

APPLICATION REPORT - PA/342624/18

Planning Committee, 13 February, 2019

Registration Date: 23/11/2018
Ward: Saddleworth South

Application Reference: PA/342624/18
Type of Application: Full Planning Permission

Proposal: Demolition of shippon / stables and erection of school for children with autism (Use Class D1), associated car parking and landscaping.

Location: Land west of Springfield Farm, Friezland Lane, Greenfield, OL3 7EU

Case Officer: Hannah Lucitt

Applicant Bright Futures School
Agent : Whittaker Design

THE SITE

The application site is located at land to the west of Springfield Farm, within the allocated Green Belt of Greenfield.

The application site is located on the eastern side of Friezland Lane and comprises a disused farmyard associated with Springfield Farm. The application site lies to the west of the Grade II listed Springfield Farmhouse and adjoining barn.

The original farmhouse and barn to Springfield Farm have been converted to form three self contained dwellings. However, the application site itself is occupied by a brick stable block and much of the site is hard surfaced in concrete.

The application site is accessed from Friezland Lane.

THE PROPOSAL

This application proposes the demolition of the existing dilapidated stables, and the erection of a single storey 'U' shaped school building for children with autism, with associated car parking and landscaping.

The proposed school building will measure 27m in width, 18.7m in depth and 4.7m to the pitched roof ridge. The building will be externally clad in reclaimed stone and timber cladding with a standing seam metal roof.

The building would be accessed from the existing entrance on Friezland Lane, and parking for 24 cars is proposed on the site, with three disabled persons' bays.

RELEVANT HISTORY OF THE SITE:

LB/050984/06 'Subdivision of existing farmhouse into 2 no. dwellings and conversion of barn into dwelling house' granted listed building consent on 28th April 2006.

PA/050985/06 'Sub-division of existing farmhouse into 2no. dwellings and conversion of barn into dwellinghouse' granted planning permission on 28th April 2006.

CONSULTATIONS

Environmental Health	No objection, subject to the inclusion of a condition addressing waste storage.
Highway Engineer	No objection, subject to the inclusion of conditions addressing the provision and retention of car parking spaces, the provision of a School Travel Plan, and the provision of wheel cleaning equipment during construction.
Greater Manchester Ecology Unit	No objection, subject to the inclusion of a condition in regard to the protection of bats.
Education Team	No objection.

REPRESENTATIONS

This application was publicised by way of a site notice and neighbour notification letters. One letter of support was received by virtue of this publication process, which commented that the proposed development was a great use of a dilapidated plot.

Saddleworth Parish Council recommend approval, and have made the following comments:

"We recognise that this site is in the Green Belt and consider this application to be an exceptional case. We hope that this will be respected should future applications be made for the development of this site".

PLANNING CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. This is reiterated in paragraph 2 within the National Planning Policy Framework (NPPF).

In this case the 'development plan' is the Joint Development Plan Document which forms part of the Local Development Framework for Oldham. It contains the Core Strategies and Development Management policies used to assess and determine planning applications. The application site is located within the Green Belt as allocated by the Proposals Map associated with the Joint Development Plan Document. Therefore, the following policies are considered relevant:

Policy 2 - Communities;
 Policy 9 - Local Environment;
 Policy 20 – Design;
 Policy 21 - Protecting Natural Environmental Assets; and,
 Policy 22 - Protecting Open Land.

In determining the application, the main issues to consider are:

- 1) Land Use
- 2) Green Belt;
- 3) Design and Impact on the Grade II listed building;
- 4) Residential Amenity;
- 5) Highway Safety;
- 2) Impact on Ecology.

Land Use

The site occupies a sustainable location on the edge of the built up area of Greenfield, and although not comprising previously developed land, it will nevertheless make practical use of a site containing existing buildings which are in a poor visual condition.

DPD Policy 2 states that the Council will support improvements to the education and skills of

the borough's population by working with education partners to facilitate the development of new and improved education facilities. The proposed new school will provide additional and improved learning accommodation, capacity, and upgraded learning facilities and disabled access for students, and will address the needs of the Saddleworth area through provision of a new specialist education facility.

The development therefore complies with Paragraph 94 of the NPPF, which states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of communities, and goes on to state that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement. No objections have been raised by the Council's Education team.

It is considered that the proposed school will contribute towards sustainable development by providing a school which is fit for purpose and will provide facilities which will help to enable students to reach their full potential. The proposed building is energy efficient, highly insulated, maximises the use of daylight, and makes use of natural ventilation.

Impact on the Green Belt

Paragraph 133 of the NPPF clarifies that a fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.

