

## **Application Number 15/00986/OUT**

<b>Proposal</b>	Redevelopment of the site, including demolition of existing buildings, for approximately 96 new dwellings and associated works - outline
<b>Site</b>	Clarendon College Sixth Form Centre, Clarendon Road, Hyde
<b>Applicant</b>	Tameside College
<b>Recommendation</b>	<b>Approve</b>

## **REPORT**

### **1 APPLICATION DESCRIPTION**

- 1.1 The application seeks outline planning consent for the demolition of all of the existing buildings on the college campus and the redevelopment of the land to provide up to 96 new dwellinghouses. At this stage the only matter of detail for which consent is sought is the means of access to the redevelopment site and this would be from the existing vehicle entrances from Clarendon Road. All other matters of detail, namely the layout, appearance, scale and landscaping of the development, are then held in reserve and requiring subsequent consent should this outline application be granted.
- 1.2 A plan has been submitted with the application to indicate how the proposed 96 dwellinghouses could be accommodated on the site.

### **2.0 SITE AND SURROUNDINGS**

- 2.1 The application site comprises 2.74ha of land located approximately 0.7km to the north-east of Hyde town centre and includes the main College building, ancillary service buildings, sports hall, car parking areas and a sports field. The existing College buildings are largely two-storey, although the main building rises to 3 storeys in parts, and the sports hall is also equivalent to 2 to 3 storeys in height.
- 2.2 The main College building was constructed in 1912 with later extensions added in 1929 and more recently. From 1929 the building was used as Hyde Grammar School. The school closed in 1979 when the former Hyde Sixth Form College was formally established at the site. Subsequently Hyde Clarendon Sixth Form College merged with Tameside College. The Clarendon Road site was closed in October 2015, with students moving to a new sixth form centre in Camp Street in Ashton (known also as Clarendon College) and to the College's existing site on Beaufort Road in Hyde.
- 2.3 The site is bound to the north by Hyde Park, with significant areas of trees running along this boundary. Hyde Police Station is located adjacent to the site to the west and the railway line to the east. There is residential development, comprising high density terraced houses, across Clarendon Road opposite the main site frontage.
- 2.4 Land within the site slopes down from Clarendon Road towards Hyde Park at the rear, and downwards to the sports hall, which is at a lower level than both the road and the main College buildings. There are a number of mature trees within the site, particularly along the front boundary of the site with Clarendon Road, some of which are covered by a tree preservation order.

- 2.5 There are two main vehicle access points to the site; a northern/eastern access serving the main College site, and a southern/western access serving the sports hall.
- 2.6 The nearest bus stops to the site, with eastbound and westbound services, are located on Clarendon Road, adjacent to the site's southern boundary. The stops on Clarendon Road are served by Service 346, which operates between Hyde town centre, Newton, Dukinfield, Ashton town centre and Tameside General Hospital. The bus route then passes close to Hyde Newton and Ashton-under-Lyne railway stations as well as the Metrolink line and the proposed transport inter-change in Ashton town centre.

### **3.0 PLANNING HISTORY**

- 3.1 None relevant.

### **4.0 RELEVANT PLANNING POLICIES**

- 4.1 Tameside Unitary Development Plan (UDP) Allocation  
Part unallocated. Part protected green space

#### **4.2 Tameside UDP**

##### **4.2.1 Part 1 Policies**

- 1.3: Creating a Cleaner and Greener Environment.
- 1.4: Providing More Choice and Quality Homes.
- 1.5: Following the Principles of Sustainable Development
- 1.12: Ensuring an Accessible, Safe and Healthy Environment

##### **4.2.2 Part 2 Policies**

- H2: Unallocated Sites.
- H7: Mixed Use and Density.
- OL4: Protected Green Space.
- T1: Highway Improvement and Traffic Management.
- T11: Travel Plans.
- N4: Trees and Woodland.
- N5: Trees Within Development Sites.
- MW11: Contaminated Land.

