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Resources Directorate

David Wilcock

Assistant Director (Legal, Governance & Workforce)

Governance & Committee Services

Floor 2, Number One Riverside, Smith Street,
Rochdale, OL16 1XU

Phone: 01706 647474

Website: www.rochdale.gov.uk

Enquiries to: Caroline Denyer

Telephone: 01706 924711

Date: Monday, 9th May 2016

To: All Members of the Middleton Township
Planning Sub Committee

Dear Councillor

Middleton Township Planning Sub Committee

You are requested to attend the meeting of the Middleton Township Planning Sub Committee to be held in Middleton Library, Long Street, Middleton M24 1AF on **Tuesday, 17th May 2016** commencing at 6.15 pm.

The agenda and supporting papers are attached.

Please note that a site visit has been arranged for Members of the Sub-Committee as follows:-

5.00pm - Meet on site at Bowlee Park Community Primary School, Windermere Road

If you require advice on any agenda item involving a possible Declaration of Interest which could affect your right to speak and/or vote, please refer to the Code of Conduct or contact the Monitoring Officer or staff in the Governance and Committee Services Team at least 24 hours in advance of the meeting.

Yours Faithfully

David Wilcock

Assistant Director (Legal, Governance & Workforce)

Middleton Township Planning Sub Committee Membership 2015/16

Councillor Andy Bell

Councillor Malcolm Boriss

Councillor Phil Burke

Councillor Christopher Furlong

Councillor Sara Rowbotham

Councillor June West

Rochdale Borough Council

MIDDLETON TOWNSHIP PLANNING SUB COMMITTEE

Tuesday, 17 May 2016 at 6.15 pm

Middleton Library, Long Street, Middleton M24 1AF

A G E N D A

Apologies for Absence

1. Declarations of Interest 1 - 3

Members must indicate at this stage any items on the agenda in which they must declare an interest. Members must verbally give notice of their interest at the meeting and complete the form attached with this agenda.

Members are also advised to take advice with regard to any matter where there is potential bias or predetermination in any business to be considered at the meeting and whether they should take part in decision making at the meeting.

Members are reminded that, in accordance with the Localism Act 2011 and the Council's adopted Code of Conduct, they must declare the nature of any discloseable pecuniary interest; personal interest and/or prejudicial interest required of them and, in the case of any discloseable pecuniary interest or prejudicial interest, withdraw from the meeting during consideration of the item, unless permitted otherwise within the Code of Conduct.

2. Minutes 4 - 6

To consider the minutes of the meetings of the Middleton Township Planning Sub-Committee held on 25th February and 23rd March 2016.

3. Submitted Planning Applications 7 - 41

4. Planning Appeals

- i) Notification has been received from the Planning Inspectorate that the following appeals have been lodged;
 - 15/01223/FUL – Thornberries, Kirkway, Middleton - Erection of Marquee (retrospective) (South Middleton) – Delegated Decision
 - 15/01366/FUL – Land adjacent to 8 Peach Bank, Middleton - Two one bedroom apartments with associated car parking (North Middleton) – Delegated Decision
- ii) Notification has been received from the Planning Inspectorate that the following appeals have been dismissed;
 - None
- ii) Notification has been received from the Planning Inspectorate that the following appeals have been allowed;
 - None

Agenda Item 1

DECLARATION OF INTERESTS

IN ACCORDANCE WITH THE CODE OF CONDUCT ADOPTED BY THE COUNCIL ON 25TH JULY 2012, MEMBERS ARE REQUIRED TO DECLARE DISCLOSABLE PECUNIARY INTERESTS, PERSONAL INTERESTS AND PREJUDICIAL INTERESTS (LISTED ON THEIR REGISTER OF INTERESTS).

MEMBERS SHOULD REFER TO THE CODE OF CONDUCT AND/OR THE MONITORING OFFICER AND/OR THEIR DECLARATION FOR FURTHER GUIDANCE

MEETING AND DATE Agenda item	Indicate either <ul style="list-style-type: none"> • Discloseable Pecuniary Interest OR • Personal Interest OR • Personal and Prejudicial interest 	Nature of Interest

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Signed..... Please print name.....

IF A MEMBER HAS A DISCLOSEABLE PECUNIARY INTEREST THAT HAS NOT BEEN INCLUDED ON THEIR REGISTER SUBMISSION, THEY ARE REQUIRED BY LAW TO UPDATE THEIR REGISTER ENTRY WITHIN 28 DAYS. FAILURE TO PROVIDE PROPER NOTIFICATION IS A CRIMINAL OFFENCE.

THIS FORM, INCLUDING 'NIL' ENTRIES, MUST BE GIVEN TO THE GOVERNANCE AND COMMITTEE OFFICER NO LATER THAN AT THE END OF THE MEETING

Summary of discloseable pecuniary interests, personal interests and prejudicial interests.

Disclosable pecuniary interests

A 'disclosable pecuniary interest' is an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in the table below. "Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within the 12 month period prior to notification of the interest in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.
Contracts	Any contract made between you or your partner (or a body in which you or your partner has a beneficial interest) and the Council - (a) under which goods or services are to be provided or works are to be executed: and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the Rochdale Metropolitan Borough Council.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the Borough for a month or longer.
Corporate Tenancies	Any tenancy where (to your knowledge) - (a) the landlord is the Council: and (b) the tenant is a body in which you or your partner has a beneficial interest.
Securities	Any beneficial interest in securities of a body where - (a) that body (to your knowledge) has a place of business or land in the area of the Borough; and (b) either - (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you or your partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Personal Interests

You have a personal interest in any business of the authority where it relates to or is likely to affect -

- (a) any body of which you are in a position of general control or management and to which you are appointed or nominated by your authority;
- (b) any body -
 - (i) exercising functions of a public nature;
 - (ii) directed to charitable purposes; or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are in a position of general control or management;

- (c) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25.

Prejudicial Interests

Where you have a personal interest you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest and where that business -

- (a) Affects your financial position or the financial position of a person or body described above; or
- (b) Relates to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described above.

MEMBERS ARE ADVISED TO REFER TO THE FULL DESCRIPTIONS CONTAINED IN THE COUNCIL'S CODE OF CONDUCT ADOPTED ON 25TH JULY 2012.

Agenda Item 2

MIDDLETON TOWNSHIP PLANNING SUB COMMITTEE

MINUTES OF MEETING Thursday, 25th February 2016

PRESENT: Councillor Pat Greenall (Chair); Councillors Bell, Boriss and West

OFFICERS: D Ripa and M Atkinson-Smith (Economy Directorate) and C Denyer (Resources Directorate)

ALSO IN ATTENDANCE: 1 member of the public

APOLOGIES FOR ABSENCE: Councillor Burke, Councillor Furlong and Councillor Rowbotham

DECLARATIONS OF INTEREST

27 There were no declarations of interest.

MINUTES

28 **DECIDED – that the minutes of the meeting of the Middleton Township Planning Sub-Committee held on 28th January 2016 be approved as a correct record.**

OUTLINE PERMISSION FOR THE ERECTION OF 49 DWELLINGS (ALL MATTERS RESERVED) ON LAND OFF FIELDING STREET, MIDDLETON

29 The Director of Economy reported on submitted planning application 15/00494/OUT for outline permission for the erection of 49 dwellings (all matters reserved) on land off Fielding Street, Middleton M24 6BG.

In introducing the application the Planning Officer referred to a site visit undertaken by Members of the Sub-Committee.

The Planning Officer advised that following further consultation the Council's Schools Service had now advised that the contribution towards primary education could be spent at Boarshaw Primary School and the contribution towards secondary education could be spent at Middleton Technology School.

The Sub-Committee considered the views of Mr N Cunningham, an agent for the applicant, who addressed the Sub-Committee in relation to the application.

DECIDED – that the application for outline planning permission be approved, subject to the conditions detailed within the submitted report and conditions 1(ii) and condition 3 as updated below;

Condition 1(ii) - The provision and maintenance of recreational open space in accordance with the provisions of UDP policy H/6 and its associated SPD be deferred and delegated to the Head of Planning in agreement with the North Middleton Ward Councillors;

Condition 3 'The total number of residential units included in any application(s) for reserved matters submitted pursuant to condition 2 of this permission shall be limited to a maximum of 49 dwellings and the development shall be in accordance with the following plans:

Site Location Plan - Land off Fielding Street, Middleton'

**PROPOSED FELLING OF TREES WITHIN MIDDLETON TOWN CENTRE
CONSERVATION AREA- T1 AND T2 (ROBINIA TREES) AND T3 (PINE TREE) AT
JUBILEE PARK, LONG STREET, MIDDLETON**

30 The Director of Economy presented a report which detailed a planning application 16/00106/WTCA for the proposed felling of trees within Middleton Town Centre Conservation Area- T1 and T2 (Robinia trees) and T3 (Pine tree) at Jubilee Park Long Street Middleton

DECIDED – That (1) authorisation to remove trees T1 and T2 (Robinia trees) and T3 (Pine tree) at Jubilee Park, Long Street, Middleton be approved for the reasons detailed within the submitted report; and

(2) consideration be given to the replacement trees being planted in another area of Jubilee park.

PLANNING APPEALS

31 The Director of Economy reported that the following planning appeals had been submitted:

None

The Director of Economy reported that the Planning Inspectorate had dismissed the following planning appeals:

None

The Director of Economy reported that the Planning Inspectorate had allowed the following planning appeals.

None

DECIDED – That the planning appeals be noted.

MIDDLETON TOWNSHIP PLANNING SUB COMMITTEE

**MINUTES OF MEETING
23th March 2016**

PRESENT: Councillor Pat Greenall (Chair); Councillors Bell, Boriss, Burke, Furlong, Rowbotham and West

OFFICERS: D. Ripa (Economy Directorate), J. Gilligan (Environment Directorate) and M. Garraway (Resources Directorate)

ALSO IN ATTENDANCE: 27 members of public.

DECLARATIONS OF INTEREST

32 There were no declarations of interest.

OUTLINE APPLICATION (INCLUDING ACCESS) FOR RESIDENTIAL DEVELOPMENT OF UP TO 88 DWELLINGS WITH ASSOCIATED WORKS (RESUBMISSION OF 15/00358/OUT) ON LAND TO THE WEST OF HOLLIN LANE, MIDDLETON.

33 The Director of Economy introduced planning application 15/01207OUT, an outline application (including access) for a residential development of up to 88 dwellings, with associated works (Resubmission of 15/00358/OUT) on land to the west of Hollin Lane, Middleton.

In introducing the application the Planning Officer advised of an amendment to page 24 of the submitted report, to remove the line within the first paragraph stating that 30 additional places from September 2017 onwards would be provided at St Anne's Academy.

The Planning Officer advised of receipt of an additional objection from St. Anne's Academy, relating to the traffic survey and a lack of consultation by the developer.

The Sub-Committee considered the views of local residents who addressed the Sub-Committee objecting to the application.

DECIDED – That the Planning and Licensing Committee be advised that this Sub-Committee is minded to support the recommendation within the submitted report that planning permission be refused.

CONSTRUCTION OF A GARAGE AT BAKER STREET, MIDDLETON, MANCHESTER

34 The Director of Economy introduced planning application 16/00004 for the construction of a garage at Baker Street, Middleton, Manchester.

