of note that, given the proposed use of the building, a number of factors and constraints required due consideration with the principles of school design and layout largely dictated by the Department of Education and requirements for pupils. The front elevation of the school will face towards West Starkey Street, with the building's main entrance sited prominently to the front elevation and highlighted by way of a proposed canopy feature. Signage is proposed to the front elevation indicating the function and use of the proposed building. Subject to the imposition of a condition confirming lighting details, the proposed building would have a clear, if functional, use and be safe to use and access.

31. The proposed school building would be located centrally within the site, set back from West Starkey Street. The proposed building would be appropriate in its height and scale, set away from nearby buildings and being generally similar to the height and scale of surrounding buildings, with this area of Heywood being low rise with large areas of landscaping separating groups of buildings. The proposed school is appropriate in its scale, particularly when looked at in conjunction with the nearby Heywood Sports Village. External materials, particularly to external walls, would break up the massing of the proposed building, with a proposed feature upward projection to the southwest corner elevation and a single storey outrigger to the east also breaking up the massing of the school. Proposed fenestration, whilst basic, is acceptable on balance and is generally suitably aligned. The LPA sought to enhance the amount of detailing to the front of the façade. However, this was not agreed. Nonetheless, a proposed feature frame projection around an upper floor

window adds an interesting detail which further breaks up the monotony of the proposed front and principle elevation. Proposed side and rear elevations are generally appropriate, with similar materials and fenestration proposed throughout.

32. Proposed external materials would consist of a mix of dark grey and buff brickwork to ground floor elevations, with a mix of white and buff rendered finish to first floor elevations. Whilst brickwork is an acceptable external wall material, it is not considered that a rendered finish, particularly in white, is appropriate upon consideration that through-coloured render material ages and weathers relatively quickly, particularly when considering the prevailing wet climate in the West Pennines. This concern was shared with the applicant. The applicant confirmed that they would be prepared to accept the imposition of a condition requiring that external materials proposed to facades will be subject to a maintenance strategy to counteract concerns regarding the appearance of the building, particularly overtime. Whilst not ideal, such a condition would ensure the appearance of the building would be maintained over the lifetime of the structure. In addition, it is of note that the nearby Heywood Sports Village consists of similar external materials. As such, such external materials are representative of the surrounding area.

33. Parking areas are proposed within the front curtilage of the school, with minimal landscaping proposed consisting of trees and raised pedestrian crossing table leading up to the front entrance of the school from West Starkey Street. The minimal amount of landscaping within the front curtilage of the proposed school was addressed with the applicant. However, the applicant confirmed that due to the proposed use of the school, minimal landscaping is required to the front curtilage to allow the school to be visible and open views are required for safety and security reasons. Whilst additional landscaping would be preferable, it is noteworthy that a hedge along West Starkey Street is to be retained. However, as addressed in the 'Crime and Safety' Section of this Report, submitted supporting document recommends the hedge is reduced in height. Landscaping is addressed further in the 'Landscape and Ecology' Section of this Report.

34. In summary, although the proposed building is relatively functional in appearance with some concerns raised about proposed external materials, the design should be appropriately weighed against the pressing need to provide specialist educational facilities within Rochdale, with it noted that there are particularly acute budgetary constraints and design limitations due to the proposed use and function of the building. Mitigation measures such as maintenance of external elevations and

confirmation of final landscaping, which would ideally include additional landscaping within the front curtilage of the proposed school, can be secured by way of condition. It is also noteworthy that the site as existing is disused and provides no contribution to the character of setting of the surrounding area. Therefore, on balance, the design and appearance of the proposed school and associated grounds are acceptable, consistent with Policies C3 and DM1 of the adopted Rochdale Core Strategy, emerging Policy JP-P 1 of Places for Everyone and the NPPF.