DPD Policy 1, in the context of this application, seeks to ensure the effective use of land, which maintains the borough's green belt, and which ensures that development respects Oldham's natural, built and historic environment, and their settings. DPD Policy 22 is also relevant in determining whether the principle is acceptable due to the location of the site in the Green Belt. Paragraph 145 within the NPPF explains that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt.

The application site does not comprise 'previously developed land' because agricultural buildings are specifically excluded from the definition within the National Planning Policy Framework (NPPF). Consequently, the development would not fall within any of the exceptions listed in paragraph 145 of the NPPF.

Therefore, the proposed development would amount to 'inappropriate development' within the Green Belt. Paragraph 143 of the NPPF explains that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 of the NPPF goes on to state that when considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

The following 'very special circumstances' have been submitted by the applicant:

- *Providing a specialist school of this nature in the area where it is needed and was originally established;*
- *Maintaining jobs for local people;*
- *Providing schooling for local children who may have to travel out of the area for this level of specialist education and therefore increasing travel distance / time and of course the environmental impact that has;*
- *The proposal improves the setting of the site for the environment and the Grade II Listed Building to the east of the site;*
- *Benefit the local environment improving the use and building that is on the site. The proposed building is to be built using local stone and timber to reflect the rural setting of the site;*
- *A new purpose built facility allows for the design to meet the needs to provide level access to the site from parking areas with full internal access for pupils with mobility difficulties and wheel chair users;*
- *The site has good access to local transport links;*
- *The rural site with the correct landscaping scheme will encourage wildlife that will be great*

for the education of the pupils and to the surrounding area;

- This site allows the school to be operated within the boundaries, including the dropping off /collecting of pupils and car parking which should not have an impact on the local highways; and,

- The project ethos is to use local companies for the delivery of this development, using local companies during the design process and building of the school and that will also continue when the school is operating using local suppliers for the food etc. Therefore employing local people and the economic benefits that brings during the build and for the future of the school and all who are involved with it.

These factors weigh heavily in support of the proposal. In particular, the specialist nature of the facility and specific benefits of the site and location provide strong support as 'very special circumstances'.

Effect on the openness of the Green Belt

In terms of issues of openness and visual amenity, in the Court of Appeal case of *Turner v Secretary of State for Communities and Local Government and East Dorset Council* (2016) it was observed that visual impact is implicitly part of the concept of the openness of the Green Belt, and that such assessment is not restricted to volumetric comparison only. It is open to the decision taker to consider the impact on openness in the context of the site itself, the type and character of development proposed, and how this relates to the existing situation.

The proposed development would include the demolition of the existing stable building and the erection of a building with a larger footprint, but of a similar height. The proposed development, comparatively, would have a greater impact on the openness of the Green Belt in regard to volume of built development within the application site. However, it is noted that larger buildings which existed on the site have been demolished within the last 10 years.

Effect on the visual amenity of the Green Belt

In respect of the impact on visual amenity, the proposed development is sited within an elevated vantage point from Friezland Lane, but with a robust landscaping buffer to the periphery of the public highway, which would block much of the proposed building from view.

There are limited views available of the proposed development towards the backdrop of the Green Belt behind it, which rises beyond the site. From any views to the south, the building would be viewed in the context of neighbouring buildings and would not be a notable feature on the landscape.

It is therefore not considered that the proposed development would detract from the visual amenity of the Green Belt.

Green Belt Conclusion

It is considered that the proposed development would be seen from restricted views from public vantage points, and the proposed height and scale would limit the impact on the openness and visual amenity of the Green Belt. It occupies a site with a history of built development and will not result in urban sprawl or unacceptable encroachment into the countryside.

In this context, the 'very special circumstances' submitted by the applicant are considered to outweigh the harm to the Green Belt.

Therefore, the principle of development is considered acceptable against the provisions of DPD policies 1, 2 and 22 and Paragraph 94 and Section 13 of the NPPF.

Design and Impact on the Grade II listed building

DPD Policies 9 and 20 recognise the contribution that high quality design can make to regeneration and sustainable development.

Policy 24 states that development within or affecting the setting of a listed building must serve to preserve or enhance its special interest and setting.

NPPF Paragraph 189 states that in determining applications, Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

The proposed development would have an impact on the setting of the Grade II listed building, which is 15 metres from the site, as it will be visible in views from the west of the listed building.

The applicant has clearly tried to limit the harm on the heritage asset by reflecting the external facing materials of a building more closely linked with agriculture, comprising stone, timber cladding, and standing seam roofing material.