The Sub-Committee considered the views of S. Graham of Highfield Street and Mr Drisdale of Kenyon Lane who addressed the Sub-Committee objecting to the application.

The Sub-Committee considered the views of G. Meredith, the applicant, who addressed the Sub-Committee in relation to the application.

DECIDED – That Planning permission be approved subject to conditions as detailed within the submitted report.

Agenda Item 3



ROCHDALE
BOROUGH COUNCIL

Subject: Submitted Planning Applications **Status:** For Publication

Report to: Middleton Township Planning Committee **Date:** 17 May 2016

Report of: Director of Economy and Environment

Author: See individual agenda reports

1. PURPOSE OF REPORT

- 1.1 To provide recommendations to the Committee on planning applications or related consents submitted to the Council and requiring the consideration and/or determination of the Committee in accordance with the Council's approved Scheme of Delegation.
- 1.2 To provide information on any other planning or development related matters which may affect the work of the Committee.

2. RECOMMENDATIONS

- 2.1 Recommendations in respect of individual planning applications are as detailed in the following papers.

3. STATUTORY IMPLICATIONS

- 3.1 The submitted applications on this agenda are to be determined in accordance with the provisions of relevant legislation, including the Town and Country Planning Act 1990, Planning (Listed Buildings and Conservation Areas) Act 1990, Planning and Compensation Act 1991, Planning and Compulsory Purchase Act 2004, Planning Act 2008, Localism Act 2011 and the Town and Country Planning (Development Management Procedure) (England) Order 2015 together with any Directions and Regulations which support that legislation.
- 3.2 Planning law requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. Where relevant, any such material considerations will be referred to in the report.

The Development Plan

- 3.3 All planning applications referred to in this report have been assessed against the relevant policies and proposals of the development plan for the Borough (currently the adopted Rochdale Unitary Development Plan 2006) and any Supplementary Planning Documents or Guidance adopted by the Council.

National Planning Policy Framework (NPPF)

- 3.4 In addition, in assessing the submitted planning applications, there is a requirement to have regard to relevant national policies as set out within the National Planning Policy Framework (NPPF) the policies of which are a material consideration. Where relevant, the provisions of the NPPF and any other relevant national guidance will be referred to in the report.

4. RISK ASSESSMENT IMPLICATIONS

- 4.1 The Council has adopted a Code of Conduct for Members and Officers dealing with Planning Matters. Members and Officers are required to have full regard to the Code in discharging their responsibilities and duties in relation to planning matters on behalf of the Council. The Code seeks to ensure that all decision making is governed by an open and transparent process and represents a standard against which the conduct of Officers and Member sitting on the Committee will be judged.
- 4.2 A Declaration of Member Interests Register is taken prior to the commencement of the Committee meeting. Advice on whether any Member sitting on the Committee ought to declare any interest on any item on the submitted agenda should be obtained from the Head of Legal and Democratic Services or the Head of Planning.
- 4.3 The Council's Standards Committee will monitor the operation of this Code of Conduct.

5. EQUALITIES IMPACTS

- 5.1 The above Acts require Local Planning Authorities to consider planning applications on their individual merits having regard to the development plan and other material planning considerations.
- 5.2 The Equality Act 2010 protects people from discrimination on the basis of certain characteristics which are known as protected characteristics. These protected characteristics are Age, Disability, Gender Reassignment, Marriage or Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex (Gender), Sexual Orientation, socio-economic status and Carer.
- 5.3 In applying the Equality Act 2010, the Council is required to consider the effects of its decisions on different groups protected from discrimination, including a duty to make reasonable adjustments. In taking account of all material planning considerations, including Council policy as set out in the Unitary Development Plan and the National Planning Policy Framework, the Director (Economy and Environment) has concluded all opportunities to promote equality through the planning process have been taken, or where adjustments cannot be made, these are justified on the basis of the planning merits of the development proposal.
- 5.4 The Rochdale and District Disabled Access Working Group may comment on relevant planning applications. Where comments are received, these will be included within the reported to Committee. Consideration is given in designing access when dealing with the planning applications. Where applicable, any issues relating to these matters or other equal opportunity matters will be referred to in individual planning application reports.

6. Human Rights Act 1998 considerations

- 6.1 The submitted applications need to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applications (and those third parties, including

local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

- 6.2 Article 8 and Protocol 1 Article 1 confer(s) a right of respect or a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Unitary Development Plan, the Director (Economy and Environment) has concluded that some rights conferred by these Articles on the applicant(s)/objectors/residents and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. He believes that any restriction on these rights posed by approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Background Papers

The background papers relevant to the planning applications to be considered on this agenda will include:-

1. The Planning application file and its contents which will include:
 - i) The planning application form and supporting information, together with scaled drawings/plans and relevant statutory certificates.
 - ii) Letters of response from statutory and other consultees who may have been consulted or commented on the planning application
 - iii) Letters and documents received from interested parties.
 - iv) Notes of telephone conversations, meetings and any information received and of relevance to the submitted proposal
2. For any previous planning application referred to in the agenda report or in the application file, the planning application forms and the decision on that proposal
3. Such other papers (if any) received after the preparation of individual reports on planning applications on this agenda (to be reported verbally at the meeting).
4. Any other guidance or procedural documents adopted by the Council and of relevance to the recommendation and/or determination of any submitted planning applications or related consents

For further information about this report, or if you wish to see any background papers please contact: Sharon Hill, Senior Business Support Officer, in Economy and Environment, Number One Riverside, Smith Street, Rochdale, OL16 1XU

Telephone (01706) 924305 or via the online planning services at:

<http://www.rochdale.gov.uk/planning>

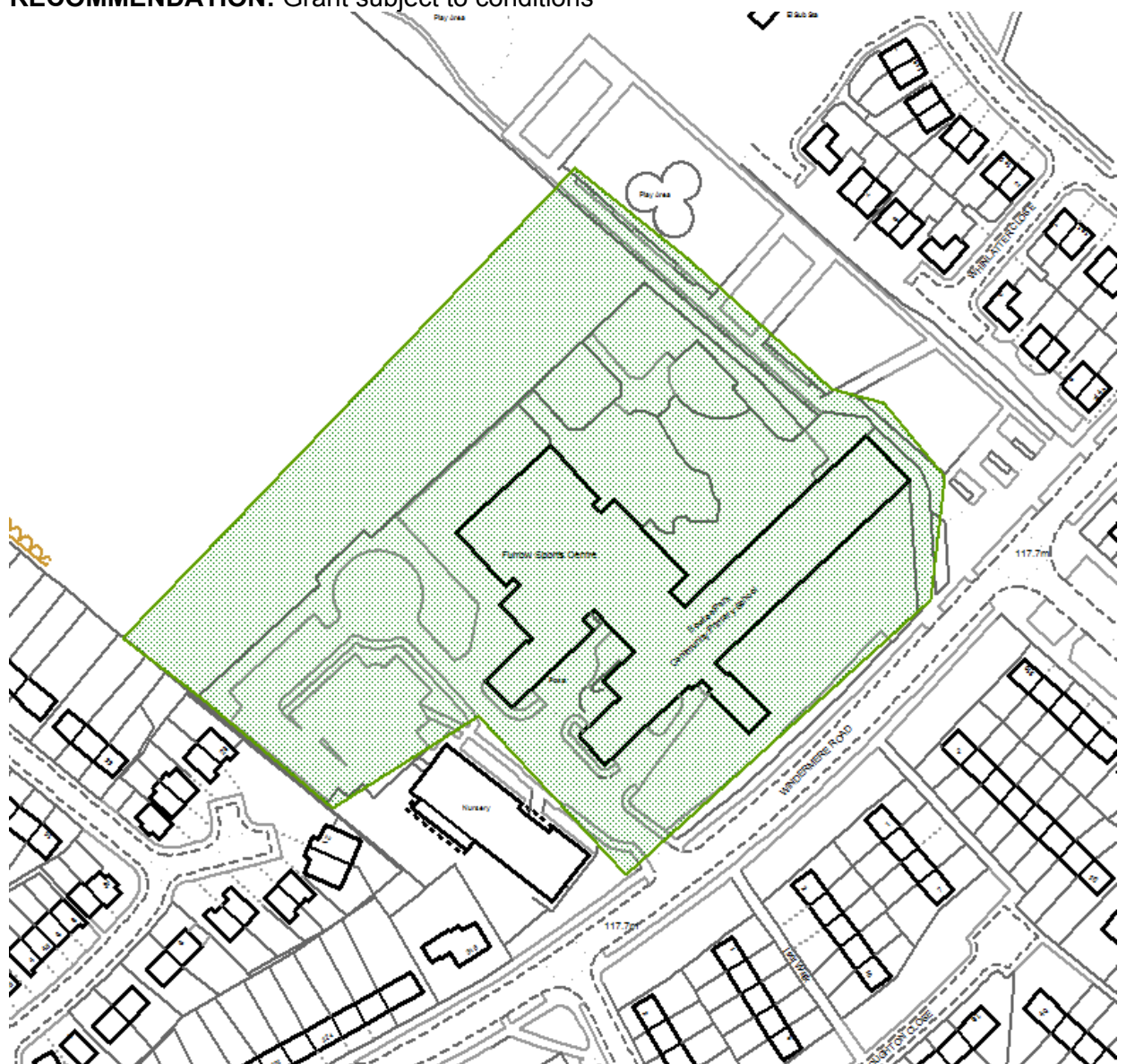
Application Number: 16/00126/FUL **Ward:** West Middleton

Proposal: Erection of two storey classroom extension to rear, single storey extension to front of existing building, formation of 1000m² hard play area and erection of a 2.4m high fence along the northern and eastern boundary and gate along the eastern school boundary. Alterations to existing car park and access including provision of additional spaces

Site Address: Bowlee Park Community Primary School Windermere Road Middleton M24 4LA

Applicant: Mr Chris Woods
RBC Highways and Property

RECOMMENDATION: Grant subject to conditions



UPDATE

The Middleton Township Planning Sub Committee considered the application at its meeting on 13th April 2016, where the Committee resolved to defer the application on the grounds that the information presented by the applicant in support of the application should be revised in advance of any decision being made.

SITE

This application relates to Bowlee Park Community Primary School, accessed from Windermere Road in Middleton. The wider site which includes the school also encompasses a range of other buildings and uses including a sports centre, library and nursery. The school lies within the Defined Urban Area on the Unitary Development Plan.

Winderemere Road is primarily faced by an elongated two storey school building which was built in the early 20th Century. The appearance of the building is filtered by a number of trees which are positioned on the school boundary. The school site benefits from a large playing field area to the North West, and outdoor hardstanding play areas mainly positioned behind the school building.

The playing field areas of the school site are designated as an area of Protected Open Space (UDP Policy G/3).

The main area for parking and school drop-off lies within the school grounds towards the north west of the building. Drop-offs/pick-ups also appears to take place on Windermere Road and the surrounding streets.

The nearest residential properties face the school on the opposite side of Windermere Road. Immediately to the north east of the site is a relatively new housing estate. A number of the properties which face the school to the north east have recently been occupied.