Amenity – Surrounding Users and Occupiers

35. CS Policy DM1 states that all development proposals should be compatible with surrounding land uses, both in terms of impact upon those uses and impact of the surrounding land uses upon the amenities of future residents/users. Development should not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.
36. Upon consideration of the siting, scale and massing of the proposed school building, as well as distance from nearby dwellings and existing/retained landscaping/woodland between the school and dwellings, no undue impact is expected upon the amenity of nearby occupiers by way of visual intrusion, overbearing impact, overshadowing or loss of privacy. As such, the proposal is acceptable and consistent with

Pollution & Land Stability

37. Paragraph 183 of the NPPF sets out that planning decisions should ensure that a site is suitable for its proposed use taking into account ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation. Paragraph 184 goes on to state that, where a site is affected by contamination or land stability issues, responsibility for securing safe development rests with the developer and/or landowner.
38. Paragraph 185 of the NPPF states that planning decisions should ensure that new development is appropriate for its location, taking the likely effects of living conditions. In doing so, they should mitigate and reduce impacts resulting from noise of new development, avoiding noise that would give rise to significant adverse impacts on health and quality of life. In addition, Paragraph 185 sets out that impact from artificial light on local amenity should be limited.

39. CS Policy G9 sets out that all forms of pollution, contamination and land stability in the borough are reduced by, inter alia:

- Requiring that development does not have impacts that lead to an unacceptable increase in air, water, noise, light or other pollution.
- Ensuring sensitive new developments, such as schools, are not adversely affected by existing sources of pollution such as roads and certain types of industry.
- Using planning conditions or obligations to control pollution from new development, or impact of pollution on new development

40. CS Policy DM1 sets out that all development proposals should mitigate against any impacts due to noise, air, dust, light and odour pollution.

41. Emerging PfE Policy JP-P 1 sets out that all development should be consistent with the aim to offer comfortable and inviting indoor and outdoor environments, by offering a high level of amenity that minimises exposure to pollution.

Construction

42. During construction, there is potential for pollution to be generated from the application site in the form of dust emissions and noise and/or vibration. As such, it would be necessary to control such impacts through the requirement of a Construction and Environmental Management Plan (CEMP). This can be controlled through the imposition of a condition requiring a CEMP prior to commencement of the development. As such, subject to condition, impacts in relation to pollution generated during construction of the development can be effectively mitigated against.

Contaminated Land

43. The application has been submitted with the support of a Ground Investigation report. The report was duly shared with the Council's Environmental Protection officer. Upon review, the Environmental Protection Officer confirmed that the report is acceptable. However, a pre-commencement condition would be necessary requiring further monitoring and investigation and a remediation strategy should be produced. Subject to the imposition of this condition, the proposal is acceptable with regards to contaminated land.

Land Stability

44. The proposed development will be sited on land that is identified as a coal mining 'Development High Risk Area'. The application has been submitted duly supported by a Coal Mining Risk Assessment, with the document shared with The Coal Authority for consultation. The Coal Authority confirmed that risks relating to former coal mining activity forms a material consideration. As such, The Coal Authority have requested the imposition of a pre-commencement condition requiring further investigation takes place. Subject to the imposition of the recommended condition, The Coal Authority raises no objection to the proposal and thus the proposal is acceptable in this regard.

Noise Generation

45. The application has been submitted with the support of a Noise Impact Assessment. The type of development proposed and use of land and buildings as an education facility would not be expected to be a significant generator of noise that would have any undue impact on the amenity of surrounding users or occupiers. Likewise, surrounding land uses, which are largely residential or leisure, would not be expected to present undue impact to the future users of the development proposed. The proposed school would only be used during daytime hours and thus no significant noise generation would be expected to occur during night-time hours.
46. Proposed plant equipment to the school would require some control, to ensure that such plant equipment would not be operational during night-time hours. During daytime hours, plant equipment should be controlled so as not to breach specified volume limits. For the avoidance of doubt, the Council's Environmental Health team were consulted on the proposals, with the team confirming no objection subject to conditions relating to plant equipment.

Lighting

47. There is some potential for lighting proposed to the school and associated outdoor amenities to cause some light pollution. To mitigate the potential risk of such pollution relating to lighting, a condition will be imposed requiring a lighting strategy prior to occupation of the development. As such, subject to condition, any impact by way of light pollution can be effectively controlled.