In this instance, it is considered that the inclusion of these visually appropriate facing materials, and the loss of an existing building in this position which itself detracts from the setting of the listed building, combined with the limited height of the proposed development would avoid any harmful impact caused by virtue of the increase in floorspace over and above the existing building on site.

In this instance, on balance, the proposal is considered to cause 'less than substantial' harm to the setting of the heritage asset.

Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

In this case, the applicant has clearly set out the public benefits associated with providing a specialist education facility, and re-developing a dilapidated site, to provide such a facility.

In this instance, it is considered that the public benefits would outweigh the limited harm.

In conclusion, it is considered the proposed development will broadly preserve, i.e. not harm, the special interest and setting of the Grade II listed Springfield Farmhouse and adjoining barn. Therefore, the proposed development is considered to comply with the provisions of Policies 9, 20 and 24 of the Council's Local Development Framework, and Chapter 16 of the NPPF.

Residential Amenity

Policy 9 states that it is necessary to consider how the proposal impacts on the amenity of the occupants of adjoining residential properties and the visual appearance of an area. The closest neighbouring properties to the proposed new school are the dwellings at 1, 2 and 3 Springfield Farm.

The proposed development would be sited approximately 15m from the dwellings at Springfield Farm.

However, the proposed development has been specifically designed to limit the impact on residential amenity. The high level windows facing the dwellings would be obscure glazed to prevent any overlooking to the dwellings. Any overlooking from users of the car park towards the upper floors of the dwellings would be at such a distance from the windows as to prevent any significant loss of privacy.

The proposed development would not overshadow the dwellings or have any overbearing impact.

The dwellings at 20-34 Friezland Lane face the application site, but would be sited a minimum of 21m from the proposed building and are unlikely to be impacted by way of overlooking or overbearing impact. The site entrance has not been relocated by virtue of the proposed development, and it is considered that the coming and going of vehicles entering the school during peak periods would not have any significant impact on amenity by virtue of light spill from headlights or other impact.

Other dwellings are further from the application site and would not be affected.

Given the above, it is considered that, on balance, the proposed development would be in compliance with DPD Policy 9 in regards to the impact on residential amenity.

Highway Safety

The proposed development has been assessed by the Council's Highway Engineer, who has raised no objection.

Proposed access to the site is taken from Friezland Lane. There is currently a high demand for on-street parking from the nearby businesses. There is no dedicated footway provision along part of Friezland Lane.

In this instance, the Highway Engineer considers that there is adequate provision within the site for staff parking to be accommodated and for children to be dropped off safely either by private car or taxi.

It is not considered likely that a high number of children will walk or cycle to school, therefore a condition has not been included for any improvements to pedestrian or cycling facilities in the area.

Given the above, it is considered that the proposed development is in accordance with DPD Policy 9 in regard to highway safety and amenity.

Impact on Ecology

Ordinarily, it would be expected that a Bat Survey would be submitted with the planning application. However, Greater Manchester Ecology Unit has assessed the building and considers that as the existing building (to be demolished) has a low risk of supporting roosting bats, on this occasion, it is recommended that the bat survey is conditioned.

Subject to the inclusion of the above condition, it is not considered that the proposed development would be harmful to local wildlife and therefore accords with DPD Policy 21.

Conclusion

The proposed development would serve to satisfy the requirements of specialist school places in this part of the borough, to the benefit of the local community. This benefit is further reinforced by the Department for Communities and Local Government (DCLG) Policy Statement 'Planning for School Development' (August 2011), which gives strong policy support for improving state education, and that a refusal is unreasonable unless it is supported by clear and cogent evidence.

The proposed development would not have such a negative impact on residential amenity to warrant refusal on this basis alone.

On balance, the impact on the setting of the Grade II listed building is acceptable, given the clear public benefits associated with the scheme.

There would be no significant additional impact on the highway, and it is considered that the

impact on highway safety and amenity is not severe.

RECOMMENDATION

Approve, subject to the following conditions:

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

Reason - To comply with the provisions of the Town & Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be fully implemented in accordance with the approved plans:

- Drawing no. 3715.2 received 23rd November 2018
- Drawing no. 3715.3 received 23rd November 2018
- Drawing no. 3715.4 received 23rd November 2018

Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

3. Prior to any walls or roofs being constructed of the development hereby approved, samples of the materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved samples.

Reason - To ensure that the appearance of the development is acceptable to the Local Planning Authority in the interests of the visual amenity of the area within which the site is located

4. The development hereby approved shall not be brought into use unless and until a detailed design for the bin storage enclosure, and to screen the 'external dining' area from neighbouring dwellings, has been submitted to and approved in writing by the Local Planning Authority, and the approved scheme has been fully implemented. Thereafter approved waste storage facilities and screening shall remain at all times.