PROPOSAL

This application seeks permission for a two storey extension to the north western end of the school. The proposed extension would project 31m out from the existing north west facing elevation of the building and would be 15.8m in width. The proposal comprises a mono-pitch and flat roof design with red brick and cladding tiles above ground floor level. The proposed extension has a total height of 8.8m. The window and door proportions would largely match those within existing school buildings.

The proposal involves changing the existing 3 form entry school into a 4 form entry school which would be facilitated by the proposed extension. The extension, set over two floors, would provide the school with 8no. additional classrooms, toilets, a resource area and an ICT room. This would increase the capacity of the school to 892 pupils (including nursery). This increase would take place gradually at the start of each new school year. The existing parking on the site is 107 spaces. The proposal involves the provision of 10 additional spaces, taking the total number of spaces to 117.

A small infill extension is proposed on the front elevation of the building comprising a small, single storey extension measuring 6m x 4m with a height of 2.2m incorporating a small toilet block.

To the north east of the school grounds it is proposed to create a hard surface area covering approximately 1000m². This would include an extension to the existing playground and the provision of a new games court which would result in the partial loss of some existing car parking. The extended hard play area would extend to the north west projecting 13.6m

beyond the existing hard play area with a width of 74m. This area also includes provision of a new habitat area.

The application includes the erection of 2.4m high fencing. Part of the fence would partially extend along the eastern boundary of the school grounds replacing some existing fencing. Along this boundary it is proposed to incorporate a double gate in order to facilitate access from the eastern boundary of the school to the new proposed extension and the school play areas. Additional fencing is also proposed along the northern boundary of the proposed hardstanding area and part of the east, west and southern boundaries of the new play area.

Additional Information:

Following the previous deferral of the planning application, the applicant has provided additional information and amended the application as follows:

- Clarification on the extent of existing parking areas and number of spaces. There are 107 existing spaces. Proposal now includes internal alterations to the car park and replacement of any lost spaces with new spaces along with additional spaces. Net increase in on-site parking of 10 spaces.
- Widening of the existing access to the car park by modifying the existing kerb-line and moving the existing gate posts. Additional traffic calming proposed within the site (speed hump).
- Revised Travel Plan taking into account previous inconsistencies and inaccuracies and the additional proposed parking spaces.
- Additional justification (dealt with in the main body of this report).

BACKGROUND

On 25th January 2016 the proposal to enlarge Bowlee Park CPS was considered and approved by the Council's Cabinet in order to allow the Council to fulfil its statutory duty to provide sufficient school places. Confirmation of this (minute number 124) is as follows:

The Cabinet considered a report of the Director of Children's Services presenting the responses to the published proposals for the enlargement of Bowlee Park Community Primary (CP) School and which sought approval of the proposed permanent enlargement of the School from 630 places to 840 places, with effect from 1st September 2016; meaning that the Published Admission Number would increase from 90 to 120 in each successive new year group.

The recommendation for the Cabinet consideration arose from a continuing increase in the number of children born across the Borough. Data presented to the Middleton Township Committee had shown different demand pressures across the Township, and whilst provisional data indicated a decrease in the number of children born for admission to primary school in September 2018, local demographic led demand pressure in the Langley area justified consideration of a permanent enlargement of Bowlee Park Community Primary School.

Public consultation on the need for extra Reception Class places between 2016 and 2018 was undertaken between 24th June and 22nd July 2015. Cabinet had agreed at the meeting on 30th November 2015 to approve the publication statutory proposals for enlargement of the School which began on 3rd December 2015.

Alternatives considered: The assessment of demographic data and demand for school places were considered within the submitted report. The Council had a statutory duty to secure

school places in the area and so had no alternative other than to take action to discharge this duty. The reason for the recommendation is that additional school places are required in this part of the Borough over the next few years. Also the previous increase in places at the school together with the proposed additional accommodation means that the Local Authority would meet the threshold for the publication of statutory proposals.

DECIDED – That (1) the Statutory Proposals for the enlargement of Bowlee Park from 630 places to 840 places with effect from 1st September 2016, increasing the Published Admission Number from 90 to 120 in each successive new year group, be approved subject to planning consent for the required building work;

(2) expenditure for the implementation of the published proposals as authorised by Cabinet at the meeting held on 23rd March 2015, for invitations to tender to be issued and accepted by the Director of Children’s Services and for supporting contracts and any incidental and ancillary documentation to be signed by the Head of Legal and Governance Reform in order to deliver the proposed scheme in accordance with Financial Regulations, be approved.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

The Department for Communities and Local Government published the NPPF on 27 March 2012. The NPPF set out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance (NPPG)

The government published its NPPG on 6 March 2014. This is intended to complement the NPPF and to provide a single resource for planning guidance, whilst rationalising and streamlining the material. Almost all previous planning Circulars and advice notes have been cancelled. Specific reference will be made to the NPPG or other national advice in the Analysis section of the report, where appropriate.

Unitary Development Plan (UDP):

G/D/1	Defined Urban Area
G/G/1	Greenspace
G/3	Protection of Existing Recreational Open Space
G/8	Greenspace Corridors
G/CF/1	Community Facilities and Public Services
CF/2	General Criteria for the Development of Local Community and Health Facilities
G/A/1	Accessibility
A/3	New development – Access for Pedestrians and Disabled People
A/8	New development – Capacity of the Highway Network
A/9	New development – Access for General Traffic
A/10	New development – Provision of Parking
G/BE/1	Design Quality
BE/2	Design Criteria for New Development

BE/8	Landscaping in New Development
G/EM/1	Environmental Protection and Pollution Control
EM/3	Noise and New Development
EM/8	Protection of Surface and Ground Water
R/2	Langley Physical Regeneration Area, Middleton

RELEVANT SITE HISTORY

16/00375/FUL Proposed two temporary classrooms – Currently under consideration and undetermined.

10/D53574 Extension to existing covered play area to front elevation of school – Granted subject to conditions

08/D50990 Alterations to school include re-roofing, new entrance canopy, fire escape staircase, extension – Granted subject to conditions

07/D50133 Alterations to school include re-roofing, new entrance canopy, fire escape staircase, extension – Granted subject to conditions

02/D40150 Installation of security shutters to ground floor windows and doors of school – Granted subject to conditions

01/D39454 Installation of security shutters to 16 ground floor windows – Granted subject to conditions

CONSULTATION RESPONSES

Highways And Engineering - Further comments based on the amended plans to be reported to the committee as an update.

Previous comments:

Surrounding every primary school in the borough there is an issue with inconsiderate parking in and around school pick up and drop off times. Neighbours to premises such as primary schools experience a great deal of inconvenience as a result of these actions.

The extension to the school is likely to exacerbate the existing situation around Bowlee Park CPS.

It is very difficult for schools to control the behaviour of parents and guardians when off school premises. The school already provides the maximum amount of parking recommended and the proposed extension to the car parking exceeds the maximum amount we can request.

In addition to the extended parking provision the applicant has commissioned a Travel Plan to mitigate against these issues and put in place resources to review and renew said travel plan to reduce the number of pupils travelling to and from school by car.

The NPPF states that local authorities can only object to planning applications if the results of a development can be deemed as severe. The results of this proposal will be typical of any primary school and the applicant is doing all within their power to mitigate against the negative impacts the extension will have upon the surrounding area.

Given the measures put in place by the applicant I have no objection to this development as proposed.

United Utilities - No objection subject to conditions relating to surface water drainage and sustainable drainage systems.

Sport England -

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.

The proposed development results in a minor encroachment onto the playing field. However, having considered the nature of the playing field and its ability to accommodate a range of pitches, it is not considered that the development would reduce the sporting capability of the site. As such, Sport England is satisfied that the proposed development broadly meets the intention of the following Sport England Policy exception:

E3 - The proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facility on the site.

This being the case, Sport England does not wish to raise an objection to this application.

Green Infrastructure/Arboriculture - No objection to this application.

REPRESENTATIONS

Letters of notification were sent to surrounding neighbours, and a site notice displayed. Amended plans were publicised by neighbour letter. Six letters of objection have been received detailing the following concerns:

- There is no more capacity to take the number of cars parking around the school. Parents are blocking all surrounding roads including Cardinal Mews.
- The traffic is so bad at drop of and pick-ups from the school. The parents just park in front of my new home on the pavement and if you were in a wheelchair you could not pass. So instead they walk over my new garden not happy at all. It's caused confront some parents over this there's been some accident as well on Windermere Rd outside the school one child was hit by a car. We need yellow lines to stop them parking. And at the back of my house it's all private land which belongs to my neighbor and all the school runners drop off and let them walk over there private land this is not the right way to start a new life in my new home.
- Windermere road has insufficient width for two cars to pass side by side due to parking immediately outside the school and also for a few hundred metres before and after the main access for the school. Parents parking outside school has impacted on safety and traffic flow, Windermere road is also a main bus route. The overflow of cars then park on side roads such as Martindale Crescent, Whinlatter Close and Cardinal Mews to name a few. This then leads to conflict with local residents when cars park in front of private driveways and also trespass on private gardens. A number of local residents have already complained to the school about congestion caused by cars attending the

school. Your own travel report produced by Mouchel has highlighted a number of risks that are real now, including cars parking on footways, gaps in barrier fencing. It also states that approx. a third of children travel to school by car and that the majority of staff travel by car.

- The parking of cars in our cul-de-sac is an issue, sometimes difficult to leave and get to our property at times. The whole parking is a constant problem around the area. Windermere Road and Martindale Crescent are a nightmare during school rush hour, there doesn't seem to be a designated drop off for the school but with the new entrance planned to be directly opposite to our property, then our cul-de-sac is going to be 'convenient' for children being dropped off and picked up, as all they would need to do is 'cut through our property'.
- When we bought the property we didn't feel we would have any issues like this, and certainly wasn't aware of any plans to expand the school and place the gates directly opposite to our home. If this was the case then we would certainly not have purchased that property due to the points mentioned. As I have said, I do believe expanding the school will be great, but I think these issues would need to be resolved before committing to the expansion
- Health and safety issues and congestion along Windermere Road prior to school start and finish times. Volume of cars on Windermere Road is a real concern.

Officer response – The school (including the proposed extension) includes sufficient on-site parking provision to exceed the maximum required by adopted planning parking standards. In addition, the development is in the middle of a large catchment area. 92% of pupils live within 2km and the majority of pupils should be able to walk to and from the school. The proposed Travel Plan is intended to reduce the reliance on the private car and encourage more sustainable forms of travel, including walking. In addition, the Council have put resources in place to implement the Travel Plan with the school and carry out regular reviews. It is acknowledged that Windermere Road has a number of potential safety issues. In order to partly address this, and to encourage alternative means of travel, the proposal includes a new gate along the eastern boundary of the school to encourage an increase in pedestrian/cycle numbers and for pedestrians to avoid Windermere Road. This would be supported by the adoption of the proposed Travel Plan.

- The amount of children who attend the school will increase from 630 to 840 this is an increase of 33% without taking into account parents, staff, carers, visitors. Plus the number of people who use the Gym, Library and Sure Start Centre. These numbers as far as I know have not been mentioned in the supporting reports on your website. The utilisation or underutilisation of the car park for pick up and drop off is also an issue which brings me back to my concern about Windermere road.