Highways

48. Paragraph 104 of the NPPF states that transport issues should be considered from the earliest stages of development proposals so that

potential impacts of development on transport networks can be addressed. Paragraph 110 goes on to say that, when considering development proposals, it should be ensured that:

- Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location.
- Safe and suitable access to the site can be achieved for all users
- The design of streets, parking areas, other transport elements and the content of associated standards reflect current national guidance.
- Any significant impacts from the development on the highway network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

49. Paragraph 111 of the NPPF 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.

50. Paragraph 112 states that, in this regard, applications for development should:

- Give priority to pedestrian and cycle movements, secondly, give priority to high quality public transport and appropriate facilities.
- Address needs of people with disabilities or reduced mobility.
- Create places that are safe, secure and attractive, minimising scope for conflicts between pedestrians, cyclists and vehicles.
- Allow for the efficient delivery of goods and access by emergency vehicles.
- Be designed to enable charging of EVs in safe and accessible locations.

51. CS Policy T2 sets out that development that offers greater access for all forms of travel will assist with the borough's continuous improvement to become more sustainable. As such, accessibility will be improved by locating development where good access to public transport is available or can be provided. This will be backed by measures to provide effective provision for cyclists, pedestrians and people with impaired mobility. Policy T2 goes on to set out the triggers for when supporting documents (Transport Assessments etc.) will be required.

52. Emerging PfE Policy JP-P 1 states that all development should be easy to move around for those of all mobility levels, particularly by walking and cycling. Development should be located where it can be well-connected to other places, particularly by public transport. Emerging PfE Policy JP-C 7 goes on to set out that planning applications should be accompanied by supporting documents (Transport Assessment/Transport Statement and Travel Plan) where necessary. New development should be located and designed to enable and encourage walking, cycling and public transport use.
53. The application has been submitted with the support of a Transport Assessment (TA) and a Framework Travel Plan (FTP). The Council's Highways officers and Transport for Greater Manchester (TFGM) were consulted on the proposals, with their response based on the information and findings contained therein.
54. As the proposal seeks permission for a school, the main consideration would be road safety and the impact on the highway network during drop off and pick up times. It is noteworthy that given the type of school, pupil numbers will be lower than standard educational establishments of the same size. Despite the lower number of pupils in attendance, it is deemed appropriate and necessary to impose a condition requiring improvements to the highway, consisting of the provision of a standard school zone around the school entrance and a 20mph school zone speed restriction on West Starkey Street. Such Traffic Regulation Orders (TROs) can be secured by way of an agreement directly with highways. However, a condition will also be imposed requiring such agreements/TROs to be implemented prior to occupation of the school. It is also noteworthy that there are no inherent road safety issues on the surrounding highway network.
55. The proposed school will be accessed from West Starkey Street, with separate segregated entrances for those travelling on foot/cycling and for cars/minibuses etc. This is acceptable and reduces potential impact by way of conflicts with different road users. The proposed vehicular access, though acceptable in principle, will require approval from the Highway Authority and, as such, further construction detail is required. Furthermore, although acceptable in principle, the proposed internal roads will require final review by the Highway Authority. As such, the imposition of conditions will be required to ensure that final details and layout are acceptable. Further details would also clarify that safe access/egress from the application site would be achievable.

56. The proposed school would be located in a sustainable urban location, proximate to the local centre of Heywood and proximate to bus routes. It is envisaged that pupils will largely arrive at school via minibus or taxi. It is noteworthy that appropriate facilities are provided internally to accommodate such vehicles during drop off and pick up times at the school. Parking arrangements generally are appropriate, with a suitable number of parking spaces, including disabled bays, cycle parking, motorcycle parking, minibus parking and EV charging facilities. Subject to condition requiring such parking to be marked out appropriately, parking facilities are acceptable. It is also noteworthy that suitable swept path analysis has been provided for refuse vehicles and emergency vehicles, including internal routing.
57. In addition to the above assessment, conditions will be required ensuring that a suitably scoped CEMP is provided, as well as a Travel Plan.
58. In summary, the application is acceptable with regards to highway safety and impacts to the highway network, in accordance with adopted Rochdale Core Strategy T2, emerging Places for Everyone Policies JP-P 1 and JP-C 7 and the National Planning Policy Framework.

