

DELEGATED REPORT

Report by Helen Leach	Date of report: 10/03/2025	Ref: 71525/FUL
Registration: 16/01/2025	LDfC: 12/02/2025	Expiry Date: 17/04/2025
Site Visit: 29/01/2025	Site Notice: 29/01/2025	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MAOT

Proposal: Variation of condition nos. 1 (temporary time period) and condition 2 (approved plans) of planning permission 70002 to extend the temporary time period allowed for the use of temporary school facilities up to 28th February 2027 and alterations to fencing and cycle shelter

Location: Star Radcliffe Academy, Spring Lane, Radcliffe, M26 2SZ

Description

Application site - The application site consists of an area of 1.5 hectares. The site previously was in use as Radcliffe Riverside High School and some of the school buildings have been retained on site. These buildings, which were previously in use as a Pupil Referral Unit (PRU) were demolished and temporary buildings for use as a school were erected. These buildings are in use as a temporary school and accommodate the first year of pupils. There is a multi-use games area (MUGA) which is in use by the school.

There are a number of mature trees along the east and western boundaries of the site and along the frontage with Spring Lane.

The site is accessed from Spring Lane and there is a car park to the front of the site.

The Metrolink line forms the boundary to the east of the site and the car park for the Metrolink station is located to the south and is on the opposite side of Spring Lane. The land to the north was last used as a playground and open land and forms the site of the permanent school, which is under construction. To the east of the site, there is open land, including a Public Right of Way and residential properties beyond.

Background to proposal

Planning consent was granted in October 2023 for a temporary school, which would accommodate the first year of pupils. The pupils would then transfer to the permanent school when it was completed and the temporary school would be removed from the site no later than 31 December 2025. The removal of the temporary school would allow for the completion of the schools outdoor spaces and sports facilities.

As described above, the temporary school has been completed and accommodates the first year of pupils at Star Radcliffe Academy.

There has been a delay in the scheduled commencement of construction of the permanent school. Construction of the permanent school is expected to commence in early 2025 and is scheduled for completion in summer 2026. It is envisaged that the pupils would move to the permanent school in September 2026.

A separate prior approval application (71529) has been submitted to provide a second teaching block, which would accommodate the next years intake of pupils.

Proposal - The applicant seeks permission to vary conditions 1 (temporary time period) and 2 (approved plans) to allow the temporary buildings to be retained until 28 February 2027 and alterations to the fencing and cycle shelter.

The approved plans condition would be varied to accommodate the following changes:

- Incorporate an additional 22 parking spaces within the existing car park
- Include an additional 10 cycle hoops within a cycle parking shelter and would be located adjacent to the existing cycle shelter.
- Amendments to the fencing along the northern boundary to allow access to the second teaching block, which forms part of the prior approval application.

The proposed development would utilise the access approved under the previous permission (70002) from Spring Lane.

Relevant Planning History

45672 - Outline application - Residential development including associated infrastructure and open space at Coney Green High School Site, Spring Lane, Radcliffe. Approved with conditions - 14 September 2007.

56310 - Prior notification of proposed demolition of two portacabins at rear at Radcliffe Riverside School, Spring Lane, Radcliffe. Prior approval required and granted - 12 June 2013.

56313 - Erection of 2.4m high fencing and gates at Radcliffe Riverside School, Spring Lane, Radcliffe. Approved with conditions - 3 July 2013

58244 - Erection of demountable structure containing swimming pool tank and changing facilities together with change of use of 4 no. classrooms into gym and changing facilities at Radcliffe Riverside School, Spring Lane, Radcliffe. Approved with conditions - 13 January 2015

This permission is a temporary permission and expires on 12 January 2024. The permission requires the building, works and use to be removed and discontinued.

58360 - Refurbishment of part of the former High School to create a Pupil Learning Centre; Single storey extension and associated works at Radcliffe Riverside School, Spring Lane, Radcliffe. Approved with conditions - 23 April 2015

58463 - Prior Notification of proposed partial demolition of the former Radcliffe Riverside High School and Southern classrooms and courtyard at Radcliffe Riverside School, Spring Lane, Radcliffe. Prior approval required and granted - 20 March 2015

59386 - Creation of multi use games area with erection of security fencing/entrance gates and floodlighting for night-time use in connection with new pupil referral unit and sports centre at Coney Green High School, Spring Lane, Radcliffe. Approved with conditions - 19 January 2016.