Officer Response – The applicant has confirmed that the number of children (including nursery) attending the school could rise to 892. The number of FTE employees would be 120. During the day, with the exception of one group, the Sports Hall is used solely by the school. The maximum parking standards are considered to apply to the different uses within the complex as follows:

School (existing) – 59 spaces

Sure Start – 10 spaces

Library – 5 spaces

Gym – 17 spaces

Total – 91 spaces

The parking provision on the site (107 existing spaces) exceeds the maximum parking standard policy requirements. The proposed parking provision (117 spaces), including the proposed extension, exceeds the maximum standards applicable to the proposed development (103 spaces).

- The concern we have is on the proposed plans, the new main gates/entrance is being positioned directly facing our newly bought property. This is a major concern to us as we already have existing issues of parents & children walking through our private property, climbing over and ducking under our fence, cutting across our drive and knocking on houses and running off. This is something that should not be allowed to happen as they have no reason to be near our property and we feel will only get worse with the proposed plans.

- One of the issues that I spoke about was congestion caused by cars on Windermere road and the surrounding roads. I also talked about Whinlatter close being used as a drop off and pick up area both for parents with cars, parents and children on foot using the close directly as a cut through for the school. I also said that by using Whinlatter close parents and children were trespassing on private land to gain access to the school, pictures were supplied showing the private land that is owned by the homeowners on Whinlatter and Fleetwith closes. This land separates Bowlee Community Park from Whinlatter close is directly opposite the school gate on the east side entrance and this route is being used by a significant number of parents and children on a daily basis. I have not seen the minutes from this meeting yet but a recommendation was recorded in the meeting regarding the erection of a fence on Whinlatter close to stop this trespass. I have read all the reports on the council website and the phrase inconsiderate parking is mentioned quite a few times and seems to be accepted as part of any school extensions. This is not acceptable to the residents it affects and the council can not condone or allow trespass on private land. Trespass is occurring simply because it is convenient and easier than using the school car park. According to your report the east gate will be used by children in year 1 to year 6, this will be 540 children plus parents dropping them off. I dispute the comment that pupils often travel on their own, in fact from what I see daily most children are accompanied by parents. The flow of foot traffic directs the children to the east gate as stated below from your report, the east gate is opposite Whinlatter close and this where parents and children are cutting through. Whilst Year 1 – 6 pupils are sometimes brought to school by their parents, they often travel on their own or with older siblings and friends. It is safer for them to avoid the vehicular entrance off Windermere Road and the car park and to enter the school site along the open public space to the east of the site. They will come through the existing and proposed additional gates in the east boundary direct into the school's playground which is a place of safety. I have read the Public Document Pack dated 5th April 2016 and I am very disappointed to read the comments on page 47 and page 48 which dismiss the privacy and trespass issues that have been raised by residents on Whinlatter and Fleetwith closes.

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Officer Response – There are already gates on the eastern side of the school; albeit that the proposal introduces additional double gates intended to encourage pedestrian access to the school. The proposed double gates would be open between 08:30 and 09:00 and between 15:15 and 15:45. They would be closed at all other times. Whilst Year 1 – 6 pupils are sometimes brought to school by their parents, some travel on their own with older siblings and friends. It is safer for them to avoid the vehicular entrance off Windermere Road and the car park and to enter the school site along the open public space to the east of the site. They will come through the existing and proposed additional gates in the east boundary direct into the school's playground which is a place of safety. The distance between the proposed gates and the closest houses is 45m and there is an area of green space between the gates and the housing estate. The proposed additional gates would be positioned sufficient distance from the nearest properties so as not to lead to a direct impact on the amenity of the occupiers of these properties and children would be able to exit the school and disperse – there being no reason why children would need to trespass on nearby gardens.

The proposed gates are an important part of the wider aims of the school to improve accessibility to the proposed extension and school and support the aims of the Travel Plan. It is also considered that the proximity of the new houses to the school, where an element of disturbance might be expected during certain times of the day, and the alleged actions of some children outside the school grounds (and therefore outside the direct control of the school) and the distance from the nearest properties means that impact on residential amenity is not a justifiable reason for refusal.

The concerns raised regarding the potential for trespass by children on nearby gardens are acknowledged. However, there is already an access to the school along the eastern boundary and there is no feasible way of preventing access to private gardens through this application. There is no proposal for a fence adjacent to the community park open space as this would be likely to restrict use of the green space which would not be acceptable. The Council do not condone trespass, however, matters of trespass upon private land are a civil matter and not therefore for the involvement of the planning department.

An objection has been received by Councillor Linden who raises the following concerns:

1. There is no mention at any part of the report to the Langley Library which is situated in the school site next to the Sure start building. There are no mention of staff, the times of opening or usage of residents or car users or if there is any reserved parking spaces?

Officer response – The parking requirements have been considered in light of all the uses in the school campus including the library and Sure Start building.

2. Both the Sure Start and Bowlee Sports Centre are mentioned but not how many staff or users there are, when they are open and if they have any car parking places reserved?

Officer response – The parking requirements have been considered in light of all the uses in the school campus including the library and Sure Start building

3. In relation to car parking places on site the author states there are “9 regular staff parking places at the front of the School and to disabled places and one space for the

school mini bus. (page 12). On top of page 13 the author states at the rear of the site "there are approximately 80 regular parking spaces". In my opinion Health & Safety of users, especially young children in any Planning application is paramount, so stating "there are approximately 80 regular spaces" is it 80 or not, this is lazy reporting and is relevant to if the planning application is feasible?

Officer response – The amended plans have addressed this and there is additional commentary in the Highways section of this report.

4. In the introduction the author gives the figures incorrectly in my opinion. They state that the total capacity of pupils from Nursery to Year 6 is 630 pupils. Which in theory this is correct but gives the perception that is the total arriving in a day when full? It does not include the other 120 part time early year children and their parents or carers who arrive twice daily (60 per each morning / afternoon) and leave twice a day? That makes a possible 750 children , plus parents and carers.

Officer response – Nursery is two half day sessions of two nursery classes of 26 children (total of 104 children taught in two sessions of 52 children), one morning session and one afternoon session. Therefore 52 nursery children arrive in the morning and leave at lunchtime and another 52 nursery children arrive at lunchtime and leave at the end of the afternoon. Total number of children including Years 1-6, nursery and reception would be 892.

5. In May 2015 the school as a 3 form primary school and 2 form early years admission entry, still had potentially 81 full time places and 42 part time places still empty. This is 16% of the school places. (and we are having parking issues now) How is this plan going to be workable when fully full, we will have 840 full time children plus 120 part time children, which equals the possibility of 960 Children (plus parents carers ectc.) this is 333 more children when full than the May 2015 figure of 627 children, THAT IS A 53% increase.

Officer response – Proposed parking has been considered in light of the Council's adopted parking standards and is considered acceptable. See highways section of this report.

6. The Travel plan does not state any increase to car parking places, which in my opinion makes the car parking facilities now (when still not full at 3 form entry) not viable and especially not workable when a 4 form entry school? The author has given figures on page 2 for staff and support staff at the present time but gives no examples of how many more teachers and support staff there will be in the future planned 4 form school or how many new parking places will be needed? In my opinion this exclusion once again puts the plan and application at risk. Page 4 states part of the plan which will benefit the local environment will lead to a reduction in car use?

Officer response – 10 additional parking spaces are proposed as part of this application. The Council's UDP maximum parking standards require 1.5 spaces per classroom. On the basis of the provision of 8 additional classrooms, the proposal falls short of the Council's parking standards by 2 spaces. However, the maximum requirements and overall the school campus parking provision would provide 117 parking spaces which is in excess of the parking standard requirements.

7. Page 5 of the report identifies obstacles that could potential (Now in NOVEMBER 2015) impact the safety and comfort of the walk, it was observed that there were instances of vehicles dropping –off or picking up pupils entirely on the foot way, actually restricting the actual footway space available. "There is no potential pedestrian access to the site from the northeast due to the barrier created by the Bowlee Community Park."

Officer response – The applicant has stated that the roads around the school are monitored for illegal parking. The issue of inconsiderate/illegal parking is not a planning issue as there are considered to be sufficient parking spaces in this case to accommodate the proposed development without conflicting with planning policy.

8. The author has not given detailed information on where children will enter and leave the school at opening and closing time, how many exit / entrances are there to be for Year 1 to 6 pupils when full? At present all year 1 to 6 pupils use the Windermere road entrance at the Junction near Wood Street and where the School Crossing operative is placed (facing the bus stop!!).

Officer response – The Windermere Road gates are is used by nursery and reception pupils, all other year groups 1 – 6 use the east gates.

9. Page 7, the author also reports on barrier fences along Windermere Road, it states there are gaps between many of these fences, which means that they may not serve as a significant barrier. With Health & Safety being a priority I find it hard the professional reporter states “They may not serve as a significant barrier” they ether do or don’t and he or she should be advising the committee it is or is not?

Officer response – This issue is considered to fall outside the remit of this planning application.

10. Page 9. The report gives details on bus services in the local area, this is where the local knowledge or research of the author falls down badly and puts this report at need of reviewing and updating with local knowledge? It states the 163 bus route is from Norden to Manchester and vice aversa, this should have been a glaring mistake to him and people who commissioned this? The 163 has never gone or come from Norden but for as long as I can remember it starts in Manchester to North Manchester, Middleton Centre, Langley, Heywood and finally Bury and reverse on the second journey. This is a glaring mistake because the author has not picked up on the point of parental choice of schools and how this bus route puts Bowlee Park 4 form Primary school a priority School for parents in areas where there is shortage of primary school place.

Officer response – There are two bus services which stop next to the school on Windermere Road, the 162 terminates in Norden and the 163 terminates in Bury. The revised Travel Plan report has addressed this.

11. Till the new 4 form school is full it will have to take applications from parents in the borough and further (at present it is not even 3 form full). The bus route 163 puts parents from Heywood , parts of Middleton and North Manchester in a 15 to 20 minute delivery time by bus. This is better than the authors report on how long it could take parents 24 minutes in Middleton to walk the 2Km where 93% of pupils live. Also they do not report the number 18 bus route does the same for parents from North Manchester and parts of Middleton. This will stop future new home applicants on the estate getting the places at their nearest 4 form school , because parents with problems of demand will view Bowlee as a travel option and a popular school and fill the places available. A second reason is the possibility to then have acess to our 3 popular secondary schools, when leaving Bowlee Primary?

Officer response – This is not considered to be directly relevant to the planning application. However, the applicant has responded by stating that school places will be allocated in accordance with the admissions policy (copy available if required). The enlargement of the school will increase the scope to meet parental preference and ensure sufficient school places

in the area. In recent years there has been a continuing increase in the number of children born across the Borough and who in turn will want Reception Class places. Data presented to Middleton Township and Cabinet shows there are different pressures across the Township and whilst provisional data indicates there is a decrease in the number of children born for admission to primary school in September 2018, local demographic led demand pressure in the Langley area justifies the permanent enlargement.

12. Finally I have little confidence in the angles of photos in the report, they do not give the real view in my opinion and I hope to show better photo's in the near future.

Officer response – Officers have visited the site and carried out their own assessment of the proposed development.