Reason - To ensure that the site is not used in a manner likely to cause nuisance to occupiers of premises in the surrounding area.

5. No site clearance or development shall take place until a report concerning the use of the site by bats, prepared by a suitably qualified person, has been submitted to and approved in writing by the Local Planning Authority. If such a use is established, any protection or mitigation measures or other recommendations of the report shall be undertaken in accordance with a timetable to be agreed in writing by the Local Planning Authority.

Reason - To ensure the protection of bat habitats, which are protected species under the Wildlife and Countryside Act 1981.

6. The development hereby approved shall not be occupied before details of hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The hard landscape details shall include proposed finished levels or contours; means of enclosure; hard surfacing materials and street furniture, where relevant. The soft landscaping works shall include planting plans; written specifications (including cultivation and other operations associated with plant and

grass establishment); schedules of plants and trees, noting species, plant/tree sizes and proposed numbers/densities and the implementation programme. The scheme should be designed to secure improvement to the visual appearance of the site and to protect the amenity of neighbouring properties.

Reason - To ensure that the development site is landscaped to an acceptable standard in the interests of protecting the visual amenity and character of the site and its surroundings.

7. All hard and soft landscape works for the site to comply with condition 6 shall be carried out in accordance with the approved details prior to the occupation of any part of the development. Thereafter, any trees or shrubs which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development, shall be replaced in the next planting season with others of a similar size, number and species to comply with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure that the landscaping scheme is carried out and protected in the interests of visual amenity and to safeguard the future appearance of the area.

8. The development hereby approved shall not be brought into use unless and until the car parking spaces have been provided in accordance with the approved plan received on 23rd November 2018 (Ref: Dwg No. 3715.2) and details of drainage and construction shall first of all have been submitted to and approved in writing by the Local Planning Authority. All works that form part of the approved scheme shall be retained thereafter.

Reason - To ensure that adequate off-street parking facilities are provided for the development so that parking does not take place on the highway to the detriment of highway safety.

9. Prior to the occupation of the development, details of a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall show measures to reduce the need to travel to and from the site by private transport and the timing of such measures. Within 6 months of the occupation of the development the plan shall be implemented in accordance with the details as approved.

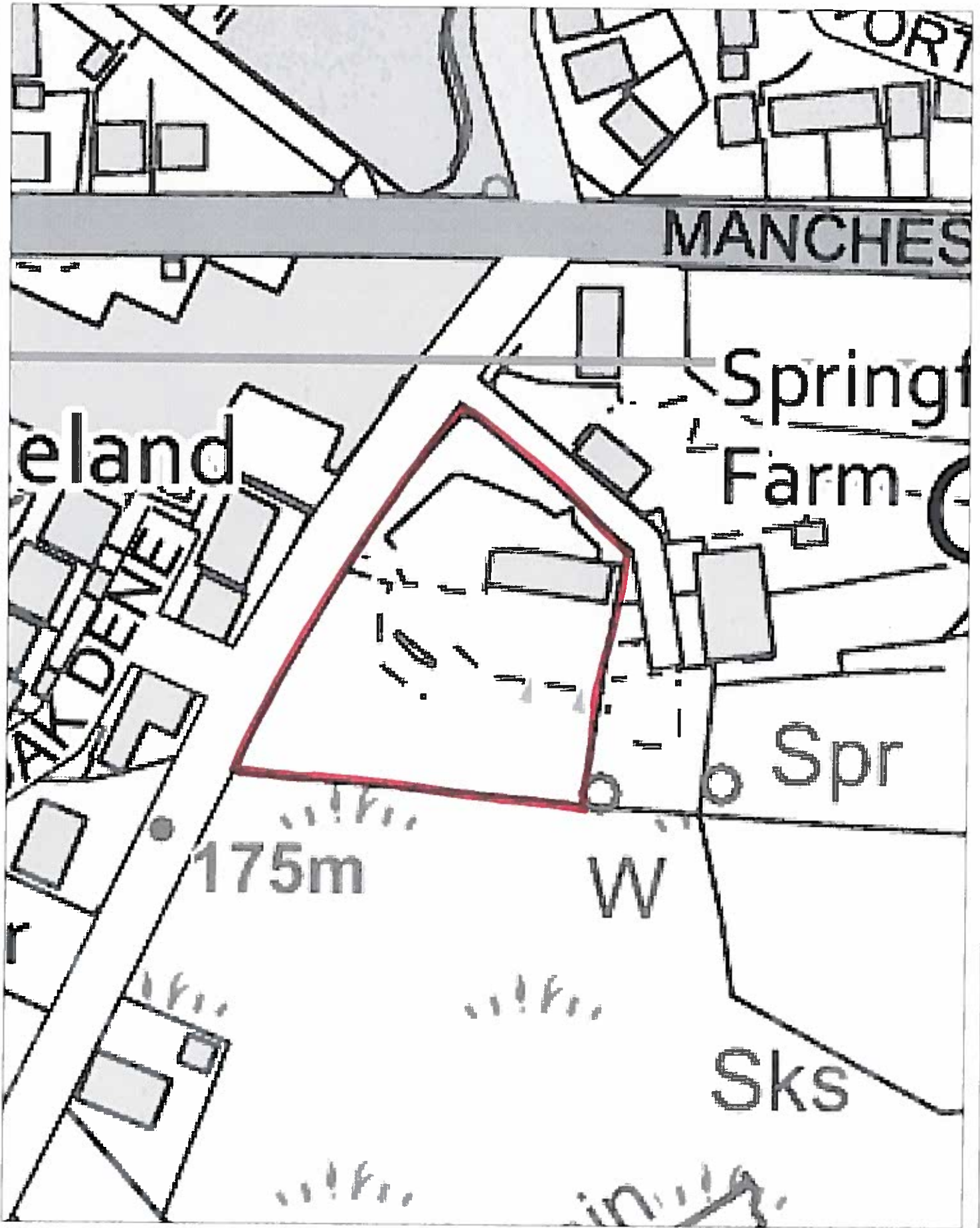
Reason - To ensure the development accords with sustainable transport policies

