

Application Number: 20/00545/R3D

Proposal: Construction of a two storey modular unit to the existing car park at Hyde Community College.

Site: Hyde Community College, Old Road, Hyde, Tameside

Applicant: Mr David Rhodes, Tameside MBC

Recommendation: Approve, subject to conditions

Reason for Report: The application is being presented to Speakers Panel (Planning) as an objector has requested to speak against the application.

1.0 APPLICATION DESCRIPTION

- 1.1 The application seeks full planning permission for the construction of a detached part two storey, part single storey modular unit to provide additional classroom accommodation. The building will provide a gross internal floor space of 476m² which will comprise three classrooms, a kitchen area and toilet facilities on the ground floor, with two further classrooms, a staff room and toilet facilities above.

2.0 SITE & SURROUNDINGS

- 2.1 The application relates to land at Hyde Community College, Old Road, Hyde. The application site lies to the west of the existing school building and currently forms part of the school car parking area. The site adjoins an existing external plant area serving the school to the north, by residential properties on Snowdonia Way to the west and the remaining car parking area serving the school to the south. Adjoining the car parking area to the south are residential properties on Inkerman Street, Meadowfield Court and Gair Street.

3.0 RELEVANT PLANNING POLICIES

3.1 Tameside Unitary Development Plan (UDP) Allocation

Protected Green Space

3.2 Part 1 Policies

Policy 1.3: Creating a Cleaner and Greener Environment;
Policy 1.5: Following the Principles of Sustainable Development; and,
Policy 1.12: Ensuring an Accessible, Safe and Healthy Environment.

3.3 Part 2 Policies

C1: Townscape and Urban Form;
OL4: Protected Green Space;
MW11: Contaminated Land;
N4 Trees and Woodland;
N5: Trees within Development Sites;
T1: Highway Improvement and Traffic Management;
T10: Parking; and,
U4: Flood Prevention.

3.4 National Planning Policy Framework (NPPF)

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise. Chapters of particular relevance to this application include:

Chapter 8: Promoting healthy and safe communities; and,
Chapter 12: Achieving well-designed place.

3.5 Other Policies

It is not considered there are any local finance considerations that are material to the application.

3.6 Planning Practice Guidance (PPG)

3.7 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.

3.8 Residential Design Guide Supplementary Planning Document (2010)

3.9 This document has been used to help inform considerations of the impact of the proposals on residential amenity.

4.0 PUBLICITY CARRIED OUT

4.1 As part of the planning application process neighbour notification letters on the original and amended proposal were issued in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015. In addition the application was advertised by way of a site notice posted on Old Road.

5.0 RESPONSES FROM CONSULTEES

5.1 Local Highway Authority (LHA) – No objections to the proposals

5.2 Borough Environmental Health Officer (EHO) – No objections in principle to the proposal subject to a condition restricting the hours of work during the construction period.

5.3 Borough Contaminated Land Officer – No objection subject to the imposition of a condition requiring evidence of the installation sub floor ventilation to mitigate any mine/ground gas risk.

6.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

6.1 Councillor Peter Robinson has requested that any drainage/run off from the proposal does not affect the estate lower down Snowdonia Way.

- 6.2 Councillor Helen Bowden is concerned regarding noise and disturbance during the construction period.
- 6.3 Representations have been received to both the original and amended proposal from 26 neighbours raising the following (summarised) points:
- The development is too big and would be detrimental to visual amenity and out of character with the area.
 - The proposal would result in the loss of sun/day lighting and would result in overshadowing to surrounding properties.
 - The noise and hours of operation of the proposal raises concerns.
 - The proposal sets a Precedent.
 - The proposal would result in increased traffic and parking issues.
 - The proposed directly faces rear garden areas of properties on Snowdonia Way and will impact on the use of these gardens.
 - The proposed building is sited on land which is higher than adjoining properties and will overshadow garden areas and result in a loss of privacy.
 - No consultation has taken place and work in connection with the new building has already commenced.
 - The proposal will affect resale value of properties.
 - Considering how large the grounds of the school are, an alternative location for building should be considered.
 - Construction work is taking place at unreasonable hours and prior to the planning application being determined.
 - There is already a significant problem with flooding from the car park and this issue will only be enhanced by more buildings.

7.0 ANALYSIS

7.1 The main issues to consider in the determination of this application are:

- The principle of the development;
- The impact on the character of the site and the surrounding area;
- The impact upon the residential amenity of neighbouring properties;
- The impact on highway safety;
- Flood risk/drainage implications;
- The impact on Environmental Health; and,
- Other matters

8.0 PRINCIPLE

- 8.1 Hyde Community College is allocated as both Protected Green Space and unallocated land on the Council's adopted UDP Proposals Map. Specifically the part of the site to which this application relates is allocated as 'Protected Green Space'. This land use allocation reflects the site circumstances prior to the redevelopment of the site for a replacement school building in 2010 pursuant to planning permission reference 09/00647/R3D.
- 8.2 Prior to redevelopment, the application site had previously formed part of the school playing field and the land which is unallocated to the north was occupied by school buildings. The redevelopment of the site resulted in the new school building being moved to the southern boundary of the site (the area of Protected Green Space) and the replacement school fields located to the north of the school building in an area of land which is unallocated on the UDP Proposals Map.