13. The application plans also show green playing fields being used for new 40 x 24 metre games court with a new 2.4m high anti-climb fence and a new 1000m² hard core playground area. The plans do not show the decline depth of land in the proposed area or how it will be on one level? Also it does not state if Sport England have agreed to designated green playing field being concreted over?

Officer response – Sport England has been consulted on the application and raise no objections. In respect of levels, it is not considered that there is a significant level difference between the existing school grounds and the playing field. However, conditions are recommended requesting full details of the hard play area and any planting proposed (as indicated on the submitted plans).

14. In 1.02 of the submitted application report it states “1000m² for new parking area and hard play area”. This is unclear, it is neither a new playground or parking area, if extra parking it is not mentioned in the travel plan.

Officer response – Additional parking is proposed within the confines of the existing school grounds within close proximity of the existing parking area. The proposed new area for hard play is proposed to the north of the school grounds, partially on the existing playing fields and also incorporating some of the existing, informal parking which is located behind the Sports Centre.

15. Concerns with Travel Plan. Given that the school is becoming a 4 form entry they must know how many other staff and users may be using the facilities and car park at the time teachers and other school staff may be parked there all day and parents bringing their part time young children.

Officer response – The Travel Plan has been revised and now includes information concerning staff numbers. This information is included in the Highways section of this report.

16. In Concern 2 on page 42, it is the same mistake as above, I am referring to the "travel plan" report and making the point the author has mentioned the Sure Start and Bowlee Sports Centre, but once again give's no indication of how many staff and users will want or are using car parking spaces? Once again a fundamental question for any author of a travel plan which is to accommodate so many more users when full?

Officer response – This has been addressed as the applicant has provided a revised Travel Plan.

17. The full report does not include my questions or points for clarification on if there is to be any more Assembly or Catering areas and my question for confirmation is the 2 storey building the only change to facilities internally? Can I now add to this (Because I have no answer) Is the school going to use its own sports hall for dining and

assemblies and continue to use the Bowlee Sports Centre Large sports indoor area for class P,E. lessons?

Officer response – In terms of assembly and catering area the submitted plan do show a large resource space on the ground floor of the extension and this is proposed to be used for a mixed variety of uses such as assemblies, packed lunch area as well as break out space for classes, the space will be flexible and allow the school to continue their excellent education.

18. Finally on the same page in my concerns the "Travel Plan" and individual proposed site plans, have the 2 storey extension finishing in different spaces in relation to the Bowlee Park gateway area, can this be clarified?

Officer response – The relevant plan for the purposes of determining the application site boundary is drawing noP09.

19. Are officers and elected members happy with how many of the New Keepmoat site new residents have (Lately been advised of this application?) only 15 homes on the site?

Officer response - In terms of consultation, letters have been sent to over 100 properties which is in excess of the statutory requirement. Those properties directly facing the site have been notified and those properties on the new housing estate have had letters hand delivered.

ANALYSIS

Principle of development

The application seeks permission to construct a two storey extension which would be attached to the northern end of the existing school building. In common with other primary schools nationally, it is likely that this school is required to provide additional pupil spaces. The proposal will provide eight additional classrooms at ground and first floor level, in addition to resource area and toilet facilities. The extension would encroach onto the playing field area, which is designated as Protected Existing Recreational Open Space (UDP Policy G/3).

Planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework adopted in 2012 (NPPF) is one such material consideration and whilst it does not change the legal status of the development plan, it promotes a presumption in favour of sustainable development. Paragraph 9 of the NPPF states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):

- making it easier for jobs to be created in cities, towns and villages;
- moving from a net loss of bio-diversity to achieving net gains for nature;
- replacing poor design with better design;
- improving the conditions in which people live, work, travel and take leisure; and
- widening the choice of high quality homes.

Paragraph 14 of the NPPF states that for decision making, the presumption in favour of sustainable development means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

The application site is located within an area of land designated as an existing urban area and Langley Physical Regeneration Area (UDP policy R/2). The UDP was adopted in June 2006 and pre-dates the introduction of the NPPF. However, paragraph 211 of the NPPF is clear that for the purposes of decision-taking, the policies in the development plan should not be considered out-of-date simply because they were adopted prior to the publication of this Framework. Rather due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework - the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given.

The principle of the development is acceptable providing the detail complies with the criteria set out in the policy, which is also assessed in the subsequent sections of the report.

Paragraph 72 of the National Planning Policy Framework states that: *“the Government attaches great importance to ensuring that sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools”.*

The NPPF is therefore clear that great weight should be afforded to the development proposed by this application. In addition, UDP Policy CF/2 (General Criteria for the Development of Local Community and Health Facilities) permits and supports new and improved local community facilities provided:

- a) *The facility is accessible to the community it is intended to serve and, where practicable, within District or Local Centres,*
- b) *The proposal will have no acceptable impact on the amenity of surrounding land uses, particularly residential, by reason of visual appearance, scale, noise or other nuisance; and*
- c) *The surrounding road network is capable of accommodating any additional vehicle traffic likely to be generated by the proposal without damage to the local environment or road safety.*

The proposed extension to the school would provide the opportunity for more students to enrol in what is an essential facility, and the proposal would therefore benefit the wider community in line with the requirements of the NPPF. In terms of the relationship with neighbouring land uses and highway considerations, these are discussed in greater detail below.

With regard to part of the application site being designated as an area of protected recreational open space, UDP Policy G/3 allows development on recreational open space, provided that *“it is for a non commercial community use within a park or other outdoor recreational area, is ancillary to the recreational use of the area, would not lead to a 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”.*

The proposal seeks to extend a school (non-commercial community use). Sport England has noted that the extension would result in a minor encroachment onto the playing field. However, they have concluded that this minor encroachment would not reduce the sporting capabilities of the school site, given the range of pitches and facilities available at the site.

In summary, the proposal would result in a relatively small loss of playing field at the school site but this would be replaced with hard play areas. The loss of this playing field is considered to be far outweighed by the wider benefits the scheme would bring to the school, in the form of additional classroom capacity. Sufficient outdoor space would be retained at the school. The proposal is therefore considered to comply with UDP Policy G/3.

In respect of policy R/2 of the UDP, the proposed development would not conflict with the regeneration objectives set out in this policy.

The principle of the development complies with the relevant Policies in the Unitary Development Plan which are broadly compliant with the National Planning Policy Framework (NPPF) in respect of this development. Paragraph 14 of the NPPF states that where a planning application is in accordance with the development plan, it should be approved without delay. The subsequent sections of the report will consider whether the detail of the proposal complies with the development plan.

Layout, design and appearance

Criteria (a), (g) and (h) of UDP policy BE/2 require proposals to demonstrate good design by:

- Ensuring that they are compatible with or improve their surroundings by virtue of their scale, density, height, massing, layout, materials, architectural style and detail and means of enclosure;*
- Providing for safe and convenient access and circulation;*
- Minimising opportunities for crime against people or property.*

Paragraph 58 of the NPPF encourages good design by stipulating that planning policies and decisions should aim to ensure that developments:

- 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;*
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;*
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;*
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.*

The proposed extension would be positioned to the rear of the school building. Visibility from Windermere Road would be largely limited by the existing built form. However, there would be obtainable views of the proposed building from the north east, particularly from the edge of the recently constructed housing estate (Whinlatter Close and Fleetwith Close). From the edge of this estate there are clear views across the school site. However, it is considered that the proposed two storey extension would assimilate with the existing built form by virtue of scale, design and proportions. Views from the north and Bowlee Community Park would largely be mitigated by the distance involved. The provision of additional security fencing along the north eastern boundary would not significantly impact on the character and appearance of the area.

In view of the above, it is considered that the proposed would be compatible with the existing school site and surrounding area in general in accordance with UDP policy BE/2 and the NPPF.

Relationship with surrounding uses

One of the 12 principles of the NPPF is to ensure that planning *“always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”* and this is broadly in line with criterion (i) of UDP Policy BE/2 which seeks to ensure all development demonstrates good design by *“making adequate provision for natural light within and between buildings”*, and criterion (b) of Policy CF/2 which only permits community developments where *“the proposal will have no acceptable impact on the amenity of surrounding land uses, particularly residential, by reason of visual appearance, scale, noise or other nuisance”*.

In terms of separation distance, the nearest residential properties directly overlooking the school grounds reside on Whinlatter Close and Fleetwith Close to the north east. The properties facing the site lie at a distance of approximately 60m from these dwellings and this is considered sufficient distance so as to ensure no significant loss of privacy or overbearing impacts.

Whilst the proposal does include additional fencing and a new gate along the north eastern boundary of the school grounds, these lie at a distance of approximately 45m and sufficient distance so as not to significantly impact on residential amenity. It is acknowledged that the new access gates along this boundary would facilitate the movement of children through the estate; however, there is an existing gate on this side of the school site hence this movement occurs at present. There would be no direct impact on any individual property and the provision of this gate is considered beneficial in terms of improving pedestrian links which accords with the aims set out in paragraph 35 of the NPPF. It would also ensure that the aims of the Travel Plan were implemented by encouraging walking and cycling.

It is not considered therefore that the relationship between the proposed extension and surrounding residential properties would be unacceptable. The relocated and new fence would be located along the boundary of the school and would have no undue impact upon surrounding uses. No other residential properties would directly face the extension.

In view of the above, it is not considered that the proposal would result in undue impact upon the amenity of neighbouring properties in accordance with UDP policies BE/2 and CF/2, as well as the NPPF.

In addition to the above mentioned criteria within Policies BE/2 and CF/1, UDP Policy BE/2 criterion (j) also only permits developments that demonstrate good design by – *“minimising the potential environmental impact of and on the development, including noise, air and water pollution”* and Policy EM/3 criterion (a) also states that development will not be permitted where – *“it would lead to unacceptable levels of noise nuisance to nearby existing or future occupants of buildings”*.

Policies BE/2, CF/2 and EM/3 are broadly in conformity with the NPPF so are not considered to be out of date. Again as mentioned above, one of the 12 principles of the NPPF is to ensure that planning *“always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”*. In specific reference to noise paragraph 123 of the NPPF states that decision should seek to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;*
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;*
- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.*

With regard to the use, the proposed extension would be used by children attending this established school site and lead to a potential increase in pupil numbers from 630 pupils to

892 pupils including 172 nursery and reception numbers. This would be a gradual increase in pupil numbers over the next five years. It is acknowledged that there is the potential for an increase in disturbance arising from the inconsiderate parking of vehicles and during pick-up and drop-off times. However, the application has been accompanied by a Travel Plan which is intended to encourage alternative means of access to the school other than by private vehicle. In addition, the proposal is compliant with the Council's parking standards. Potential highway impact is covered in the relevant section of this report.

In respect of potential noise arising from the extended school, given the separation distance and the already established use of the site, it is considered that the proposals would not have any significantly greater impact upon neighbouring uses than the existing use of the site in accordance with the NPPF and UDP Policies BE/2, CF/2 And EM/3.

