

APPLICATION REPORT - PA/344246/19

Planning Committee, 27 May, 2020

Registration Date: 02/12/2019
Ward: Chadderton Central

Application Reference: PA/344246/19
Type of Application: Full Planning Permission

Proposal: Erection of a two storey Special Educational Needs & Disability (SEND) primary school (Use Class D1), including multi-use games area, access, landscaping and other associated works.
Location: Land adjoining the existing Kingfisher School, Foxdenton Lane, Chadderton, OL9 9QR
Case Officer: Abiola Labisi
Applicant: Interserve Construction Ltd on behalf of the Secretary of State for Education
Agent :

THE SITE

This presently vacant site is accessed via Jardine Way off the A663 (Broadway) and adjoins the existing Kingfisher School on Foxdenton Lane to the east.

To the north is a water treatment plant. To the west are industrial sites, with a supermarket to the south. The site is partly screened by trees along the western, southern and northern boundaries.

THE PROPOSAL

The proposal relates to the erection of a new two storey Special Educational Needs and Disability (SEND) primary school and associated development including the provision of a multi-use games area, landscaping and access off Jardine Way. It is stated that the development would provide 152 school places for pupils across the ages of 4 to 11 including some early years places.

The proposed building would be centrally located on site with the Multi -Use Games Area being to the east. The car parking area would be located within the western section of the site, adjacent to Jardine Way. Some extensive landscaping would be provided around the north, north-eastern and southern boundaries of the site.

The school building would be L-shaped with a total internal floor area of approx 3231 square metres and be finished in a mix of dark grey brick, light grey micro rib panels and metal cladding to the roof.

The Multi-Use Games Area for use of the school will be provided, along with 87 car parking spaces and cycle storage areas.

RELEVANT HISTORY OF THE SITE:

There is no relevant planning history on the site.

CONSULTATIONS

Highway Engineer

Final comments from both consultees are awaited.

| | |
|--|--|
| Transport for Greater Manchester Environmental Health | No objection subject to conditions relating to landfill gas/land contamination surveys. |
| Coal Authority | The site is within a Development Low Risk Area. As such, there is no requirement for a risk assessment. |
| Environment Agency | No objection. |
| Natural England | No objection |
| Greater Manchester Ecology Unit | No objection subject to conditions |
| Greater Manchester Police Architectural Liaison Unit | No objection subject to implementation in accordance with the security measures in the Crime Impact Statement. |
| Ramblers | No objection |
| Sport England | No objection |
| United Utilities | No objection subject to conditions relating to surface and foul water disposal |
| LLFA/Drainage | No comment received |

REPRESENTATIONS

No representation received in relation to the application.

RELEVANT PLANNING POLICIES & GUIDANCE

The 'development plan' is the Joint Development Plan Document (DPD) which forms part of the Local Development Framework for Oldham. The application site is not allocated within the Proposals Map associated with the Plan. Therefore, the relevant policies are as listed below:

Policy 2 - Communities
 Policy 5 - Promoting Accessibility and Sustainable Transport Choices
 Policy 9 – Local Environment
 Policy 18 - Energy
 Policy 19 - Water and Flooding
 Policy 20 – Design
 Policy 21 - Protecting Natural Environmental Assets

National Planning Policy Framework

Section 8 - Promoting Healthy and Safe Communities
 Section 9 - Promoting sustainable transport
 Section 12 - Achieving well-designed places
 Section 14 - Meeting the challenge of climate change, flooding and coastal change
 Section 15 - Conserving and enhancing the natural environment

PLANNING CONSIDERATIONS

Principle of the development

The National Planning Policy Framework states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities and that '*local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education*'.

DPD Policy 2 (Communities) provides that the council will support proposals for new and improved community facilities that meet an identified need. In relation to the need for the facility, the Oldham Education and Skills Commission (OESC) Report published on 15th January 2016 specifically recognises the capacity issues within the special school sector and the lack of provision for children with moderate/severe learning difficulties in Oldham.

The proposal would boost school places in the area, particularly for children with special education needs thus enhancing the sustainability of the local community. The proposal

would therefore contribute towards improving the level of education and skill sets of the borough's population and be in accordance with relevant provisions of DPD Policy 2 as well as those of Section 8 of the NPPF and is thus considered to be acceptable in principle.

An energy strategy report has been submitted with the application which demonstrates that the proposal has been designed to comply with the requirements of Policy 18 (Energy) of the Oldham Local development Framework.