#### **4.3 Other Policies**

- 4.3.1 Residential Design Supplementary Planning Document.  
Tameside Playing Pitch Strategy

#### **4.4 National Planning Policy Framework (NPPF)**

- 4.4.1 Section 1 Delivering sustainable development  
Section 6 Delivering a wide choice of high quality homes  
Section 7 Requiring good design  
Section 8 Promoting healthy communities

#### **4.5 Planning Practice Guidance (PPG)**

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 PPG or other national advice in the Analysis section of the report, where appropriate.

## **5.0 PUBLICITY CARRIED OUT**

5.1 As part of the planning application process 89 notification letters were sent out to neighbouring properties on 17<sup>th</sup> November 2015 and a notice was posted at the site and published in a local newspaper on 26<sup>th</sup> November 2015.

## **6.0 RESPONSES FROM CONSULTEES**

6.1 The Head of Environmental Services – Highways has raised no objections to the proposal and has requested conditions and informative notes to be attached to any approval.

6.2 The Sport and Leisure Facilities Development Manager is satisfied with the proposed measures to mitigate for the loss of the playing field.

6.3 Network Rail has raised no objections to the proposal and has requested that conditions to be added to any approval.

6.4 The Design for Security Unit has raised no objections to the proposal and has suggested that any application for approval of the reserved matters shall be accompanied by a Crime Impact Statement.

6.5 The Coal Authority has raised no objections to the proposal and has requested that a condition to be added to any approval.

6.6 The GM Ecology Unit has raised no objections to the proposal.

6.7 Sport England have stated that an objection to the loss of the existing sports pitch at the College will be withdrawn once a suitable section 106 agreement or other legal mechanism is confirmed on replacement provision.

## **7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED**

7.1 In response to the original notifications objections have been received from six households; two being from residents in Clarendon Road, two from residents in Hyde and two from residents in Denton. The grounds given for objecting are:

- increased traffic generated by the development exacerbating problems of congestion in Clarendon Road;
- the disruption caused to neighbours during demolition and construction;
- the loss of the main building and the college facility; and,
- the loss of trees.

## **8.0 ANALYSIS**

8.1 The principal issues in deciding this application are:-

- 1) The principle of the development and the loss of the playing fields and existing buildings,
- 2) A planning obligation,
- 3) Access and traffic, and
- 4) The indicative layout.

9.0 The land on which the former College buildings stand comprises of both previously developed land and protected green space. UDP policy H2 confirms that the Council will generally permit the redevelopment of previously developed land for residential use. In this case, the site is no longer in active use as an education site and currently lies vacant, and can therefore be deemed as previously developed and available. The key issue is therefore the loss of the playing fields.

### **Loss of the playing fields**

- 9.1 Being allocated as forming part of a wider area of protected green space, which links in to the adjacent Hyde Park, the playing fields are not a site on which the Council would normally grant permission for built development. The policy (OL4) to retain areas of protected green space sites does however allow for sites to be released for built development, such as residential, in light of certain considerations. One such consideration is if playing field or green space which will be lost as a result of a proposed development would be replaced by a playing field or green space of an equivalent or better quality and quantity, in a suitable location and subject to equivalent or better management arrangements, prior to commencement of development. This consideration is wholly in-keeping with the NPPF (Section 8).
- 9.2 The Council manages municipal football pitches at Garden Street and Victoria Street in Hyde. The two pitches at Victoria Street are classified as "standard" in the Council's current Playing Pitch Strategy with spare capacity of 2.5 matches per week. The two pitches at Garden Street are classified as "standard" in the Council's current Playing Pitch Strategy with spare capacity of 1 match per week. Both sites would benefit from investment in pitch quality which may then result in additional usage by local clubs. The renovation proposal to improve the grass pitches at both sites, which are located in the vicinity of Hyde Clarendon sixth form site, will further enhance provision in the locality along with the new synthetic turf pitch located at Hyde United FC. The works would include scarifying, top-dressing, de-compacting, over-seeding, fertilising and irrigating each pitch, and these improvements will provide adequate mitigation for the loss of the pitch at the former college site.
- 9.3 The renovation proposal to deliver improvements to the football pitches at Garden Street and Victoria Street to compensate for the loss of the playing field at the application site is therefore considered acceptable and compliant with UDP policy OL4.
- 9.4 Having objected initially to the loss of the playing field, Sport England has confirmed that the objection will be withdrawn once a suitable section 106 agreement or other legal mechanism is completed in order to secure the improvements at Garden Street and Victoria Street.