Highways and Access

UDP policy A/8 states that new development will be permitted provided that the additional traffic generated will not be detrimental to the safe and efficient operation of the Highway Network, both adjacent to and further away from the site. Specifically, proposals should not:

- a) *Have an adverse impact on the safety of any road users;*
- b) *Have an adverse impact on accessibility for pedestrians, including people with restricted mobility, cyclists or users of public transport in the immediate vicinity of the development;*
- c) *Substantially increase congestion;*
- d) *Divert traffic on to less suitable roads; or*
- e) *Cause an unacceptable environmental impact on residential properties passed by traffic associated with the development whilst accessing the principal road network.*

UDP policy A/9 stipulates that development proposals will be required to facilitate safe and convenient access for general traffic, which includes cars, motorcycles and commercial vehicles. Relative to the scale, type and location of development, proposals should ensure that roads, junctions and access points to/from premises are safe, convenient and suitable for the volume and characteristics of traffic that will be required to use them.

UDP policy A/10 relates to parking provision and refers to the Council's Schedule of Parking Standards which identifies maximum standards for car parking provision and minimum standards for cycle and motorcycle parking. In addition, UDP policy BE/2 (g) requires proposals to facilitate safe and convenient access and circulation.

Following the concerns raised by the Committee on 13th April, the applicant has provided additional information and amended the proposals. The concerns raised related to the car parking on the site, the restricted width of the access into the site and the safety of Windermere Road, and the proposed pedestrian gates to the north eastern boundary. These matters are considered further below.

Car Parking:

It has been established that the existing school campus has a total 107 car parking spaces which serve the school, the Sure Start Centre, the Library, Gymnasium and the Sports Hall. It has also been confirmed that the school has almost exclusive use of the Sports Hall during the daytime as it is used for lunchtimes and PE lessons.

Based on the Council's adopted parking standards, 91 car parking spaces would be required for the existing school (excluding the Sports Hall as this is not normally used during the daytime by anyone other than the school) which can be broken down as follows:

School	59
Sure Start	10
Library	5
Gymnasium	17
Sports Hall	20 (Evenings only)

The proposal to extend the school has been accompanied by alterations to the existing car park layout and an overall increase in the number of spaces. It is proposed to provide a total of 117 car parking spaces for the school and other uses within the school campus. The car parking standard requirements, including the proposed extension, would require a total of 103 spaces. Therefore, 117 car parking spaces as proposed exceed the parking standards and would accord with Policy A/10 of the UDP and the NPPF.

The Committee also requested that highways explore the potential for an additional car park to be created to the east of the main school building. Highways however advise that a new vehicular access in this location off Windermere Road would create conflict with the junction of Wood Street and would be detrimental to the safe and efficient operation of Windermere Road, hence it would not be possible to pursue this option.

Vehicular Access onto Windermere Road:

The proposed access to the car parking area from Windermere Road is now proposed to be altered. The access has been widened slightly in order to make it easier for cars to pass each other. The proposal also includes a speed calming feature (speed hump) in order to slow cars down on entering and leaving the site in accordance with Policy A/10 of the UDP and the NPPF.

Safety of Windermere Road:

In respect of other concerns raised regarding safety along Windermere Road, highways have confirmed that one accident has occurred in the last 5 years. However, they acknowledge the deficiencies with the existing parking bays along Windermere Road which are often used for drop-off and pick-ups. They consider that the best way of improving safety in the area would be to remove the formalised parking opposite the school, or alternatively to provide additional hard surfacing of the first 2m of grass verge so as to assist parents in unloading children. It is open for the Committee to discuss these potential options and the cost of either option would need to be met by the Council.

Travel Plan:

The proposed Travel Plan has been developed to encourage walking, cycling, scooting, bus travel and car sharing. The Council have also offered additional resource to the school to implement the Travel Plan and ensure that individual aims and objectives contained within the Travel Plan are met.

The original Travel Plan has been revised to correct inaccuracies and reflect the revised car parking information noted above. This has been circulated to Members of the Committee as requested.

In conclusion, it is considered that the Travel Plan accords with Policy A/12 of the UDP and the NPPF and a condition is recommended in order to adopt and implement the Travel Plan.

Access:

In context of the Travel Plan, it is recognised that there are already gates on the north eastern boundary of the school. These gates are used for years 1-6 and the front entrance is used for

nursery and reception pupils. Paragraph 35 of the NPPF prioritises pedestrian movements and preventing access at this point, in particularly given access to this side is already established, would significantly impact on the present operations of the school and the proposed expansion of the school. It is not therefore considered reasonable to require the pedestrian gates to be relocated and it would be unsafe for the present access gates at this side to be utilised going forward given their width would unduly restrict access in view of the proposed increase in pupil numbers.

Conclusion:

Overall, based on the adopted parking standards, there is considered to be sufficient parking associated with the existing school campus in order to accommodate the proposed development and ensure parking standards overall are exceeded. Nevertheless, the Council's highways section has acknowledged that there is likely to be additional disturbance to surrounding roads arising from the proposals in respect of school pick up and drop off times; although it is has to be accepted that there is already a considerable degree of disturbance associated with the existing school. However, as the application includes additional parking spaces in order to cater for the increase in capacity of the school, and as the proposal is accompanied by a Travel Plan, it is considered that the proposed development would be acceptable in relation to highway safety, access and parking. A number of the concerns raised relate to issues and measures which would fall outside the remit of planning (such as inconsiderate parking). Overall it is considered that there is sufficient parking to meet the future needs of the school in accordance with Policy A/10.

Officers are satisfied that the proposal is sufficient to serve the needs of the school and the NPPF is clear that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. In addition, it also advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. It is not considered by the Highways Officer that the highway implications of this proposal would be severe. It is therefore concluded that the application complies with UDP Policies A/8, and A/9.

Flood risk and drainage

UDP Policy EM/8 states that development likely to pose an unacceptable risk to surface or ground water quality, or to water supply will not be permitted.

United Utilities has raised no objections to the development, subject to conditions requiring separate systems for the disposal of foul and surface water, and the use of sustainable drainage.

Subject to the provision of full details of drainage as required by condition proposed below, it is considered that the proposal complies with UDP Policy EM/8.

Summary

The proposed two storey extension would be compatible with the main school building and surrounding area in terms of scale, design and materials, and would not have any undue impact upon the amenity of nearby residents. The existing highway network and parking provision is considered to be sufficient to cater for the proposed development. Whilst there are legitimate concerns in respect of parking provision, conditions are recommended requiring the proposed parking spaces to be brought into use prior to occupation of the building and the scheme to be implemented in accordance with a submitted Travel Plan. Overall the proposal exceeds parking standard requirements.

The proposal complies with the relevant Policies in the Unitary Development Plan which are broadly compliant with the National Planning Policy Framework (NPPF) in respect of this development. Suitable planning conditions can be imposed to prevent harm arising from the development. Paragraph 14 of the NPPF states that where a planning application is in accordance with the development plan, it should be approved without delay. The application is therefore recommended for approval.

RECOMMENDATION

GRANT subject to conditions

- 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 Edge Red. Drawing No. A4/230001749/001
Ground Floor General Arrangement Plan. Drawing No. 2002337/PO6
First Floor GA Plan and Sections. Drawing No. 2002337/PO7
Proposed Elevations. Drawing No. 2002337/PO8
Proposed Site Plan. Drawing No. 2002337/PO9
Existing and Proposed Parking Layouts. Drawing No. 2002337/P10
Proposed Alterations to Existing Entrance. Drawing No. 2002337/P11

and the development shall be carried out in complete 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 Unitary Development Plan and the National Planning Policy Framework.

- 3 Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and / or full specifications of materials to be used externally on the building(s) 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.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policy BE/2 of the adopted Rochdale Unitary Development Plan and the requirements of the National Planning Policy Framework.

- 4 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. The structures shall thereafter be retained.

Reason: In the interests of amenity and in compliance with Policy BE/2 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 5 The 'Travel Plan Measures' contained in the approved Travel Plan (ref - 1068603-107-00) shall be implemented before the first occupation of the buildings unless otherwise

agreed in writing by the Local Planning Authority and shall continue to be implemented thereafter.

Reason: To encourage staff, children, parents and visitors to the school to use more sustainable modes of transport than the motor car and therefore make the area around the school a safer environment for all, in accordance with Policy A/11 of the Council's Unitary Development Plan.

- 6 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.

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.

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 BE/2 and BE/8 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 7 No building within the site shall be occupied until such time as secure storage facilities for bicycles have been provided within the site, in accordance with details to have first been submitted and approved in writing by the Local Planning Authority. The duly approved bicycle storage facilities shall be retained and kept available for that use thereafter.

Reason: To ensure that adequate and satisfactory provision is made for bicycle parking and in order to encourage alternative modes of travel to the site apart from the motor car or other motorised vehicles, in accordance with Policy A/4 and the general principles of Policy A/11 of the Council's Unitary Development Plan.

- 8 The car park and hardstanding area shown on the approved plans shall be constructed and marked out in accordance with the details shown, concurrently with the construction of the buildings hereby permitted and shall be made available for use before the buildings are first occupied and retained for Use as a car park thereafter, unless otherwise approved in writing by the Local Planning Authority. The parking Spaces indicated cross-hatched on the plan shall be marked out for the exclusive use of people with impaired mobility and retained for that use thereafter.

Reason: In order to ensure adequate and appropriate parking provision for disabled persons in accordance with Policies A/10 and BE/2 of the Unitary Development Plan

- 9 Before any development is commenced, details of the construction and design of a refuse bin store shall be submitted for the written approval of the Local Planning Authority. The duly approved facility shall be made available for use before the building hereby approved is first occupied and shall be retained thereafter.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policy BE/2 of the adopted Rochdale Unitary Development Plan and the requirements of the National Planning Policy Framework.

- 10 No development shall take place until details of the means of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The details, as approved, shall be implemented in full before any part of the development hereby permitted is first brought into use or any dwelling units within the site are first occupied.

Reason: To secure a satisfactory system of drainage and to prevent pollution of the water environment in accordance with Policies EM/7 and EM/8 and the principles of Policy EM/7 of the Council's Unitary Development Plan.

- 11 Prior to the occupation of the development hereby approved, full details of the proposed traffic calming measures detailed on drawing No 2002337/P11 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details and implemented prior to the occupation of the proposed extension.