- 8.3 Technically the modular building would be positioned on Protected Green Space but this is not the case, the site being part of a car parking area. The existing school playing fields to the north of the school building would remain unaffected by the proposals. Accordingly given the existing site circumstances there are no objections to the proposal in broad land use terms.

9.0 CHARACTER OF THE SITE AND THE SURROUNDING AREA

- 9.1 The National Planning Policy Framework and the Council's Unitary Development Plan policies require all new development to be designed to a high standard in order to make a positive contribution to the provision of an attractive, safe, sustainable and accessible built environment. The application has been accompanied by a Design and Access Statement which explains the background to the design philosophy of the building.
- 9.2 The proposal utilises a modern approach to design and uses a variety of materials which visually align with the existing school. Its size, scale and mass are a direct product of its function. The building will provide facilities needed for a modern school environment within a purpose built and functional structure and in general terms its design is considered appropriate in this regard and in keeping with that of the existing school building.
- 9.3 In overall design terms, the size, scale and siting of the proposed development is considered to sit comfortably in the context of the site, the building would have a lower overall height than the existing school building and would not as a result adversely impact on the character of the site or the surrounding area. The works are considered to meet the design requirements expected by Unitary Development Plan Policy C1.

10.0 RESIDENTIAL AMENITY OF NEIGHBOURING PROPERTIES

- 10.1 The separation distance between the proposed building and the rear elevation of residential properties on Snowdonia Way to the west of the site is approximately 23 metres. It is noted that there is a difference in levels between the two sites, with properties on Snowdonia Way being approximately 2 metres lower than the application site. This separation distance is considered acceptable and in accordance with the Council's Residential Design guidelines which in such circumstances would normally require a separation distance of 23 metres to be maintained. As a result it is considered that the proposal would safeguard the amenity of occupiers thereof.
- 10.2 In relation to overlooking, the scheme has been amended since the original submission to improve the relationship between the proposed building and the neighbouring residential properties to the west of the site on Snowdonia Way. Windows which were originally proposed in the side (western) elevation facing the rear elevation of these properties have been removed and repositioned in other areas of the building. As a result it is not considered that the proposal would result in any undue overlooking to these occupiers.
- 10.3 The windows proposed in the northern elevation of the building are a sufficient distance away (over 23m) and at an oblique angle to properties on Snowdonia Way and as a result would not adversely impact on the privacy of these occupiers.
- 10.4 With regard to properties on Inkerman Street and Meadowfield Court, which are located to the south of the site and some 2-3m lower than the proposed building, the separation distance of over 30m provided between the new building and these dwellings is considered sufficient to protect their amenity with the distance being in excess of that required under the Council's adopted Residential Development Guidelines for separation between dwellings. With this level of separation it is considered that the visual impact of the proposal to these occupiers is acceptable and no undue overlooking would result.

11.0 HIGHWAYS

- 11.1 The existing access and egress arrangements to the school would remain unchanged. It is accepted that the proposed building would be sited on an existing area of school car park resulting in the loss of 28 car parking spaces from an overall provision of 130 spaces. It is considered that there would remain sufficient parking capacity at the school to accommodate both the existing and new building and no objections have been raised by the Highways Authority in this regard.
- 11.2 On the basis of the above assessment, it is considered that the proposals would not result in a severe impact upon highway safety. As such, in accordance with the guidance contained within paragraph 109 of the NPPF, it is considered that planning permission should not be refused on these grounds.

12.0 FLOOD RISK/DRAINAGE IMPLICATIONS

- 12.1 The application site is within Flood Zone 1 and is therefore considered to be at a lower risk of flooding. Comments made from local residents in relation to this matter and specifically with regard to existing problems associated with the flooding of their rear garden areas have been noted. In such circumstances it is considered that appropriate drainage of the site to ensure that the development does not exacerbate any existing drainage issues could be secured by way of a suitably worded condition. Subject to compliance with such a condition, it is considered that the proposed development could be drained in a sustainable manner without the risk of flooding elsewhere, in accordance with saved UDP policy U4.

13.0 THE IMPACT ON ENVIRONMENTAL HEALTH

- 13.1 The EHO has not raised any objections to the proposals, subject to a condition limiting the hours of work during the construction phase of the development.
- 13.2 The Borough Contaminated Land Officer has not raised any objections to the proposals, subject to evidence being provided of the installation of the proposed sub floor ventilation to mitigate potential risks associated with ground/mine gas on the site. This is secured by a condition attached to the recommendation and is considered to be reasonable given the brownfield nature of the site. The application site is located in a low risk area in relation to coal mining legacy and an informative note will be included on the decision notice for this.
- 13.3 Concerns have been raised by a number of residents in relation to the noise and disturbance caused to neighbouring properties during the construction phase of the development. Whilst it is acknowledged that there will be an impact arising from deliveries to the site and noise associated with construction work, this would be temporary and can be mitigated to an acceptable degree through the imposition of conditions limiting the time of work. Given the temporary nature of the impact, any harm arising would not outweigh the long term benefits associated with improved educational facilities proposed by the application.