Crime and Safety

59. Paragraph 130f of the NPPF states that development should be designed to ensure places are safe, inclusive and accessible and which promote health and wellbeing, where crime and disorder and the fear of crime do not undermine the quality of life or community cohesion and resilience.
60. CS Policy DM1 sets out that all development proposals should minimise opportunities for crime against people or property, whilst CS Policy P3 states that developments should incorporate design measures that design out crime and ensure developments and spaces are safe to use and access (including lighting as appropriate).
61. Emerging PfE Policy JP-S 4 also states that development should be managed so that it designs out opportunities for crime, anti-social behaviour and terrorism.
62. The application has been submitted with the support of a Crime Impact Statement, which sets out a number of recommendations to ensure that the proposed development can operate safely and minimise the risks of crime. Greater Manchester Police (GMP) were consulted on the proposals, with no objection received subject to application of those recommendations contained within the submitted Crime Impact

Statement. It is not clear from submitted plans as to how lighting will be used to ensure that buildings and external spaces remain appropriately lit to minimise crime and increase safety. As such, a condition will be imposed requiring a final lighting strategy.

63. The proposal is acceptable with regards to crime and safety, with measures identified in supporting documents. Subject to condition, the proposal is consistent with adopted Rochdale Core Strategy policies C3, DM1, emerging Places for Everyone Policy JP-S 4 and the National Planning Policy Framework.

Biodiversity & Ecology

64. Paragraph 174 of the NPPF sets out that planning decisions should contribute to and enhance the natural and local environment. Development should achieve this by, inter alia, minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
65. Paragraph 180 states that if significant harm to biodiversity resulting from development cannot be avoided, adequately mitigated against, or, as a last resort, compensated for, then planning permission should be refused.
66. Emerging PfE Policy JP-G 9 sets out that a net enhancement of biodiversity will be sought. Development will be expected to follow a mitigation hierarchy of avoiding harm to biodiversity, mitigating any harm to biodiversity, then, compensating for any remaining harm to biodiversity. Development is expected to achieve a net gain in biodiversity.
67. CS Policy G7 states that increasing the value of biodiversity will protect and enhance the borough's wildlife habitats and species. Development proposals are expected to protect and include existing biodiversity and features on development sites, whilst taking opportunities to promote biodiversity and create new habitats through new development using landscaping.
68. The application has been submitted with the support of a Preliminary Ecological Appraisal Report, which recommends mitigations relating to existing or potential wildlife on the application site, as well as steps to be taken to support or mitigate harm to wildlife. The measures to be taken will be secured by way of the imposition of a condition.

69. The application has been submitted with the support of a Biodiversity Metric Report. The report finds that the proposed development would show a gain in habitat and hedgerow units, translating to a gain of approximately 13% in habitat units and 64% in hedgerow units. However, the proposed plans do not satisfy the habitat or hedgerow trading rules, as equivalent habitats have not been 'traded up'. The submitted report goes on to state that alterations can be made to the mix of proposed habitat creation to satisfy trading rules. In addition, additional species enhancements could be provided on site, which could include bat and bird boxes, hedgehog houses and hibernacula. As such, although the principle of the proposal is acceptable with regards to landscaping and ecology, the imposition of a landscaping and/or ecology condition will be required.
70. Subject to condition, the proposal is acceptable with regards to biodiversity and ecology, consistent with adopted Rochdale Core Strategy Policy G7, emerging Places for Everyone Policy JP-G 9 and the National Planning Policy Framework.

Trees

71. Paragraph 131 of the NPPF states that trees make an important contribution to the character and quality of urban environments, and can also help mitigate against climate change. Planning decisions should ensure new streets are tree lined and that opportunities are taken to incorporate new trees in developments. Existing trees should also be retained wherever possible. Paragraph 180(c) of the NPPF goes on to say that development which results in the loss or deterioration of irreplaceable habitats, including ancient woodland and veteran trees, should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists.
72. Emerging PfE Policy JP-G 7 sets out that, in making planning decisions, the aim will be to significantly increase tree cover, protect and enhance woodland and connect people to the trees and woodland around them. This will be achieved by, inter alia, considerably increasing the provision of street trees within urban areas, promoting the provision of community orchards, requiring replacement of lost trees through development on a 2:1 basis and, protecting trees and woodland during the construction phase of development.
73. CS Policy G1 states that new development will be expected to, amongst other things, retain existing trees where possible and take all appropriate opportunity to plant trees and other suitable vegetation on site. Policy G6