Reason: In order to ensure adequate and appropriate parking provision for disabled persons in accordance with Policies A/10 and BE/2 of the Unitary Development Plan

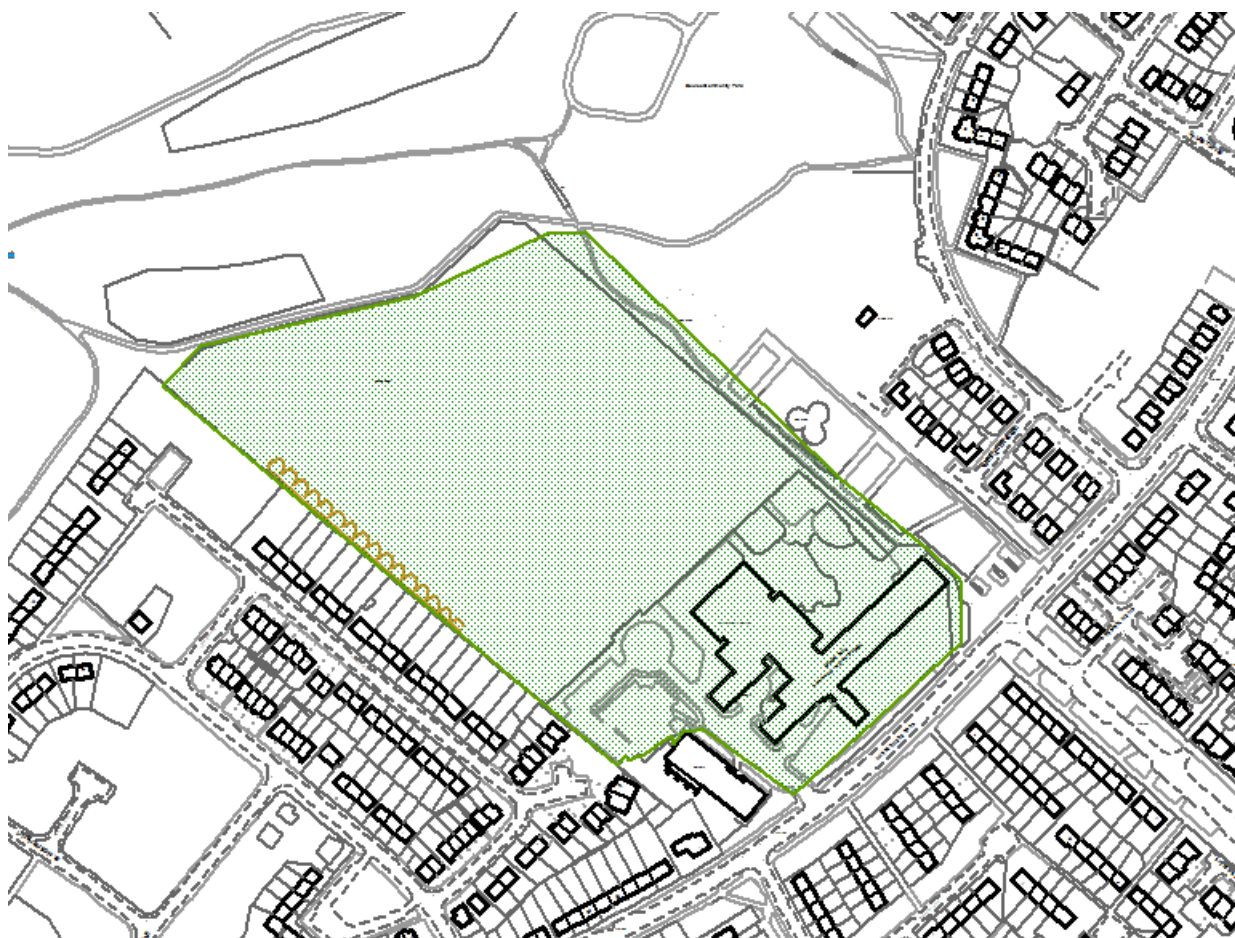
Report Author Matthew Woodward

Proposal: Proposed two temporary classrooms

Site Address: Bowlee Park Community Primary School Windermere Road Middleton M24 4LA

Applicant: Mrs Debra Kay
Rochdale MBC Early Help and Schools

RECOMMENDATION: Grant subject to conditions



DELEGATION SCHEME

The application is before the Middleton Township Planning Sub-Committee in light of the Councillor and public interest in the separate application for the construction of a two-storey extension at the school to provide 8 additional classrooms (16/00126/FUL). At the time of preparing this report, the consultation period was on-going and in view of the interest in the above application, it was anticipated that the Council may receive four or more letters of objection to the temporary classroom scheme, which would require that the application be referred to the Committee. The development proposed by this application proposal is designed as a safeguard to ensure that, should the scheme for the permanent extensions be delayed, a suitable level of accommodation will be available for the expected 2016 academic year intake.

SITE

This application relates to Bowlee Park Community Primary School, accessed from Windermere Road in Middleton. The wider site also encompasses a range of other buildings and uses including a sports centre, library and nursery. The school lies within the Defined Urban Area as defined within the Council's Unitary Development Plan.

Bowlee School is primarily comprised of an elongated two storey school building which was built in the early 20th Century, and has been extended over time in the form of new sports facilities in the 1980s and altered in appearance through various external works in the early 21st Century. The building is screened by a number of mature trees which are positioned on the school boundary with Windermere Road. The school site benefits from a large playing field area to the North West (designated as an area of Protected Open Space under UDP Policy G/3 and Protected Open Land under Policy D/10), and outdoor hardstanding play areas mainly positioned behind the school building.

The main area for parking and pupil drop-off lies within the school grounds towards the north west of the building. Drop-offs/pick-ups also appears to take place on Windermere Road and the surrounding streets, including within a number of formalised bays on the highway.

The nearest residential properties face the school on the opposite side of Windermere Road on Isel Walk and Broughton Close. Immediately to the north east of the site is a relatively new housing estate from developers Keepmoat, separated from the school site by a narrow strip of public open space. The majority of the properties which directly abut the boundary of the development appear to have been recently occupied.

PROPOSAL

Bowlee school has historically been a 3 Form Entry school, however, due to rising demand for school places across the Borough the school is now required to offer 4 Form Entry. Additional classroom accommodation is therefore required for the intake of September 2016 and as such a planning application was submitted in February 2016 for the construction of a two-storey 8 no. classroom extension (16/00126/FUL). This application seeks a temporary permission for the erection of a modular classroom block on the existing grass landscaped area to the front of the school building in order to safe guard against any delay in delivering the permanent extension and ensure continuity of the expected provision of school places.

The modular building would measure 9.56m in width (when viewed from Windermere Road) and extend to a depth of 16.28m. The building would have a flat roof to a height of 3.1m. The structure would be finished externally in 'Goosewing Grey' coated steel panels, alongside 'Merlin Grey' trims. External doors would be steel faced composite and windows white UPVC. Internally the building would host 2 no. classrooms with toilet facilities, accessible W/C and storage. Temporary macadam paths and DDA compliant access ramps and steps would be provided as indicated on the submitted plans to facilitate access both into and around the structure.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework

The Department for Communities and Local Government published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied.

National Planning Policy Guidance

The government published its National Planning Practice Guidance on 6 March 2014. This is intended to complement the National Planning Policy Framework and to provide a single resource for planning guidance, whilst rationalising and streamlining the material. Almost all previous planning Circulars and advice notes have been cancelled. Specific reference will be made to the NPPG or other national advice in the Analysis section of the report, where appropriate.

Unitary Development Plan (UDP):

G/D/1	Defined Urban Area
G/R/1 R/2	Regeneration Langley Physical Regeneration Area, Middleton
G/CF/1 CF/2	Community Facilities and Public Services General Criteria for the Development of Local Community and Health Facilities
G/A/1 A/3 A/8 A/9 A/10	Accessibility New Development – Access for Pedestrians and Disabled People New Development – Capacity of the Highway Network New Development – Access for General Traffic New Development – Provision of Parking
G/BE/1 BE/2 BE/8	Design Quality Design Criteria for New Development Landscaping in New Development

RELEVANT PLANNING HISTORY & BACKGROUND

01/D39454	Installation of security shutters to 16 ground floor windows – Granted STC
02/D40150	Installation of security shutters to ground floor windows and doors of school – Granted STC
07/D50133	Alterations to school including re-roofing, new entrance canopy, fire escape staircase, extension of existing covered play area, erection of freestanding covered play area, new car park, resiting of bin storage area and erection of replacement 2.4metre high perimeter fencing – Granted STC
08/D50990	Alterations to school including re-roofing, new entrance canopy, fire escape staircase, extension of existing covered play area, erection of freestanding covered play area, new car park, resiting of bin storage area and erection of new and replacement 2.4m high fencing - revised proposal D50133 – Granted STC
10/D53574	Extension to existing covered play area to front elevation of school – Granted STC
16/00126/FUL	Erection of two storey classroom extension to rear, single storey extension to front of existing building, formation of 1000m ² hard play area and erection of a 2.4m high fence along the northern and eastern boundary and gate along the eastern school boundary. Alterations to

existing car park and access including provision of additional spaces –
Pending Decision

CONSULTATION RESPONSES

Highways and Engineering –

This application will not impact upon the highways layout. This application has no dedicated parking but the purpose of the temporary facility is to replace classrooms during the construction period of the permanent extension. As part of the extension to the school, plans are in place to extend the parking standard beyond that of the UDP Maximum Standard.

This development will not change Refuse Collection. No new access to the highway will be created by this development. This development will not have a negative impact upon the local Network Capacity. This development will not have a negative impact upon Road Safety. Highways Drainage will not change as a result of this development. No Public Right of Way will be obstructed by this development.

Sport England – The proposed development is not considered to fall either within the statutory or non-statutory remit of Sport England and therefore does not require a detailed response.

Drainage – No comment.

Green Infrastructure Officer –

No objection to the proposal as long as temporary protection is in place around the existing trees before the installation of the classrooms, in line with BS5837 (2012) Trees in relation to Design, Demolition and Construction.

REPRESENTATIONS

Letters of notification were sent to surrounding properties (including a large number hand-delivered to properties within the adjacent Keepmoat development – Whinlatter & Fleetwith Close) and a notice displayed in the vicinity of the site. At the time of publication, two letters of objection have been received in response to this publicity, as summarised below:

- Residents on Fleetwith Close and Whinlatter Close already suffer with people using driveways, roads and gardens as a cut through to the school which will increase substantially when the new classrooms are built however, the scheme does not include a permanent fence with gated access for tenants only.
- Whinlatter Close is used as a drop off and pick up area for parents with cars and as a cut through to the school by those on foot resulting in the trespass on private land owned by residents. The phrase inconsiderate parking is mentioned frequently in the reports regarding application 16/00126/FUL and seems to be accepted as part of any school extensions – this is not acceptable to residents and the Council cannot condone or allow trespass on private land.

Officer's Response: The application for the permanent classroom extension (16/00126/FUL) contains a proposal to introduce additional double gates in the eastern boundary of the school site. However, these gates do not form part of this scheme and any impacts as a result of their construction are therefore not relevant to the determination of this application. Notwithstanding this, the distance between the school boundary and the closest houses is 40m, with an intervening area of open green space between. Any control over the independent actions of parents of children at the school with regard to vehicle and pedestrian movements within the Keepmoat estate falls

outside of the remit of the planning department. As the objector rightly states, the Council do not condone trespass, however, matters of trespass upon private land are a civil matter and not therefore for the involvement of the planning department.

ANALYSIS

Principle of Development

The application site is allocated as Defined Urban Area under the Rochdale Unitary Development Plan. Policy G/D/1 is therefore relevant to any applications on the site and in the supporting text to this policy it is established that new development should be located in the urban area, so as to support urban regeneration and to protect the countryside.

Large areas of the school site (primarily the playing fields to the North West) are allocated under policies D/10 (Protected Open Land) and G/3 (Protection of Existing Recreational Open Space). However, the specific area upon which the temporary classroom would be installed at the front of school is not allocated under these policies and their content is therefore not relevant in the determination of the current application.