14.0 OTHER MATTERS

- 14.1 With regard to the concerns raised by objectors regarding the location of the building and the suggestion that alternative locations on site for the modular building should be considered, the applicant has provided the following details relating to the reasons for the siting of the building in the location proposed:

- The scheme will form an extension to the current science department, creating additional 'labs' and classroom space. The science department is located on the western side of the existing building, so to facilitate the movements of equipment and substances between the science facilities; the proposed location is the most suitable.
- The scheme will take utility supplies from the main building. In the proposed location this will involve taking power from the external plant yard situated adjacent to the car park. The proposed location minimises the extent of service trenches and internal works required to take these supplies elsewhere on the site.
- The proposed location provides the least impact on vehicle movement around the site. Maintenance and Emergency vehicles need to be able to access the entirety of the site at all times including the sports facilities to the north that are accessed via the access route on the west side of the proposed scheme. Alternative locations for the scheme would be the south however due to this area currently housing a modular unit to facilitate another department, it is unfeasible to have another unit in this area.
- The north side of the school is allocated to pupil activities, including breaks between classes and sports activities. This also includes any future developments to this classification; these works are covered by 'Sports England' and any scheme within these zones would likely raise concerns. In addition to these, there are substantial ground-level issues related to the north side and would involve substantial groundworks to overcome.

14.2 Notwithstanding the above, the application should be assessed on its individual merits and for the reasons outlined earlier in this report, the siting of the building as proposed is considered to be acceptable

15.0 CONCLUSION

- 15.1 It is considered that the proposals are of an acceptable size, scale and design and would not result in an adverse impact through unreasonable overlooking into or overshadowing of neighbouring properties adjoining the site. It is also considered that the development would not result in any undue noise or disturbance that would result in harm to the amenity of neighbouring residents, once operational.
- 15.2 The impact of the construction phase on the amenity of neighbouring properties can be controlled through the conditions attached to the recommendation to limit the hours of work. A number of conditions are recommended to mitigate the other impacts associated with the proposed development, contaminated land and surface, and foul water drainage. Subject to these conditions being included there are no objections from any of the statutory consultees to the proposals. On that basis, it is considered the proposal is acceptable and in accordance with the requirements of the aforementioned National Planning Policy Framework and Unitary Development Plan policies and guidelines.

RECOMMENDATION

Grant planning permission, subject to the following conditions:

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

Reason: For the avoidance of doubt.

2. The development hereby approved shall be carried out in accordance with the following approved plans/details:

88519-DAY-XX-XX-DR-A-04-3101 'Proposed Site Section' Rev P2 dated 23.07.20 and received on 24 July 2020;

88519-DAY-XX-XX-DR-A-04-0101 Rev P2 dated 15.07.20 'Proposed GA Plans' received on 15 July 2020;

88519-DAY-XX-XX-DR-A-04-1101 Rev P2 dated 15.07.20 'Proposed Elevations' received on 15 July 2020;

88519-DAY-XX-XX-DR-A-04-5101 Re P1 'Site Location Plan' received on 25 June 2020;

88519-DAY-XX-XX-DR-A-04-4101 Rev P1 'Existing Site Plan' received on 25 June 2020; and,

88519-DAY-XX-00-DR-A-04-4102 Rev P1 'Proposed Site Plan' received on 25 June 2020.

Reason: For the avoidance of doubt and to ensure that the proposed development is carried out as approved.

3. During demolition/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.

Reason: To protect the amenities of occupants of nearby properties/dwelling houses in accordance with Unitary Development Plan policies 1.12 and E6.

4. Upon completion of any approved remediation scheme(s), and prior to occupation, evidence of the installation of the sub floor ventilation to mitigate any mine/ground gas shall be submitted to and approved in writing by the Local Planning Authority together with full details of the arrangements for any long term monitoring and maintenance. If, during development, contamination not previously identified is encountered, then no further development shall be undertaken until a remediation strategy detailing how this contamination will be appropriately addressed and the remedial works verified has been submitted to, and approved in writing by the Local Planning Authority. The remediation strategy shall be fully implemented and verified as approved.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 178 of the National Planning Policy Framework.

5. 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. The development shall be completed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution and to ensure compliance with Unitary Development Plan Policy U4.

6. The external materials used in the construction of the development hereby approved shall be as detailed within the permitted application particulars and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation.

Reason: To safeguard the appearance of the building and the visual amenities of the locality and to comply with Unitary Development Plan Policy C1.