- 9.5 If the Council was minded to approve the application without the agreement being completed, because of the objection by Sport England, the application must be referred to the Secretary of State before a decision could be issued.
- 9.6 The recommendation on the application is to grant planning permission subject, among other things, to the prior signing of a Section 106 Legal Agreement in order to secure appropriate mitigation for the loss of the playing fields so that the proposal complies with UDP policy OL4 and the NPPF, and confirmation of the withdrawal of the objection from Sport England. Sport England will then be consulted on the final content of the agreement in order that the objection can be withdrawn.

### **Loss of main building**

- 9.5 The main building was constructed in 1912 and whilst undoubtedly presenting an attractive and locally-distinctive façade towards Clarendon Road, when it was reviewed in 2009 by Historic England in response to an application for listing, the main college building was not considered of sufficient special architectural or historic interest to merit listing. The reasons for the building not to be statutory listed included: -
- It is fairly standard in terms of its architectural styling for its 1912 date and lacks special interest within a national context.
  - It has incurred significant external and internal alteration to all areas, and has been considerably extended to the rear.
  - The later extensions are unsympathetic to the original character and design of the building.
  - It possesses a standard internal layout that has been compromised by the later additions
  - Many original interior features have been altered or lost, and where they do survive they are standard in terms of their quality, styling and design.
- 9.6 The application includes an assessment of significance which describes the main building having a heritage asset of low (local) value. The assessment concurs with the findings of Historic England, which states that the building lacks the architectural and historic value to warrant statutory protection.
- 9.7 The building is not listed, either nationally or locally and is not considered a 'designated heritage asset' and therefore does not benefit from statutory protection against its loss.
- 9.8 The loss of the building could partially be mitigated by a recording and photographic survey to Historic England 'Level 1' (understanding historic buildings) which would record the significance of the building and what is to be lost. In addition, the brick pillar / railings boundary to the site frontage are to be retained as a historic reference to the previous use of the site. It is therefore recommended that conditions are imposed to retain and protect the existing wall and railings along Clarendon Road and to require a photographic survey and recording of the main building prior to its demolition.

### **Loss of sports hall**

- 9.9 Having been built in 2002, the sports hall is of no special architectural or historic interest. Use of the sports hall was principally by the College, but community use by

agreement outside of college hours. In preparation for the closure of the Clarendon Road campus, community use of the sports hall was ended in February 2015.

- 9.10 There was only ever a limited take-up of the use of the sports hall available to the community, with a maximum utilisation of 29% and then it was mainly for recreational use rather than formal competitive play. The majority of recent users have since found alternative venues to continue to play sport. As is confirmed by the absence of objection from Sport England, the loss of the sports hall as a recreational facility can be accepted in principle.

## **10.0 Planning obligation**

- 10.1 In order that the quality of the single pitch at Victoria Street and the two pitches at Garden Street can be improved to a “good” standard the applicant is agreed an investment £70,000 and so allow for additional games per week. The scope of these works has been developed in consultation with the Football Association’s Pitch advisor. Should the Panel be minded to approve the application, such an agreement would form part of the terms of an Agreement under Section 106 of the Planning Act.

- 10.2 A development such as this would normally be subject to further financial contributions secured by means of a section 106 Planning Agreement. However, given the financial sensitivity of the development and the benefits the development would help to deliver, including the Vision Tameside project, in this instance it is appropriate that any further contribution is waived. Alternative provision for education is made elsewhere in the Vision Tameside project, not least in the new Clarendon College in Ashton town centre.