10. During the construction period adequate wheel cleaning equipment, the details of which shall be submitted to and approved in writing by the Local Planning Authority, shall be installed on the site. Prior to leaving the site all vehicles, which have travelled over a non-hard surface, shall use the wheel cleaning equipment provided, such that they are in such a state of cleanliness that they do not foul the highway with mud or other material. The equipment shall, for the duration of the construction works, be maintained in good working order and shall not be removed unless agreed by the Local Planning Authority.

Reason - In the interests of highway safety.

11. Notwithstanding the provisions of Part 7 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order with or without modification, no additional buildings or extensions shall be erected on the site other than with the prior written approval of the Local Planning Authority.

Reason - In order to preserve the openness of the Green Belt and in the interests of the amenity of the occupiers of neighbouring properties.



342624

OLDHAM 
Metropolitan Borough 

Planning Services
Oldham MBC
PO Box 30
Civic Centre
West Street
Oldham
OL1 1UQ

Contact Us
Phone: 0161 911 4105
Fax: 0161 911 3104
Email: planning@oldham.gov.uk
Web: www.oldham.gov.uk

Date: 04 02 19

Scale 1:1000



Ordnance Survey

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Oldham MBC Licence No. 0100019668 2006

PLANNING COMMITTEE - BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING AND INFRASTRUCTURE

PLANNING AND ADVERTISEMENT APPLICATIONS

The following is a list of background papers on which this report is based in accordance with the requirements of Section 100D (1) of the Local Government Act 1972. It does not include documents, which would disclose exempt or confidential information defined by that Act.

THE BACKGROUND PAPERS

1. **The appropriate planning application file:** This is a file with the same reference number as that shown on the Agenda for the application. It may contain the following documents:
 - The application forms
 - Plans of the proposed development
 - Certificates relating to site ownership
 - A list of consultees and replies to and from statutory and other consultees and bodies
 - Letters and documents from interested parties
 - A list of OMBC Departments consulted and their replies.
2. **Any planning or advertisement applications:** this will include the following documents:
 - The application forms
 - Plans of the proposed development
 - Certificates relating to site ownership
 - The Executive Director, Environmental Services' report to the Planning Committee
 - The decision notice
3. Background papers additional to those specified in 1 or 2 above or set out below.

ADDITIONAL BACKGROUND PAPERS

1. The Adopted Oldham Unitary Development Plan.
2. Development Control Policy Guidelines approved by the Environmental Services (Plans) Sub-Committee.
3. Saddleworth Parish Council Planning Committee Minutes.
4. Shaw and Crompton Parish Council Planning Committee Minutes.

These documents may be inspected at the Access Oldham, Planning Reception, Level 4 (Ground Floor), Civic Centre, West Street, Oldham by making an appointment with the allocated officer during normal office hours, i.e. 8.40 am to 5.00 pm.

Any person wishing to inspect copies of background papers should contact Development Management telephone no. 0161 770 4105.