The site is also located within an area of land designated as the Langley Physical Regeneration Area (UDP policy R/2). The UDP was adopted in June 2006 and pre-dates the introduction of the NPPF. However, paragraph 211 of the NPPF is clear that for the purposes of decision-taking, the policies in the development plan should not be considered out-of-date simply because they were adopted prior to the publication of this Framework. Rather due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework - the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given.

Policy R/2 states that the Council will support, facilitate and implement proposals for the comprehensive regeneration of the area in accordance with an approved masterplan. Future programmes for physical regeneration and renewal will be expected to:

- i. Take an holistic approach to dealing with economic, social and environmental problems; and
- ii. Provide the planning framework for a sustainable community with new employment opportunities, a wider range of quality housing and supporting community facilities and a substantially improved environment.

Building upon this, criterion (g) of the above states that development within the estate is expected to contribute to the provision of improved community facilities to meet local needs, including shops, local leisure, health and nursery facilities in locations that are accessible to the whole estate.

Paragraph 72 of the National Planning Policy Framework states that: *“the Government attaches great importance to ensuring that sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools”.*

The NPPF is therefore clear that great weight should be afforded to the type of development proposed by this application. In addition, UDP Policy CF/2 (General Criteria for the Development of Local Community and Health Facilities) permits and supports new and improved local community facilities provided:

- a) *The facility is accessible to the community it is intended to serve and, where practicable, within District or Local Centres,*

- b) *The proposal will have no acceptable impact on the amenity of surrounding land uses, particularly residential, by reason of visual appearance, scale, noise or other nuisance; and*
- c) *The surrounding road network is capable of accommodating any additional vehicle traffic likely to be generated by the proposal without damage to the local environment or road safety.*

The proposed classroom block would act as a temporary measure to ensure sufficient pupil capacity for the school, should the works required for the current plans to permanently extend the school (application reference 16/00126/FUL) be delayed. These works will in turn provide the opportunity for more students to enrol in what is an essential educational facility. The proposal would therefore benefit the wider community in line with the requirements of the NPPF. In terms of the relationship with neighbouring land uses and highway considerations, these are discussed in greater detail below.

Location, Layout, Scale and Design

Policy BE/2 of the UDP is concerned with design criteria for new development and states that development proposals should demonstrate good design by ensuring that they are compatible with or improve their surroundings by virtue of their scale, density, height, massing, layout, materials, architectural style and detail and means of enclosure. The policy requires that schemes should create visual interest in areas lacking character and take opportunities to retain, enhance or create views alongside appropriate treatment of open spaces between and around buildings. Good design includes the retention of key natural features, including trees, as part of the landscaping of the site and should allow for safe and convenient access and circulation.

Paragraph 58 of the NPPF encourages good design by stipulating that planning policies and decisions should aim to ensure that developments:

- 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;*
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;*
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;*
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.*

The proposed temporary classroom block would be positioned to the front of the existing school building, within a prominent position currently used as an area of informal open space. However, the temporary structure is considered to appear subordinate and compatible with the surrounding buildings and the proposed material colours are of a complimentary appearance to those featured on the front elevation of the school and it is noted that the building would be partially screened by the existing palisade fencing on the boundary with Windermere Road and by the mature trees which partially line the boundary.

It is proposed that the modular classrooms would be finished externally in 'Goosewing Grey' coated steel panels, alongside 'Merlin Grey' trims. External doors would be steel faced composite and windows white UPVC. The proposed access steps and ramp on the north east elevation of the building would be bounded by a 1.1m high bow-top timber fence and the temporary pathways surrounding the building formed of an aggregate base course surface.

Although it is acknowledged that the siting of the modular classroom block will result in the loss of an attractive landscaped area immediately to the front of the school, it is acknowledged that any permission would be only for a temporary period and the applicant has indicated that

the site and landscaping would be fully re-instated following removal of the building, and this would be further secured by an appropriate condition if permission is granted. The siting of the building for a temporary period is therefore considered to accord with the requirements of policy BE/2 and the National Planning Policy Framework.

Relationship with Surrounding Uses

One of the 12 principles of the NPPF is to ensure that planning decisions *“always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”* and this is broadly in line with criterion (i) of UDP Policy BE/2 which seeks to ensure all development demonstrates good design by *“making adequate provision for natural light within and between buildings”*, and criterion (b) of Policy CF/2 which only permits community developments where *“the proposal will have no acceptable impact on the amenity of surrounding land uses, particularly residential, by reason of visual appearance, scale, noise or other nuisance”*.

In terms of separation distance, the nearest residential properties to the application site are on the opposite side of Windermere Road at Broughton Close and Isel Walk, approximately 32m from the front elevation of the proposed building. Given that the facing aspects of the dwellings are their gable elevations, which do not feature any windows to habitable rooms, and the highway of Windermere Road itself separates the neighbouring houses from the school site, it is not considered that the relationship between the two would be unacceptable and the application is therefore considered to accord with policies BE/2 and CF/2 of the Unitary Development Plan and the National Planning Policy Framework.

In addition to the above criteria within Policies BE/2 and CF/2, criterion (j) of UDP Policy BE/2 also only permits developments that demonstrate good design by – *“minimising the potential environmental impact of and on the development, including noise, air and water pollution”* and criterion (a) of Policy EM/3 also states that development will not be permitted where – *“it would lead to unacceptable levels of noise nuisance to nearby existing or future occupants of buildings”*.

One of the 12 principles of the NPPF is to ensure that planning decisions *“always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”*. In specific reference to noise paragraph 123 of the same states that decisions should seek to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;*
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;*
- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.*

With regard to the use, the proposed temporary classroom block would be occupied by children attending an established school site and would be constructed in response to a rising demand for school places within the locality. It is acknowledged that there is likely to be an increase in movements of vehicles into and out of the site, primarily during pick-up and drop-off times, due to the rising number of students. However, the school will have an up to date Travel Plan in place as part of application 16/00126/FUL which is intended to reduce impacts on neighbouring properties.

In respect of potential noise arising from the extended school, given the separation distance and the already established use of the site, it is considered that the temporary proposal would not have any significantly greater impact upon neighbouring uses than the existing use of the

site in accordance with UDP Policies BE/2, CF/2 and EM/3 and the National Planning Policy Framework.

Access and Parking

Unitary Development Plan policy A/8 states that new development will be permitted provided that the additional traffic generated will not be detrimental to the safe and efficient operation of the greater Highway Network, both adjacent to and further away from the site. Specifically, proposals should not have an adverse impact on the safety of any road users or pedestrians, substantially increase congestion or cause an unacceptable environmental impact on residential properties through increased traffic. Further to the above, policy A/9 outlines that proposal must facilitate safe and convenient access for general traffic, ensuring that roads, junctions and access points are safe, convenient and suitable for the volume and characteristics of traffic that will be required to use them and that access for emergency and service vehicles is provided.

Policy A/10 of the Council's Unitary Development Plan relates to the provision of parking in new development and states that the Council will require car parking provision as part of new development at less than the maximum standard (identified in Appendix C of the UDP) based on an assessment of the following criteria:

- a. The location of the development and the appropriateness and feasibility of providing parking provision within that location;
- b. Access to other transport modes;
- c. The availability of other convenient and safe off-street parking;
- d. The availability of unutilised on-street parking capacity and the ability to accommodate parking without harm to visual amenity or pedestrian / road safety; and
- e. The willingness of a developer to fund traffic Orders to establish controls on on-street parking or other measures to mitigate the impact, including securing modal shift away from vehicular traffic and other traffic management measures.

The applicant has provided additional information in the application for the permanent classroom extension (16/00126/FUL) and has clarified the extent of existing parking areas and number of spaces on the school site. As the application for consideration proposes two additional classrooms, in accordance with Appendix C of the UDP, the scheme would normally be expected to provide an additional 3 car parking spaces (1.5 per classroom). However, there are 107 existing spaces within the site as it stands, which already exceeds the maximum parking standard policy requirements for the site as it is used in its present state.

Consultation has been carried out with the Council's Highways Officer who has noted that this application proposes no additional dedicated parking but adds that the purpose of the temporary facility is to provide additional classrooms during the construction period of the permanent extension. As part of the permanent extension to the school, plans are in place to extend the parking on the site. No new access to the highway will be created by this development and it is not considered that the development will have a negative impact upon the local Network Capacity or have a negative impact upon Road Safety. The application is therefore considered to comply with policies A/8, A/9 and A/10 of the Unitary Development Plan. Notwithstanding this, paragraph 32 of the NPPF states that applications for planning permission should only be refused on transport grounds where the residual cumulative impacts of development in relation to highways and transport networks would be severe and it is therefore considered that a refusal on highways grounds would not, in this case, be sustainable.

Impact upon Trees

As the proposed temporary building will be sited on an existing area of greenspace which is host to a number of trees, consultation has been carried out with the Council's Green

Infrastructure Officer. The submitted plans indicate that the more mature tree specimens to the west of the site would stand outside of the footprint of the proposed building and as such the Officer has raised no objection to the application on the proviso that temporary protection measures are in place around the existing trees before the installation of the classrooms, in line with BS5837 (2012) Trees in relation to Design, Demolition and Construction and a condition requiring the same would be attached to any permission.

Conclusion

In summary, the proposed temporary classroom would represent an important provision of community facilities under policy CF/2 of the Unitary Development Plan and would provide valuable capacity to facilitate increased school places at a local school. The proposal therefore accords with paragraph 72 of the National Planning Policy Framework in relation to ensuring the Borough meets the educational needs of existing and new communities. The visual impact of the proposal is considered to be acceptable in accordance with policy BE/2 and the proposal will not have an unacceptable impact on the amenity of surrounding land uses with regard to visual appearance, scale or noise and, as such, is also considered as being in accordance with policy CF/2 of the UDP. It is therefore recommended that permission is granted for a temporary period, with the existing landscaped area to be fully restored to its former status and appearance once this expires.

RECOMMENDATION

GRANT subject to the conditions:-

- 1 This permission shall expire on 1st August 2017 by which date the use of the building shall have been discontinued and all associated buildings and structures shall have been removed from the land and the land shall have been restored to its previous condition.

Reason: The modular building is constructed of materials which have a relatively short lifespan and which might deteriorate in appearance over time. In addition, the modular building is only required to provide temporary accommodation until the construction of the proposed permanent extension to the school is complete and the structure is habitable. Required in accordance with Policies BE/2 and BE/8 of the Rochdale Unitary Development Plan.

- 2 This permission relates to the following plans:-

- Location Plan and Block Plan drawing no. 2002337 L(02)08
- Existing Site Plan drawing no. 2002337 L(02)02
- Site Location Plan, Proposed Layout and Elevations drawing no. 2002337 L(02)07

and the development shall not be carried out other than in complete accordance with these drawings hereby approved.

Reason: For the avoidance of any doubt and to ensure a satisfactory standard of development in accordance with policies of the Rochdale Unitary Development Plan as listed below on this decision notice.

- 3 The development shall be constructed in accordance with the materials detailed on the approved plans unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure a satisfactory appearance in the interest of visual amenity in accordance with the requirements of Unitary Development Plan Policy BE/2.

- 4 No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. 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 NE/7 and NE/8 of the adopted Rochdale Unitary Development Plan and the National Planning Policy Framework.

Report Author David Allen