## **11.0 Access and traffic**

- 11.1 Vehicular access to the site will continue to be taken off Clarendon Road via the existing access arrangements to the main College element of the site and the sports hall element of the site. The existing gated pedestrian access on Clarendon Road will be retained as an emergency access. Additional points of access would also be created for pedestrians, although the exact details of such arrangements will be addressed as part of the final layout at reserved matters stage.

- 11.2 Utilising existing openings on to Clarendon Road the proposed access points to the site avoids the need to lose any of the trees along the site’s frontage. The traffic generated by the development would not materially exceed that generated by the previous college use of the site. Given the proximity of the 346 service bus route, the site is well located for services to Hyde town centre and the bus station.

- 11.3 Based on surveys undertaken whilst the college was operational a Transport Statement submitted with the application indicates that the proposed residential development would generate less traffic in the morning peak than did the previous college use. It is expected that there would be an increase in traffic generated by the proposed development in the evening peak but this would not be so great so as to impact materially on the existing network.

- 11.4 The college use generated considerable pedestrian traffic between Hyde town centre and the site. It is anticipated that the residential development would generate less pedestrian movements which is likely to reduce pedestrian demand on traffic signals on Clarendon Road.

11.5 In overall terms therefore officers are satisfied that the proposed development is acceptable in terms of access, highway safety and parking provision and the development complies with UDP Policies T1, T7 and T10 and Section 4 of the NPPF.

## **12.0 Indicative layout**

12.1 Despite the proposed layout of the site being held in reserve the application is accompanied by an indicative drawing showing how the site might be laid out. The drawing shows a range of 2, 3 and 4 bedroom family and executive homes of various types and sizes, including townhouses, semidetached and detached houses. The highest density of development within the site is shown as being concentrated along the Clarendon Road frontage to reflect the existing terraced housing opposite the site and to provide a strong and continuous frontage along the street. The density then reduces towards the boundary with the Park and at the northern end of the site to create a softer transition with the open space. The overall density of development would therefore be approximately 38.5 units per hectare.

12.2 The trees and woodlands which border the site are shown as being retained and used to provide a mature backdrop to the proposals, with new trees being introduced where appropriate. It is also intended that the existing brick pillars and railings along the site frontage are retained and so provide historic reference.

12.3 Ultimately, a reserved matter, officers are satisfied the indicative layout successfully demonstrates that up to 96 houses could be accommodated on this site.

## **13.0 Ecological significance**

13.1 The site has been assessed by the GM Ecology Unit and no objection is raised on nature conservation grounds. Bat surveys undertaken of the buildings to be demolished did not record signs of roosting bats.

## **14.0 Ground conditions**

14.1 Records indicate that the site has been subject to historic recorded underground coal mining at shallow depth and is also likely to have been subject to unrecorded underground coal mining at shallow depth. A Coal Mining Ground Investigation & Risk Assessment Report submitted with the application confirms also a potential mine entry (adit) being present within the site boundary. The Report is however inconclusive and recommends further investigation works are required in order to enable an appropriate remedial strategy to be agreed. Therefore, in accordance with the consultation response from the Coal Authority, in order to secure the integrity of any development and in the interests of public health, it is recommended that any permission be conditional, among other things, upon a scheme of intrusive site investigations and any necessary remedial works found to be necessary being carried out.

## **15.0 Conclusion**

15.1 In conclusion, the proposed development would result in the beneficial re-use of previously developed land providing much needed housing in an accessible location close to a wide variety of services and transport links in Hyde Town Centre. Whilst there are some concerns about the loss of the playing field, this has been compensated with the upgrading of football pitches at Victoria Street and Garden Street which are within close walking distance to the site. The development of this

vacant site will deliver positive regeneration benefits and contribution to the housing land supply. The proposed development is therefore considered to be sustainable development which accords with the development plan, SPD, NPPF and PPG.

