

DELEGATED REPORT

Report by Helen Leach	Date of report: 12/02/2024	Ref: 70466/NON
Registration: 26/01/2024	LDfC:	Expiry Date: 23/02/2024
Site Visit: 09/02/2024	Site Notice: N/A	Press Date: N/A
Objections:	Con Area:	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: MAOT

Proposal: Non-material amendment following grant of planning permission 70002 for the retention of a greater extent of existing substation building with surrounding timber fencing and amendment to location of the temporary accommodation building further to the north.

Location: Radcliffe Leisure Centre, Spring Lane, Radcliffe, Manchester, 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 are constructed from grey brick with a flat roof, are used to house the Spring Lane Pupil Referral Unit (PRU) School and Radcliffe Leisure Centre. There is a 'above-ground' swimming pool, which is accommodated within a temporary building adjacent to the Metrolink line and there is a multi-use games area (MUGA) which is in use by the PRU 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 consists of playgrounds and open land. To the east of the site, there is open land, including a Public Right of Way and residential properties beyond.

Approved scheme - Planning permission was granted on 24 October 2023 for the demolition of the existing buildings on site and the erection of temporary buildings for use as a school, while the permanent school is under construction.

All of the buildings on site would be demolished with the exception of a substation, which is used by the Metrolink.

The proposed temporary buildings would be located on the footprint of the existing buildings and car park and would have capacity to accommodate 150 pupils. The proposed building would be two storeys in height and would be a volumetric modular system. The proposed building would come pre-finished with building mounted lighting, timber access ramps and steel mesh to the base to prevent access to the void underneath the building. The external finishes would include colour coated Plastisol steel cladding with a flat roof, uPVC windows and a galvanised steel finish to the external covered staircase.

The ground floor would contain areas for dining, storage, changing rooms for external sports and teaching space. Further teaching space would be provided at first floor, which would be accessed via either a central stair case or lift.

The site would be accessed from the existing access for the leisure centre on Spring Lane. This access would be widened by 1 metre to allow vehicles to pass and re-pass. The existing car park would be retained to provide parking for the temporary school facility. Accessible parking bays would be located near the main entrance and a designated drop off would be incorporated, which would be used for servicing the school outside of peak hours.

Cycle parking would be provided to the east of the proposed building, which would provide natural surveillance.

Mesh fencing of 2.4 metres in height would be provided to the perimeter of the site and internal fencing would be 1.8 metres in height. The fencing around the Multi Use Games Area (MUGA) would be 3 metres in height.

The applicant seeks consent for a non material amendment to retain a greater extent of the existing substation with surrounding timber fencing and an amendment to the location of the temporary accommodation building further to the north.

Following survey work, it is necessary to retain more of the substation building to accommodate the incoming water, meter and switchboard for use by the temporary school building. The retained substation building would be screened from view by a 2.4 metre high timber close boarded fence.

As a result of retaining more of the substation, it is necessary to relocate the temporary building 6.3 metres to the north.

A small special educational needs (SEN) garden with planters would be incorporated as part of the site's wider landscaping.

The design for the temporary building and car parking area would not be affected by the proposed development.

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 - 25 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.

70381 - Variation of condition 2 (approved drawings) following planning permission 70071 (Erection of new secondary school alongside supporting sports facilities, car parking, landscaping, site infrastructure, new access road and associated access infrastructure) - Amend the developments highway infrastructure design to incorporate a signalised Cyclops junction and minor associated revisions to the landscaping proposal and amend conditions 12, 23, 24 and 33 to update wording and approved drawings referenced within each condition at site of Radcliffe Leisure Centre, Spring Lane, Radcliffe. Received - 2 January 2024.

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

Not required.

Statutory/Non-Statutory Consultations

Not required.

Pre-start Conditions - Not relevant.

Unitary 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) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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 Policy 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.

Design and layout - The existing substation would be retained and would be used by the proposed temporary school. Following survey work, it has become necessary to retain more of the substation building to accommodate the incoming water, meter and switchboard for the new temporary school. The substation is located some 70 metres into the site and would be screened by a 2.4 metre high timber close boarded fence. As such, the retention of a larger building would not have a significant adverse impact upon the streetscene.

The proposed temporary school would be located some 6.3 metres further back into the site, which would not impact significantly upon views of the school from Spring Lane. The addition of a small SEN garden with planters would be located between the proposed substation and the existing MUGA. This would be a welcome addition and would not impact adversely upon the streetscene.

Therefore, the proposed development would not affect the design and layout of the site significantly and would be in accordance with Policies CF1/1 and EN1/2 of the Bury Unitary Development Plan.

Impact upon residential amenity - The nearest residential dwelling to the proposed substation and the proposed temporary school would be over 100 metres away. Given the distance of over 100 metres, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties. Therefore, the proposed development would be in accordance with Policies CF1/1 and EN1/2 of the Bury Unitary Development Plan.

Highways issues - The proposed amendments to the substation, location of the temporary school building and the SEN garden would not impact upon the parking and servicing for the proposed development.

Recommendation: Approve

Conditions and Reasons:

- 1 The proposed amendments would not impact adversely upon the appearance of the site or the residential amenity of the nearby properties. As such, the proposed development would not be unduly prominent in the locality. The proposed amendments would not have a detrimental impact upon highway safety and would still be in accordance with the overall principles in terms of the approved application 70002 and the Policies against which this was approved. As such, the application is a non-material amendment.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HL - 12/02/2024			