goes on to state that the incorporation of green infrastructure, including street trees, should be focused on when considering new development in urban areas. Loss of existing trees should be avoided and new development should replace lost trees at a 2:1 ratio, with the protection of the loss of trees reiterated in CS Policy G7.

74. The application has been submitted with the support of an Arboricultural Impact Assessment and Method Statement. The report robustly addresses any impact to existing/retained trees, with findings and recommendations contained under Section 6 of the submitted report. Those recommendations shall be secured through the imposition of a planning condition.
75. The proposed site plan demonstrates that as well as trees on the application site being retained, 5no. trees are to be planted along the internal access road of the application site, creating a tree-lined 'street' on the application site and leading to a net increase in trees being planted. In addition, a small area of orchard trees are indicated to be planted on the application site.
76. The planting of trees and provision of a small orchard area are welcomed, with the retention of all existing trees on the site also acceptable. The LPA did request additional planting and/or landscaping in the front curtilage of the proposed school. However, this could not be agreed. Nonetheless, the principle of the development is acceptable with regards to the provision of additional tree planting. However, a condition will be imposed requiring final detail of tree planting, as part of the final proposed landscaping scheme. In addition, a condition requiring the replacement of any trees that do not successfully grow within 5 years of planting will also be implemented.
77. Subject to condition, the proposal is acceptable with regards to trees, consistent with adopted Rochdale Core Strategy policies G1, G6 and G7, emerging Places for Everyone Policy JP-G 7 and the National Planning Policy Framework.

Flooding & Drainage

78. Paragraph 167 of the NPPF sets out that planning applications should ensure that flood risk is not increased elsewhere. Paragraph 169 goes on to state that major development should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should take account of advice from the LLFA, have appropriate minimum operation standards, have maintenance

arrangements in place and, where possible, provide multifunctional benefits.

79. Emerging PfE Policy JP-S 5 sets out that developments is expected to be designed and located so as to minimise the impacts of current and future flood risk. In addition, developments are expected to manage runoff and incorporate appropriate sustainable drainage systems.
80. CS Policy P3 sets out that, amongst other things, development shall utilise sustainable drainage systems, with this further set out in CS Policy G1. Policy G8 sets out that all new development does not lead to any form of increased flooding locally. Development should incorporate sustainable drainage systems.
81. The application has been submitted with the support of a Flood Risk Assessment and Drainage Strategy Report. The document was reviewed and shared with United Utilities (UU) and the Council's Drainage Officer (LLFA). The submitted document confirms that the site is located in Flood Zone 1, thus land at the least risk of flooding.
82. The LLFA responded confirming that the drainage strategy prepared is comprehensive. However, additional information would be required with regards to additional plans and a maintenance document. In addition, UU were consulted on the proposals and in turn reviewed the submitted plans and supporting documentation. Whilst UU provided no objection, additional information was requested. In lieu of additional information being provided, UU confirmed that a pre-commencement condition would be required, seeking further information. In addition, UU have requested a condition relating to SUDS and associated maintenance.
83. Subject to conditions, the proposal is acceptable with regards to drainage and flooding. As such, the proposal is consistent with Policies P3, G1 and G8 of the adopted Rochdale Core Strategy, emerging Policy JP-S 5 of Places for Everyone and the National Planning Policy Framework.

Conclusion

84. The application seeks permission for the erection of an educational facility, which will provide specialist educational services to pupils who require additional support. There is a great need for such school places both nationally and within the Borough of Rochdale. The proposed school and associated infrastructure and landscaping are acceptable in the context, with no undue impact on the amenity of surrounding occupiers or highway safety expected. Other issues relating to landscaping, ecology,

past coal mining activity and land contamination are acceptable subject to the imposition of planning conditions.