## **RECOMMENDATION**

Grant planning permission subject to: -

- A) the prior signing of a Section 106 Legal Agreement, and
- B) the withdrawal of the objection from Sport England,
- C) the following conditions and
- D) approval to process a Traffic Regulation Order.

- A) Section 106 Legal Agreement: to secure a contribution of £70,000 towards the upgrading of existing sports pitches at the Victoria Street and Garden Street prior to commencement of the residential development.
- B) Conditions:
  1. Application for approval of reserved matters must be made not later than the expiry of three years beginning with the date of this permission and the development must be begun not later than the expiry of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
  2. Before any development is commenced approval shall first be obtained from the local planning authority with respect to the reserved matters, namely the layout, scale, appearance, and landscaping of the development.
  3. The plans and particulars to be submitted with the reserved matters shall include full details of both hard and soft landscape works, inclusive of existing vegetation cover and ancillary built structures. These details shall include:-
    - a) hard - existing and proposed finished levels or contours, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials, minor artefacts and structures [eg: furniture, play equipment, refuse or other storage units, signs, lighting etc], proposed and existing functional services above and below ground [eg; drainage, power, communications cables, pipelines etc indicating lines, manholes, supports etc];
    - b) soft - planting plans, written specifications [including cultivation and other operations associated with plant and grass establishment], schedule of plants [noting species, plant sizes and proposed numbers/densities where appropriate], implementation programme).
  4. The plans and particulars to be submitted with the reserved matters shall include details of the existing and proposed ground levels for the whole site, and the proposed finished floor levels of the dwellings.
  5. The development hereby permitted shall be carried out in accordance with the following approved plans: the location plan and, in so far as it relates to access to the site only, that ref. 014-030-005 REV. E.

6. Development shall not commence until the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority.
- i) A preliminary risk assessment to determine the potential for the site to be contaminated shall be undertaken and approved by the Local Planning Authority. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration.
  - ii) Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment shall be approved by the Local Planning Authority prior to implementation.
  - iii) Any additional or unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority.
  - iv) Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.

The discharge of this planning condition will be given in writing by the Local Planning Authority on completion of the development and once all information specified within this condition and other requested information have been provided to the satisfaction of the Local Planning Authority and occupation/use of the development shall not commence until this time, unless otherwise agreed by the Local Planning Authority.

7. Prior to the commencement of any development:

details of a scheme of intrusive site investigations, including gas monitoring, in order to establish the exact situation regarding coal mining legacy issues on the site shall be submitted to, and approved by, the local planning authority;

any approved scheme shall then be undertaken and a report of findings arising from the investigation, including a scheme of any necessary remedial works, shall be submitted to, and approved by, the local planning authority.

The development shall then be implemented in accordance with the approved remedial works.

8. 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. 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.

9. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing

by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

Foul and surface water shall be drained on separate systems.

The development shall be completed in accordance with the approved details

10. A clear view shall be provided at the junction of site accesses with Clarendon Road. The areas shall measure 2.4 metres along the centre of access and 70 metres in both directions along the edge of the roadway in Clarendon Road and these must be kept clear of anything higher than 0.6 metres above the edge of the adjoining roadway or access.
  11. The development shall not commence until details of the wheel cleaning facilities, temporary access, vehicle parking and turning facilities to be provided during the construction period, has been submitted to and approved in writing by the Local Planning Authority. These measures shall be implemented and retained in operation through the duration of the building works
  12. During demolition and construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.
  13. No tree felling or vegetation removal shall take place during the optimum period for bird nesting (March to July inclusive).
  14. The existing boundary wall and railings to Clarendon Road shall be retained in situ, except where indicated otherwise on the approved drawings, unless otherwise agreed in writing by the Local Planning Authority.
  15. No development to which this permission relates shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The development shall be carried out at all times in strict accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the local planning authority.”
- C) That the Assistant Executive Director Environmental Services be authorised to process any Traffic Regulation Order considered necessary and in accordance with the Road Traffic Regulation Act 1984. Subject to the resolution of any objections received during the public consultation period.