69855 - EIA Screening Opinion' under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) for proposed secondary school (Class F1) with associated sports facilities, access, car parking and landscaping at former school, Spring Lane, Radcliffe. EIA not required - 28 July 2023.

70002 - Demolition of existing school buildings/temporary leisure centre and erection of a two storey temporary school building, external landscaping and associated site infrastructure at site of Radcliffe Leisure Centre, Spring Lane, Radcliffe. Approved with conditions - 24 October 2023.

70071 - Erection of new secondary school alongside supporting sports facilities, car parking, landscaping, site infrastructure, new access road and associated access

infrastructure at site of Radcliffe Leisure Centre, Spring Lane, Radcliffe. Approved with conditions - 22 November 2023.

71529 - Prior approval for the proposed development of a temporary school accommodation block and supporting site infrastructure at Star Academy Radcliffe, Spring Lane, Radcliffe. Received - 16 January 2025.

Related sites

69361 - Conversion of short stay residential home (Class C2) to a pupil referral unit (Class F1) for educational use; Single storey extensions and associated landscaping, additional parking and external works at Spurr House, Pole Lane, Bury. Approved with conditions - 27 June 2023

69388 - Demolition of 13-21 Blackburn Street/TSB Bank and erection of three-storey civic hub building containing swimming pools, fitness suites and studios, indoor climbing facility, offices, cafeteria and library; Link block between Radcliffe Market and Market Chambers buildings, plus refurbishment of Market Chambers and Market Hall basement, for use as a multi-use event space, with associated external alterations and works and hard and soft landscaping at 13 - 21 Blackburn Street, Radcliffe. Approved with conditions - 25 July 2023

Publicity

The neighbouring properties were notified by means of a letter on 21 January 2025.
There has been no response.

Statutory/Non-Statutory Consultations

Traffic Section - No objections, subject to the inclusion of conditions relating to dilapidation survey, off highway site access improvements, car park, drop off and turning facilities, bin storage arrangements.

Drainage Section - No response.

Environmental Health - Contaminated Land - No comments.

Environmental Health - Pollution Control - No comments.

GM Ecology Unit - No objections.

The Coal Authority - No objections.

United Utilities - No objections.

Transport for GM - No comments.

Sport England - Object to the loss of changing facilities, which will restrict the use of the playing fields at the rear. Object as there is a concern relating to the replacement of the sports facilities, which would be lost as a result of the proposed development.

Designforsecurity - No response.

GM Fire Service - No response.

Pre-start Conditions - Not relevant.

Development Plan and Policies

EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/4	Street Furniture
EN1/5	Crime Prevention
EN1/7	Throughroutes and Gateways
EN5/1	New Development and Flood Risk
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
EN7/5	Waste Water Management
EN8	Woodland and Trees
EN8/2	Woodland and Tree Planting

RT1/1	Protection of Recreation Provision in the Urban Area
RT1/2	Improvement of Recreation Facilities
RT2/3	Education Recreation Facilities
RT3/4	Recreational Routes
HT2/4	Car Parking and New Development
HT4	New Development
HT5/1	Access For Those with Special Needs
HT6/1	Pedestrian and Cyclist Movement
HT6/2	Pedestrian/Vehicular Conflict
CF1/1	Location of New Community Facilities
CF2	Education Land and Buildings
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
SPD12	Travel Plans in Bury
NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within

the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Principle - Community Facilities - Policy CF1/1 states that proposals for new and improved community facilities will be considered with regard to the following factors:

- impact on residential amenity and the local environment;
- traffic generation and car parking provision
- the scale and size of the development
- where applicable, access to shops and other services;
- if the use is intended to serve a local community, or catchment area, the suitability of the chosen location to that community or catchment area;
- accessibility by public and private transport;
- the needs and requirements of the disabled;

Policy CF2 states that the Council will, where appropriate, consider favourably proposals for the provision, improvement and dual use of educational facilities.

The proposed development would retain a high school building for a temporary period (until 28 February 2027). The current use is as a temporary school and the previous use of the site was as a school and pupil referral unit, which are similar uses. The proposed development would be located within the catchment area it is intended to serve. The other issues, such as size and scale, impact upon residential amenity and access issues will be discussed later in the report. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policies CF1/2 and CF2 of the Bury Unitary Development Plan.