85. As addressed in the body of this report, the proposed school building's design has been discussed during the assessment of the application and recommendations from the LPA to the applicant on how the appearance of the school may be improved. However, due to time and cost constraints, the urgent need to build the school within a set budget outweighs the modest improvements that were suggested. To mitigate the concerns raised, planning conditions relating to material samples and the maintenance of external elevations have been imposed.

86. The Local Planning Authority and the applicant have not been able to overcome concerns raised by Sport England, with an objection remaining in place with regards to play pitch provision. The point of concern regarding this has been addressed in this report and the Local Planning Authority have taken the view that attempts to allay the concerns raised by Sport England, the pressing and urgent need for specialist educational facilities, as well as the imposition of conditions, outweigh the potential impact that Sport England have identified. On the basis of the great weight afforded under NPPF to the provision of the school places, alongside the mitigation proposed, it is recommended that members are minded to grant planning permission subject to referral to the Secretary of State.

RECOMMENDATION

It is recommended that the Planning and Licensing Committee resolves it is minded to **GRANT planning permission** subject to the following conditions and subject to **REFERRAL TO THE SECRETARY OF STATE**.

1. The development must be begun not later than three years beginning with the date of this permission.

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

2. This permission relates to the following plans:-

- Site Location Plan (Drawing 9002 Revision P1 dated 12 June 2023)
- Proposed Site Plan (Drawing 9001 Revision P10 dated 10 November 2021)
- Proposed Elevations (Drawing 0501 Revision P10 dated 30 April 2021)

- Proposed Ground Floor Plan (Drawing 0400 Revision P7 dated 13 August 2021)
- Proposed First Floor Plan (Drawing 0401 Revision P6 dated 13 August 2021)
- Proposed Roof Plan (Drawing 0402 Revision P4 dated 09 September 2021)
- Proposed Sections (Drawing 601 Revision P9 dated 09 November 2021)
- Proposed Site Sections (Drawing 9004 Revision P4 dated 10 November 2021)
- Outline Below Ground Drainage Strategy (Drawing 1000 Revision P02 dated June 2023)
- Proposed External Louvre Locations (Drawing 5010 Revision P02 dated 07 July 2023)
- Proposed Mechanical Services, External Louvre Locations (Drawing 5011 Revision P02 dated 07 July 2023)
- Proposed Circulation Strategy (Drawing 420 Revision P2 dated 06 July 2023)
- Proposed Access Strategy (Drawing 0421 Revision A0 dated 06 September 2023)
- Proposed Access Strategy (Drawing 0422 Revision P1 dated 06 September 2023)
- Proposed Access Strategy (Drawing 423 Revision P1 dated 06 September 2023)
- Proposed Fencing Strategy (Drawing 424 Revision P1 dated 06 December 2023)
- Noise Impact Assessment (Reference 19522-HYD-XX-XX-RP-0001 dated 16 December 2021)
- Arboricultural Impact Assessment and Method Statement (Reference 81-361-R1-2 dated July 2023)
- Framework Travel Plan (Reference 6001 P02 dated 22 June 2023)
- Ground Investigation prepared by Hydrock (Ref 19522-HYD-XX-XX-RP-GE-0002 dated 16 December 2021).

And the development shall be carried out in accordance with these drawings hereby approved.

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 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, the National Planning Policy Framework and the provisions of the Wildlife and Countryside Act 1981 (as amended).

4. No development shall take place until all trees that are to be retained within or adjacent to the site are enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations' and as set out in Section 6 of the approved 'Arboricultural Impact Assessment and Method Statement'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

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

Reason for pre-commencement condition: Trees are required to be protected prior to any works taking place as ground works can unduly threaten the well-being of the tree.

5. (a) No development shall commence until:
 - A scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity
 - Any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

Confirmation of the details of any required remediation works and/or mitigation measures (or lack thereof if not required) to address land

stability shall be submitted to the Local Planning Authority. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

(b) Prior to occupation of the development, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been, made safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: This is in order to ensure the safety and stability of the development in accordance adopted Rochdale Core Strategy policy G9 and the National Planning Policy Framework.