Highway Issues

In relation to the impact of proposals on highway safety, paragraph 108 of the NPPF provides that proposals should ensure that safe and suitable access to the site can be achieved for all users while paragraph 109 provides that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposal includes the provision of adequate parking and cycle storage facilities on site.

However, having regard to its nature and scale, and the likely volume of traffic the development would generate, a traffic survey and management plan has been requested by Transport for Greater Manchester in order to determine the impact on the local highway network. This has been submitted recently and reviewed by TfGM who have advised that whilst they would have no objection in principle, some additional information related to the length of the right turn lane into Jardine Way and evidence that it is long enough to ensure that vehicles waiting to turn right do not have to queue beyond the length of the lane would be required. Subject to this issue being satisfactorily addressed, it is considered that the proposal would not lead to any severe detrimental highway issue.

The additional information has been provided to TfGM, and further comments will be reported to Committee when received.

Impact on the character of the area

The site is largely surrounded by commercial uses of various types and this is reflected in the types of buildings in the immediate vicinity. The proposed school building would be in keeping with the pattern of development in the area having regard to its scale and design. In this regard therefore, it is considered that the proposal would not lead to any significant adverse impact on the character of the area.

The scheme includes a landscaping proposal which shows planting of trees to replace the ones that would be removed. With regard to removal of trees and the impact of this on the character of the area, the Council's Tree Officer has advised that the proposed level of replanting is sufficient to mitigate the required level of tree loss on site and will overall, improve the diversity of planting. As such, it is considered that the proposal would not lead to an unacceptable impact on the character of the area in this regard.

Ecology

An Ecological Impact Assessment of the proposal has been undertaken which considered the impact of the proposal on amphibians, badgers, bats, birds, invertebrates, hazel dormouse, reptiles, hedgehogs, and other protected, rare or notable species as well as invasive plants.

The report concludes that the development can proceed with minimal impact to habitats and protected / notable species assuming the mitigation measures outlined within the report are implemented and that there is also the opportunity to enhance the development for local wildlife in the long-term by implementing the enhancement measures.

The Greater Manchester Ecology Unit has raised no objection to the scheme, subject to the development being implemented in accordance with the recommended conditions. It is therefore considered that the scheme would not lead to any significant adverse impact on

ecology/biodiversity.

Flooding

The site is identified as falling within Flood Risk Zone 1 which is an area of lowest probability of flooding and where all developments are acceptable in principle. With regard to a sustainable drainage system, a Flood Risk Assessment and Drainage Strategy has been submitted with the application which sets out how surface water would be disposed of in a sustainable manner, following the SUDS strategy.

The FRA and Drainage Strategy report shows that discharge to soakaways, which is usually the preferred option, would not be feasible in this instance. The proposal is therefore to discharge into a nearby culverted watercourse on Jardine Way, at a discharge rate equivalent to the greenfield runoff rate.

The Environment Agency raised no objection to the scheme. Also, United Utilities has raised no objection to the scheme subject to conditions relating to the submission of full details of a surface water drainage proposal based on sustainable drainage techniques.

Impact on Amenity

Having regard to the nature of the adjoining uses, it is considered that the proposal would not lead to any unacceptable impact on the amenity of the occupiers of adjoining properties. The separation distance between the site and the neighbouring residential properties would minimise any potential impact on residential amenities.

CONCLUSION

Having regard to the scale, design and materials of the proposed development, the general pattern of development in the area and nature of surrounding uses, it is considered that the proposal would not lead to any significant adverse impact on the character of the area or impact adversely on the amenities of the occupiers of neighbouring properties. The proposal would help to address an identified need for this type of community facility in the borough thus enhancing the area's sustainability. The proposal would therefore be in accordance with relevant provisions of the Oldham Local Plan and the National Planning Policy Framework.

RECOMMENDATION

Approve, subject to relevant conditions relating to highway issues and external lighting to be imposed following receipt of additional information, as well as 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 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 and specifications which are referenced as:
 - i. Drawing No. 00-0001 Rev. P06 (Proposed Ground Floor Plan) received 11/12/2019
 - ii. Drawing No. 00-0001 Rev. P06 (Proposed First Floor Plan) received 11/12/2019
 - iii. Drawing No. 00-2001 Rev. P10 (Proposed Elevations) received 03/03/2020
 - iv. Drawing No. 00-0001 Rev. P05 (Proposed Roof Plan) received 11/12/2019
 - v. Drawing No. 01 Rev. F (Proposed Landscaping Plan) received 11/12/2019
 - vi. Drawing No. 02 Rev. E (Proposed Site Security Strategy) received 11/12/2019
 - vii. Drawing No. 03 Rev. E (Proposed Access Strategy) received 11/12/2019
 - viii. Drawing No. 03 Rev. F (Proposed Site Plan) received 11/12/2019

ix. Drawing No. 06 Rev. D (Proposed Surface Finishes and Indicative Levels) received 11/12/2019

x. Drawing No. 07 Rev. F (Proposed Site Sections) received 11/12/2019

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

3. The development hereby approved shall not be occupied until the access to the site and car parking spaces have been provided in accordance with the approved plan 03 Rev F, and in accordance with the details of construction, levels and drainage, which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the access and parking spaces. Thereafter the parking spaces and turning area shall not be used for any purpose other than the parking and manoeuvring of vehicles.

Reason - To ensure adequate off-street parking facilities are provided and remain available for the development so that parking does not take place on the highway to the detriment of highway safety having regard to Policies 5 and 9 of the Oldham Local Plan.

4. All hard and soft landscape works shall be carried out in accordance with the approved plan (Ref. Drawing No. 01 Rev. F) prior to the occupation of any part of the development or in accordance with the programme approved in writing by the local planning authority. 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.

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 having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.

5. The development shall be carried out in accordance with the details set out in the submitted Arboricultural Impact Assessment and Tree Survey and Constraints Report prepared by Amenity Tree Care.

Reason - In order to protect existing trees and hedges having regard to saved Policy D1.5 of the Unitary Development Plan.

6. Prior to the commencement of any earthworks, a survey for invasive plant species, including Japanese knotweed and Himalayan balsam and in particular along the northern and southern boundaries shall be undertaken and the finding submitted to and approved in writing by the Local Planning Authority. If any invasive species are present a method statement detailing avoidance, control and eradication measures should also be submitted to and approved in writing by the Local Planning Authority prior to any earthworks, and the development shall be carried out in full accordance with the approved details.

Reason - To protect native species and the environment, in accordance with Policy 21 of the Oldham Local Development Framework

7. Notwithstanding any details already submitted, no development shall commence until a sustainable surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for

infiltration of surface water;

(ii) A restricted rate of discharge of surface water to 6 litre per second forward flow rate of discharge, if infiltration is discounted in the investigations.

(iii) A timetable for its implementation.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution having regard to Policy 19 of the Oldham Local Plan.

8. Prior to first occupation of the development, a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. The plan shall have regard to the principles as set out in the submitted Flood Risk Assessment & Drainage Strategy prepared by Sutcliffe Civil and Structural Engineers (Report ref: LRD30389) dated October 2019. The sustainable drainage management and maintenance plan shall include as a minimum:

a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by an appropriate management company; and

b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

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

Reason - In order to manage the risk of flooding and pollution during the lifetime of the development having regard to Policy 19 of the Oldham Local Plan.

9. Foul and surface water shall be drained on separate systems.

Reason - To secure proper drainage and to manage the risk of flooding and pollution having regard to Policy 19 of the Oldham Local Plan.

10. No development shall commence until a Phase III remediation strategy in accordance with the recommendations of the Phase II Interpretative Ground Assessment Report (30389LG-R02 dated February 2020) has been submitted to and approved in writing by the Local Planning Authority.

Reason - Prior approval of such details is necessary as they are fundamental to the initial site preparation works and in order to protect public safety as the site is located within 250 metres of a former landfill site having regard to Policy 9 of the Oldham Local Plan.

11. Prior to any part of the development hereby approved being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy required under Condition 9 of this approval, and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in

accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason - To ensure that the site does not pose any further risk to human health or the water environment having regard to Policy 9 of the Oldham Local Plan.

12. The development shall be carried out in accordance with the details set out in the Energy Strategy Report prepared by Ridge and Partners LLP (ref. FS0626-RDG-XX-XX-RP-ME-00002_V2) and retained as operational thereafter.

Reason – To ensure that the development accords with the provisions of Policy 18 of the Oldham Local Plan.

13. No works to trees or shrubs shall take place between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

Reason - To ensure the protection of bird habitats, which are protected species under the Wildlife and Countryside Act 1981 having regard to Policy 21 of the Oldham Local Plan.

14. Prior to commencement of any earthworks a survey of the site and within 30m of the boundaries for badger setts shall be undertaken and the findings submitted to and approved in writing by the Local Planning Authority. If any earthworks are proposed within 30m of a sett additional information on how any potential impact on badgers would be mitigated shall be submitted to and approved in writing by the Local Planning Authority.

Reason - In order to prevent undue harm to protected species having regard to Policy 21 of the Oldham Local Plan.