Principle - Recreation Facilities - Paragraph 104 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

Policy RT1/1 states that development will not be allowed where it would result in the loss of:

- existing and proposed outdoor public or private recreation facilities including playing fields, sports grounds, parks and gardens, children's play areas, allotments and golf courses;
- recreation space within settlements located in the Green Belt;
- indoor facilities for which there is a recreational need;
- any other unidentified recreation provision such as playing fields, sports grounds, parks and gardens, children's play areas, allotments and golf courses, including sites created during the period of the plan.

Exceptions to this policy may be permitted where:

- sports and recreation facilities can best be retained and enhanced through the redevelopment of a small part of the site;
- alternative provision of equivalent community benefit is made available;
- it can be demonstrated that there is an excess of sports pitch provision and public open space in the area, taking account of the recreation and amenity value of such provision.

A playing field is defined in the NPPF as 'the whole of a site which encompasses at least one playing pitch as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015'. The definition refers to the whole of a site and therefore does not just cover land which is (or was) laid out as pitches i.e. it could include ancillary facilities such as changing rooms.

The proposed development would not impact upon the existing playing pitches to the north of the site. However, the demolition of the existing building has resulted in the loss of changing rooms. Sport England have objected to the previous application and the current application on the basis that the loss of the changing rooms would prejudice the use of the playing fields.

The proposed temporary school building would include changing facilities, which could be made available for use should there be a demand to use the playing pitches (which are otherwise unaffected by the proposed development). The playing fields were last used in 2004 when the high school closed and as such, have not been used in almost 20 years. Whilst it is accepted that the loss of changing facilities would be important where the playing fields are in active use, the fact that the playing fields have not been in use for almost 20 years is a material consideration. In other words, no teams would be prevented from playing sport in the period between the existing building being demolished and the proposed building being available for use. Therefore, in all the circumstances, the proposed development would not prejudice the use of the playing fields and would be in accordance with Policy RT1/1 of the Bury Unitary Development Plan and the NPPF.

The previous facilities at the site include a 25 metre swimming pool, 4 court sports hall, gym and fitness studio for which planning consent (58244) was granted in January 2015. The planning consent was for a temporary period only, which expired on 12 January 2024. As such, this building has been removed and the use discontinued.

With regard to the loss of the facilities at the site, it should be noted that planning permission (69388) has been granted for the civic hub in July 2023, which includes the provision of a swimming pool, gym and fitness studio. These facilities would replace those at the application site. Works have been commenced on site and are ongoing. The building is expected to be completed in early 2026.

The planning application for a permanent school has been approved and the facilities to be provided would include indoor sports facilities, including a new sports hall (3 court), a 3G playing pitch, a 2G short pile playing pitch (suitable for hockey) and a hard surface multi use games area. These sports facilities would be made available for use by the community outside of school hours and works are expected to commence in Spring 2025.

The facilities to be lost would be replaced by the facilities at the proposed civic hub and the proposed permanent school. The proposed civic hub development would be located in Radcliffe town centre, which would continue to serve the residents of Radcliffe. Given that planning permission has been granted for the civic hub, funding has been secured, the contracts are to be let and works are due to commence in February 2024, it is considered that there is sufficient certainty that the replacement sports facilities will be delivered. Therefore, the proposed civic hub development will provide an alternative provision of equivalent community benefit in a suitable location and the proposed development would be in accordance with Policy RT1/1 of the Bury Unitary Development Plan and the NPPF.

Design and layout - The proposed development involves the removal of the fencing along the northern boundary of the site to allow connectivity to the second teaching block, which is the subject of the prior approval application. The proposed removal would be located at the rear of the site and would not be visible. As such, the proposed change would not have an adverse impact upon the character and appearance of the temporary building.

The design of the buildings on site would not change and as such, would not be an unacceptable or prominent feature in the streetscene.

Therefore, the proposed development would be in accordance with Policies CF1/1 and EN1/2 of the Bury Unitary Development Plan.

Impact upon residential amenity - The proposed amendments would not impact upon the residential amenity of the neighbouring properties and would be in accordance with Policy EN1/2 of the Bury Unitary Development Plan.

Metrolink - The proposed amendments would not impact upon the Metrolink line, which runs adjacent to the site. Transport for GM have confirmed that they have no objections to the proposal.

Highways issues - There would be no changes to the existing access facilities, which were secured under the previous approval and these would remain in place.

An additional 22 spaces would be provided, which would accommodate staff teaching in the second teaching block, which is the subject of the prior approval application. An additional 10 cycle hoops would be provided adjacent to the existing cycle stand, which would be available for use by students.

The proposed changes to the layout would not impact upon the drop off area, which would be retained.

The Traffic Section has no objections, subject to the inclusion of conditions relating to dilapidation survey, off-site access improvements, CTMP, car parking, turning facilities and bin storage arrangements.

Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2 and CF1/1 of the Bury Unitary Development Plan.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 Permission is hereby granted for a limited period only, namely for a period expiring on 28 February 2027, and the building, works and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued at the end of the said period and the land reinstated to its former condition unless a valid application is received by the Local Planning Authority for its retention.
Reason. The development is of a temporary nature only.
- 2 This decision relates to drawings numbered FS1013-ALA-EX-ZZ-D-L-0101 S2 P10, FS1013-ALA-EX-ZZ-D-L-0104 S2 P06, FS1013-ALA-EX-ZZ-D-L-1008 A4 C04,

FS1013-PTK-02-ZZ-D-O-1004 P02 and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.

- 3 The external finishing materials for the proposal hereby approved shall be those on the application form and drawing reference - FS1013-ALG-02-XX-D-O-0301 P01.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.
- 4 The development hereby approved must be carried out in accordance with the reasonable avoidance measures proposed in Section 7.1 of the Great Crested Newt Survey Report, dated August 2023.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 5 No works to trees or shrubs shall occur 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.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 6 The development shall only be carried out in accordance with the details approved under condition 9 of permission 70002.
The approved scheme shall thereafter be implemented not later than 12 months from the date the building(s) is first occupied or within the first available tree planting season,; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted .
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.
- 7 The highway remedial works identified as a result of the dilapidation survey approved as part of condition 10 of permission 70002 shall be implemented prior to the development hereby approved being brought into use.
Reason. To maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Policy CF1/1 - Location of New Community Facilities of the Bury Unitary Development Plan.
- 8 The development hereby approved shall not be brought into use unless and until the off-highway site access improvements, including pedestrian barriers, indicated on the approved plans have been implemented to the satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, all in the interests of highway safety pursuant to Policy CF1/1 - Location of New Community Facilities of the Bury Unitary Development Plan.
- 9 The measures and facilities detailed in the approved 'Demolition and Construction

Management Plan' shall be implemented and be adhered to throughout the demolition and construction periods, with the measures retained and facilities used for the intended purpose for the duration of both periods.

Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

- 10 The car parking, drop-off and turning facilities indicated on the approved plans shall be provided before the development is brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Policy CF1/1 - Location of New Community Facilities of the Bury Unitary Development Plan.
- 11 The development hereby approved shall not be brought into use unless and until the off-highway bin storage arrangements indicated on the approved plans have been implemented.
Reason. To ensure that adequate bin storage arrangements are provided pursuant to Policy CF1/1 - Location of New Community Facilities of the Bury Unitary Development Plan.
- 12 The development hereby approved shall be carried out in accordance with the CTMP approved as part of condition 15 of permission 70002.
Reason. To safeguard the amenities of the locality and to ensure that the developer complies with all the necessary system clearances and agrees safe methods of working to meet the safety requirements of working above and adjacent to the Metrolink system pursuant to Policy HT3/4 - Schemes to Assist Metrolink of the Bury Unitary Development Plan.
- 13 The development shall only be carried out in accordance with the details approved under condition 16 of permission 70002.
Reason. To protect trees against root damage and to maintain the status quo with regards the stability of the embankment pursuant to the following Policies of the Bury Unitary Development Plan:
Policy HT3/4 - Schemes to Assist Metrolink
Policy EN8 - Woodland and Trees.
- 14 The development shall only be carried out in accordance with the details approved under condition 17 of permission 70002. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.
Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.
Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HL - 10/03/2025		DM - 21/03/2025	