Reason for pre-commencement condition: In order to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigation measures to be identified and carried out before building works commence on site.

6. (a) No development shall take place unless a detailed remediation scheme to bring the site to a condition suitable for the intended use through removal of unacceptable risk to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority.

(b) Prior to occupation of the development hereby approved, the approved remediation scheme shall be fully implemented including finishing the recommended investigation and gas monitoring, as set out in Section 9 of the approved 'Ground Investigation' Report. Following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted and approved in writing by the Local Planning Authority.

(c) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary, a remediation scheme must be submitted to the Local Planning Authority for approval. Following completion of measures identified in the approved remediation scheme, a validation

report shall be prepared and submitted to the Local Planning Authority for Approval.

Reason: To prevent pollution of the natural environment and to ensure the safe development of the site in the interests of the amenity of future users in accordance with Policies G8 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Any contamination on or within the land needs to be identified and a suitable remediation plan agreed prior to commencement of above ground works and a scheme therefore needs to be agreed in advance of the same.

7. No development shall take place until such time that a Construction Environmental Management Plan (CEMP) and Construction Traffic Management Plan (CTMP) is submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, this shall include the following as a minimum:

- Details of cumulative traffic impact and associated traffic management plan
- Details of the management of abnormal loads and measures to protect the highway and other road users
- Details of the arrangements for vehicles of site operatives and visitors (within the site and surrounding area)
- Management of deliveries to site, including how it is intended to mitigate against HGVs arriving when the site is closed, and the impact of HGVs arriving on site later than planned (e.g. as a result of delays on the road network)
- The loading and unloading of plant and materials (within the site), including times of access and egress
- The storage of plant and materials used in construction of the development
- The erection and maintenance of security hoardings
- Wheel washing facilities, including measures for keeping the highway and surrounding public rights of way clean and clear of debris
- Measures to control the emission of dust and dirt during construction
- Measures to prevent disturbance to adjacent properties from noise and vibration, including piling
- A scheme for recycling/disposing of waste resulting from any demolition and/or land clearance activities (prohibiting fires or burning on site)
- Method statement(s) and details in relation to any excavation required of Public Rights of Way (PROWs) or adopted highways in

order to lay any required assets or equipment relating to the development.

- Contact details of site manager to be advertised at the site in case of issues arising

The approved Method Statement shall be adhered to throughout the construction period.

Reason: To minimise the detrimental effects to the natural environment and amenity of nearby residents through the risk 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.

8. (a) No development shall commence until details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation should include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations). In the event of surface water discharging to the public combined sewer, the rate of discharge shall be restricted to 5 l/s.
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD
- (iv) Drainage plans to demonstrate that a restricted surface water flow rate to public sewer is 5 l/s.
- (v) A plan that is based upon below ground drainage outline drainage strategy reference FS0911 AJP ZZ 00 D C – 1000/P02 dated 10/08/23 by AJP Consulting Engineers
- (vi) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable
- (vii) Foul and surface water shall drain on separate systems

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage.

- (b) 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.

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

9. No piling or any other foundation designs using penetrative methods shall take place unless a scheme for such works, that demonstrate that there is no resultant unacceptable risk to groundwater or land stability, has first been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed piling does not harm land stability or groundwater resources in accordance with Policies G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 10.(a) Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and/or full specification of materials to be used externally on the buildings, including detailed design of windows, doors and reveals at a scale of not less than 1:50, have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details prior to the first occupation of the development.

(b) In addition to the information required in Part 'a' of this condition, a maintenance scheme shall be prepared with regards to the upkeep of external materials to be used on external elevations of the school hereby approved. The maintenance scheme shall include details of a cleaning and repair strategy as well as an appropriate review period across the lifetime of the development.

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 requirements of the National Planning Policy Framework.

- 11.No above ground works shall take place until a scheme of biodiversity enhancements, for the site including, but not limited to (and with reference to Section 4 of the approved 'Biodiversity Metric Report') the provision of bird boxes, bird bricks, bat boxes and bat bricks to be integrated to the fabric of the buildings hereby approved, bug hotels,

hibernaculum, wildflower seeding and hedgehog habitat (including provision of 'Hedgehog Highways') has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall demonstrate a Biodiversity Net Gain and the duly approved scheme shall thereafter be implemented in full prior to first occupation of the school and retained thereafter.

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.

- 12.(a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing 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 a scheme for the timing / phasing of implementation works.

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

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

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with policies P3, DM1 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 13.No part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details.

Reason: In the interests of visual appearance, amenity, highway safety and ecology in accordance with adopted Rochdale Core Strategy policies DM1, P3, T2 and G7 and the National Planning Policy Framework.

14. Prior to occupation of the development, a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- (i) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- (ii) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

15. No above ground works shall commence until a junction arrangement plan for the entrance to be created from West Starkey Street and details of the internal surface roads are submitted to and approved in writing by the Local Planning Authority and the Local Highway Authority.

Prior to occupation of any part of the development hereby approved, a verification report confirming the implementation of the junction arrangement and surface roads shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory and safe access to the site in the interests of highways safety in accordance with Core Strategy Policy T2 and NPPF.

16. Within 6 months of the commencement of above ground works a scheme for compensatory pitch improvements, relating to pitches at Sutherland Road and/or Heywood Sports Villages, will be submitted to and approved in writing by the Local Planning Authority. The use of the school shall not commence other than in accordance with a timetable for delivering the

scheme for compensatory provisions to be agreed in writing with the Local Planning Authority.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision in accordance with UDP Policy G/3 and the NPPF.

17. No part of the development hereby permitted shall be occupied until such time that a scheme for the installation of electric vehicle charging points for those space illustrated on the approved 'Proposed Site Plan' with a minimum power rating of 7Kw, universal sockets and at least mode 3 or equivalent is submitted to and approved in writing by the Local Planning Authority. The approved car charge point scheme shall be implemented prior to occupation of each unit.

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

18. Use of the development shall not commence until a Community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority.

Reason: To secure well managed safe community access to the sports facilities, to ensure sufficient benefit to the development of sport and to accord with UDP Policy G/3 and the NPPF.

19. No part of the development hereby permitted shall be occupied until such time as the bicycle parking facilities as shown on approved drawing 'Proposed Site Plan' have been installed as per the approved details and made available for use. The bicycle parking facilities shall be retained as such thereafter.

Reason: In order to ensure that the development encourages people to travel to the site by sustainable modes of transport, in accordance with policies T1 and T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

20. No part of the development hereby permitted shall be occupied until the Traffic Regulation Order (TRO) for the restriction of on street parking and 20 mph 'school zone' speed restriction along West Starkey Street adjacent to the south boundary of the application site has been implemented.

Reason: In the interests of highway safety and the provision of safe and adequate parking, in accordance with Core Strategy Policies T1 and T2 and the NPPF.

21. No part of the development shall be occupied until such time as the car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted have been made fully available for use. The arrangements shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and the free flow of traffic and in accordance with Policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

22. The cumulative noise generation from proposed plant equipment and the use of the Multi Use Games Area (MUGA) shall not exceed the limits as set out in Section 6 of the approved 'Noise Impact Assessment' when measured from the nearest sensitive receptor(s) as identified in Section 4.2.2 of the approved 'Noise Impact Assessment'.

For the purposes of this condition, the background noise levels and rating level shall be calculated in full accordance with the methodology of BS 4142:2014+A1:2019.

Reason: To protect the amenity of occupiers of surrounding residential properties and in compliance with Policies C6, G9 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

23. No external lighting shall be installed on the building or elsewhere on the site unless a scheme for such lighting has first been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be fully implemented.

Reason: In the interests of amenity and the conservation of protected species and in compliance with Policies P3, G9, DM1 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

24. Within 6 months of first occupation of the school, a full Travel Plan, adhering to the aims, processes, measures and targets of the approved 'Framework Travel Plan' shall be submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be occupied in accordance with the approved Travel Plan

Reason: In order to ensure that the development encourages people to travel to the site by sustainable modes of transport, minimise the risk of traffic conflicts, to ensure that the site will be provided with sufficient off-street car parking in accordance with policies T1, T2, G6 and DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework