

ITEM

Application Reference	DC/083331
Location:	Greave Primary School Werneth Road Woodley Stockport SK6 1HR
PROPOSAL:	Erection of a new library and information technology suite within buried 'Hobbit House' structure.
Type Of Application:	Full Application
Registration Date:	15/12/2021
Expiry Date:	09/02/2022
Case Officer:	Mark Burgess
Applicant:	Mrs A Oakden
Agent:	Eden Rose Consulting

DELEGATION/COMMITTEE STATUS

Committee Item. Should Werneth Area Committee be minded to agree the Officer recommendation to grant planning permission, the application shall be referred to the Planning and Highway Regulation Committee for determination as a Departure from the Development Plan.

DESCRIPTION OF DEVELOPMENT

Full planning permission is sought for the erection of a new library and information technology suite with a buried 'Hobbit House' structure at Greave Primary School, Werneth Road, Woodley.

The proposed 'Hobbit House' structure would be sited directly adjacent to the South of the existing school building and would have a width of 3.2 metres, a length of 14.0 metres and an internal height of 3.2 metres. The proposed 'Hobbit House' structure would be of predominantly subterranean form and would appear buried, with two pothole windows and an access door to the Northern elevation and one pothole window to the Western elevation. The ground would be excavated so that the proposed 'Hobbit House' structure would sit approximately 1.3 metres above ground. The proposed 'Hobbit House' structure would be for use by the school as a new library and information technology suite and is required due to the original library being used as a classroom for increased class numbers.

The application is accompanied by the following supporting documents :-

- Planning Statement.
- Arboricultural Implications Assessment.
- Arboricultural Method Statement.

Details of the siting and design of the proposed development are appended to the report.

SITE AND SURROUNDINGS

The application site at Greave Primary School comprises predominantly single storey buildings, of red brick construction with flat roofs, which has benefited from previous two storey and single storey extensions. The School building is set back from the frontage to Werneth Road and the front (Eastern) portion of the site contains the existing vehicular and pedestrian access from Werneth Road, a hardsurfaced car park, a grassed area and a group of trees. Further grassed/landscaped areas exist to the Southern portion of the site. To the Western portion of the site is the School playing fields and to the Northern portion of the site is a hard surfaced playground. Levels within and around the site slope down from South to North.

Adjoining the site to the North are residential properties on Werneth Road, Balliol Close and Oxford Drive which, due to the change in levels, are sited at a lower level to the site. To the East of the site is Werneth Road with open farmland and a single detached residential property at Number 123 Werneth Road, sited at a higher level, beyond. The site is adjoined to the South by open farmland and residential properties on Werneth Road and Highland Mews, sited at a higher level to the site. To the rear (West) of the site is open fields and Greavefold Reservoir.

POLICY BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications and appeals to be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise.

The Statutory Development Plan for Stockport comprises :-

- Policies set out in the Stockport Unitary Development Plan Review (saved UDP) adopted on the 31st May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; and
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document (Core Strategy DPD) adopted on the 1^{7th} March 2011.

The application site is allocated within the Green Belt and Landscape Character Area (Etherow Parklands), as defined on the UDP Proposals Map. The following policies are therefore relevant in consideration of the application :-

Saved UDP policies

- LCR1.1 : LANDSCAPE CHARACTER AREAS
- LCR1.1A : THE URBAN FRINGE INCLUDING THE RIVER VALLEYS
- GBA1.1 : EXTENT OF GREEN BELT
- GBA1.2 : CONTROL OF DEVELOPMENT IN THE GREEN BELT
- CTF1.1 : DEVELOPMENT OF COMMUNITY SERVICES AND FACILITIES
- L1.1 : LAND FOR ACTIVE RECREATION

Core Strategy DPD policies

- CS1 : OVERARCHING PRINCIPLES : SUSTAINABLE DEVELOPMENT - ADDRESSING INEQUALITIES AND CLIMATE CHANGES
- SD-1 : CREATING SUSTAINABLE COMMUNITIES
- AS-2 : IMPROVING INDOOR SPORTS, COMMUNITY AND EDUCATION FACILITIES AND THEIR ACCESSIBILITY
- CS8 : SAFEGUARDING AND IMPROVING THE ENVIRONMENT
- SIE-1 : QUALITY PLACES
- SIE-3 : PROTECTING, SAFEGUARDING AND ENHANCING THE ENVIRONMENT

National Planning Policy Framework (NPPF)

The NPPF, initially published in March 2012 and subsequently revised and published in July 2021 by the Ministry of Housing, Communities and Local Government, sets out the Government's planning policies for England and how these are expected to be applied.

In respect of decision-taking, the revised NPPF constitutes a 'material consideration'.

Paragraph 1 states *'The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied'*.

Paragraph 2 states *'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise'*.

Paragraph 7 states *'The purpose of the planning system is to contribute to the achievement of sustainable development'*.

Paragraph 8 states *'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives) :-*

- a) An economic objective*
- b) A social objective*
- c) An environmental objective'*

Paragraph 11 states *'Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means :-*

c) Approving development proposals that accord with an up-to-date development plan without delay; or

d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless :-

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole'.

Paragraph 12 states '*.....Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local Planning Authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed*'.

Paragraph 38 states '*Local Planning Authorities should approach decisions on proposed development in a positive and creative way..... Decision-makers at every level should seek to approve applications for sustainable development where possible*'.

Paragraph 47 states '*Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing*'.

Paragraph 219 states '*existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)*'.

National Planning Practice Guidance (NPPG)

NPPG is a web-based resource which brings together planning guidance on various topics into one place (launched in March 2014) and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

RELEVANT PLANNING HISTORY

- DC080984 : Discharge of conditions 2, 8 and 9 of DC076684 : Discharged – 19/07/2021.
- DC076684 : Installation of a sustainable urban drainage scheme (SuDS) within school grounds, including formation of a pond (with associated landscape works), swales, pipe runs and manholes, and erection of boundary fencing : Granted – 22/12/2020.
- DC075222 : Discharge of conditions 2 and 3 of planning approval DC074108 : Discharged – 19/12/2019.
- DC074108 : Erection of a wooden structure to be used as an outdoor learning facility/classroom as part of Forest Schools (Retrospective) : Granted – 17/10/2019.
- DC067235 : Non-material amendment to planning permission DC063386 - slight changes to the location of windows on north elevation to not clash with internal walls (store room) : Granted – 09/11/2017.
- DC065223 : Discharge of conditions 4, 13, 14, 16, 17, 19 and 20 of planning approval DC063386 : Discharged – 03/05/2018.

- DC064716 : Discharge of Conditions 2, 11 and 12 of planning approval DC063386 : Granted – 24/06/2019.
- DC063386 : Erection of new classroom building to North of main school, comprising 3 no. classrooms, glazed link corridor and toilet accommodation, formation of additional parking to front, alterations to access and additional landscaping (Re-Submission of application DC061285) : Granted – 24/11/2016.
- DC061285 : New classroom building to North of main school, additional parking to front and alterations to access : Refused – 28/07/2016.
- DC055197 : Erection of single storey detached early years block with associated hard and soft landscaping, fencing, extension of car parking and external lighting : Granted – 03/07/2014.
- DC012142 : Two storey front extension to provide new reception on ground floor and staff room to first floor (Retrospective) : Granted – 28/05/2004.
- DC002457 : Infill the existing quadrangle to form a new library : Granted – 23/01/2001.
- J.73316 : Single storey extension : Granted – 22/10/1999.

NEIGHBOUR'S VIEWS

The owners/occupiers of surrounding properties were notified in writing of the application and the application was advertised by way of display of notices on site and in the press.

No letters of representation have been received to the application.

CONSULTEE RESPONSES

Planning Policy Officer

The proposal is for the erection of a new library and information technology suite within a buried 'hobbit house' structure for use by the school. The original library is now a classroom due to increased class numbers.

The proposal falls within the Greater Manchester Green Belt, it is therefore subject to relevant policies from the NPPF and saved UDP Policy GBA1.2 Control of Development in Green Belt.

Paragraph 149 states that the construction of new buildings should be regarded as inappropriate in the Green Belt and lists a number of exceptions. The accompanying planning statement states that the proposal falls within the following exception; 'the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.'

The proposal is for an educational use, not for outdoor recreation etc, therefore this exception is not relevant.

The proposal is described as a 'hobbit house structure'. Paragraph 150 from the NPPF is therefore relevant in this case, which deals with other forms of development. This paragraph gives a number of exceptions to what is considered to be not inappropriate in the Green Belt, however none of these exceptions are relevant. The proposal is therefore considered to be inappropriate development in the Green Belt.

UDP Policy GBA1.2 Control of Development in the Green Belt deals with similar matters and sets out a number of exceptions for what is considered appropriate in the Green Belt, however the proposal does not meet any of these exceptions. Paragraph 147 from the NPPF states that 'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances.'

The proposed new library and technology suite would be located on the school site immediately adjacent to the existing school building. The structure is proportionally much smaller than the existing school building. The structure will appear buried with 2 no. porthole windows and the front access door visible from the school path. The ground would be excavated so that the structure would sit approximately 1.3m above ground and will appear at a similar height to the existing school building. The hobbit house structure will not be visible from Werneth Road, due to the site topography and the level increase north to south from the main school building, however the topography of the landscape will appear somewhat different. There would be no significant encroachment into the countryside as a result of the proposal as the site is already within educational use and would be situated within an established envelope of existing development.

It is considered that the proposal will have a very minor impact on the openness of the Green Belt but this will be outweighed by the enhancement to the level of educational attainment the school can provide, as such it is considered that 'very special circumstances' do exist and the potential harm to the Green Belt is clearly outweighed by other considerations. The application is therefore considered to be compliant with Green Belt Policy as set out in the NPPF. Policy GBA 1.2 does not allow for very special circumstances, therefore the proposal is not compliant with this policy, however the National Planning Policy Framework (NPPF) offers a more up-to-date position and is a material consideration of significant weight.

Highway Engineer

I raise no objection to this application, noting that :-

- 1) The building would be located within the school site, a distance from the public highway
- 2) Construction of a new library at the school should not result in a material increase in vehicle movements to the site or an increase in parking demand.
- 3) The building will not affect the site's access arrangements, nor parking or servicing facilities
- 4) Once constructed, the proposal should not have any highway implications
- 5) The school already has cycle parking and a Travel Plan

Delivery and installation of the building, which will be constructed off-site, could have highway implications, as well as implications in respect to parking and access to the school (notably if carried out during term time) and therefore in order to ensure that the development is constructed in a safe way and in a manner that will minimise disruption during construction, I would recommend that any approval granted is subject to a condition requiring the submission and approval of a construction method statement.

- Recommendation : No objection, subject to the following condition :-

No development shall take place until a method statement detailing how the approved 'Hobbit House' structure will be transported to the site and will be installed and how all associated construction works will be carried out has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include details how the structure will be transported to the site and craned into position, access arrangements, turning / manoeuvring facilities, deliveries, vehicle routing, traffic management, signage, hoardings, scaffolding, where materials will be loaded, unloaded and stored, parking arrangements and mud prevention measures. Development of the site shall not proceed except in accordance with the approved method statement.

Reason: To ensure that the approved development is constructed in a safe way and in a manner that will minimise disruption during construction, in accordance with Policy T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD. The details are required prior to the commencement of any development as details of how the development is to be constructed need to be approved prior to the commencement of construction activities.

Informative

A condition of this planning consent requires the submission of a Construction Method Statement. In order to ensure that the statement includes all the required information the applicant / developer is advised to use the Council's template Construction Method Statement. This can be obtained from the 'Highways and Transport Advice' section within the planning pages of the Council's web-site (www.stockport.gov.uk).

Arboricultural Officer

The proposed development site is located within the existing education facility curtilage predominantly on the existing informal grounds and soft standing areas. The plot is comprised largely of soft landscaped, informal grounds and associated infrastructure.

The proposed development is not within or affected by a conservation Area.

There are no legally protected trees within this site or affected by this development.

The proposed development footprint is shown or indicated at this time within the informal grounds of the existing site and it is assumed the proposed changes will potentially not impact on the trees and hedges within the site or neighbouring site as the development site is not located in proximity of trees on site.

A full tree survey has been submitted as part of the planning application to show the condition and amenity levels of the existing neighbouring trees and where applicable which trees will have a potential impact on the proposed development, so any comments are based on this as well as our professional judgements and information gathered.

A detailed landscaping scheme will need to be further considered/drawn up as part of the planning application conditions which clearly shows enhancements of the site and surrounding environment to improve the local biodiversity and amenity of the area.

In principle the main works and design will not have an impact on the trees on site or within neighbouring properties on all the boundaries, however it is acknowledged that any construction traffic may have an impact on the sites trees so this needs to be considered and any protective fencing required installed prior to commencing on site.

In its current format it could be considered favourably as long as the proposal shown on the plans is delivered to protect the existing trees in or around the site as well as when implementing the new improved landscaping design that has been submitted to improve the amenity and aesthetics of the site for users and making sure a percentage of these are native large species and fruit trees at every opportunity.

The following conditions would be relevant :-

Condition Tree 1

- No existing tree within the site shall be cut down, topped, lopped, uprooted, wilfully damaged or wilfully destroyed without the prior written approval of the local planning authority, with the exception of those indicated otherwise on the approved plan. Any hedgerows, woody plants or shrubbery removed without such consent or dying or being severely damaged or being seriously diseased, within 5 years of the development commencing, shall be replaced within the next planting season with trees of such size and species as may be approved in writing by the local planning authority.

Condition Tree 2

- No development shall take place until all existing trees on the site except those shown to be removed on the approved plans, have been fenced off in accordance with BS 5837:2012 "Trees in relation to construction - Recommendations". The fencing shall be retained during the period of construction and no work, excavation, tipping or stacking of materials shall take place within any such fence during the construction period.

Nature Development Officer

Site Context

The site is located within the grounds of Greave Primary School off Werneth Road in Woodley. The application is for erection of a new library and information technology suite within buried 'Hobbit House' structure.

Legislative Framework

Nature Conservation Designations

The site has no nature conservation designations, legal or otherwise.

Legally Protected Species

Many trees have the potential to support roosting bats and nesting birds. All species of bats and their roosts are protected under UK (Wildlife and Countryside Act 1981 (as amended)) and European legislation (The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. Breeding birds and their nests are protected by the Wildlife and Countryside Act 1981 as amended).

The site comprises short-mown amenity grassland. Information submitted with the application (Arboriculture reports and associated plans) demonstrates that no impacts are anticipated on the two trees (one oak, one ash) adjacent to the site and that the trees will be protected during construction works. The risk of impacting protected species such as nesting birds and roosting bats which may be present within these trees is therefore very low.

Ecology survey work has been carried out previously at the site in 2018, 2016 and 2013 as part of other planning applications. No evidence indicative of badger activity was recorded. No records exist on our species records database for badgers in the local vicinity (although the absence of records is not necessarily proof of species absence and may just be a reflection of a gap in the baseline data). Although it is acknowledged that ecological conditions can change over time and that badgers are a mobile species (able to occupy new areas relatively quickly), habitats on site and the immediate vicinity are considered to offer limited potential for sett creation. The risk of a badger sett being impacted by the proposals is therefore considered to be very low. As a precautionary measure reasonable avoidance measures (RAMS) can be adopted during construction works to protect any badgers which may pass through the site.

Paragraph 016 of the Natural Environment Planning Practice Guidance (<https://www.gov.uk/guidance/natural-environment#biodiversity-and-ecosystems>) states that the local authority should only request a survey if they consider there is a reasonable likelihood of a protected species being present and affected by development. Given the above I would not consider it reasonable to request an ecology survey as part of the current application as the risk to protected species and habitats is considered to be very low.

Policy Framework

- Core Strategy DPD policy CS8 'Safeguarding and Improving the Environment' (Green Infrastructure : 3.286; Biodiversity and Nature Conservation : 3.296).
- Core Strategy DPD policy SIE-3 'Protecting, Safeguarding and Enhancing the Environment' (A - Protecting the Natural Environment : 3.345, 3.364, 3.366 and 3.369).

Recommendations

The proposed works are considered to be of low risk to protected species however

protected species can sometimes be found in seemingly unlikely places. As a precautionary measure an informative should be attached to any planning permission granted so that the applicant is advised that the granting of planning consent does not negate the need to abide by the legislation in place to protect biodiversity. In the event that any protected species is discovered on site during works, works must stop and a suitably experienced ecologist be contacted for advice.

To protect badgers which may pass through the site and prevent potential disturbance during works should be implemented and secured by condition. This shall include:

- If at any time during works evidence of badger (or any other protected species) is discovered on site then works must cease and a suitably experienced ecologist be contacted for advice.
- Any works which involve the creation of trenches or with pipes shall be undertaken following measures to protect badgers from being trapped in open excavations and/or pipework:
 - a) creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day; and
 - b) open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.

It is understood that the surrounding trees will be retained and protected. If any pruning/tree works are required and informative should be used to state that a bat survey of the trees would likely be required in advance of works. In addition, no tree works should take place between 1st March and 31st August inclusive, unless a competent ecologist (or otherwise suitably experienced person) has undertaken a careful, detailed check of trees/vegetation for active birds' nests immediately before (no more than 48 hours before) tree/vegetation clearance works commence and ensured that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

Biodiversity enhancements are expected as part of developments in line with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). Suitable measures would include creation of a wildflower grassland over the proposed hobbit house structure (rather than amenity grassland/rye grass), native tree planting within the school site and provision of bat and/or bird boxes on the retained mature trees. Details of proposed biodiversity enhancements should be submitted to the LPA for review and this can be secured via condition.

Environmental Health Officer (Land Contamination)

The proposed development site has not been identified as potentially contaminated. As such, I would recommend that the developer keeps a watching brief for any unexpected contamination. I would recommend the CON2 informative :-

- *Should contamination be suspected, found or be caused at any time when carrying out the development that was not previously identified, the local planning authority should be notified immediately and development affected or potentially affected by the contamination should stop and an investigation and or risk assessment and/or remediation carried out to establish the most*

appropriate course of action. Failure to stop and notify may render the Developer or Owner liable for the costs of any investigation and remedial works under Part IIA of the Environmental Protection Act 1990.

Environmental Health Officer (Noise)

The application has been assessed in relation to community amenity. There is no objection.

Informative

Any works which can be heard outside the site boundary must only be carried out between :-

- Monday to Friday : 07.30 am – 18.000 pm;
- Saturday : 08.00 am - 12:30 pm;
- Sundays, Public and Bank Holidays : No noisy working audible from the site boundary.

Please view the [guidance notes for contractors \(PDF 300kb\)](#) for more information.

Sport England

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 99) and against its own playing fields policy, which states:

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- *All or any part of a playing field, or*
- *Land which has been used as a playing field and remains undeveloped, or*
- *Land allocated for use as a playing field*

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'

Sport England's Playing Fields Policy and Guidance document can be viewed via the below link:

https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy

Having assessed the application, Sport England is satisfied that the proposed library and IT Suite within a buried Hobbit House structure meets Exception 3 of our Playing Fields Policy, in that:

'The proposed development affects only land incapable of forming part of a playing pitch and does not:

- *Reduce the size of any playing pitch*
- *Result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);*
- *Reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;*
- *Result in the loss of other sporting provision or ancillary facilities on the site;*
or
- *Prejudice the use of any remaining areas of playing field on the site.'*

This being the case, Sport England does not wish to raise an objection to this application.

ANALYSIS

Policy Principle – Green Belt

The application site is allocated within the Green Belt, as defined on the UDP Proposals Map. As such, consideration of the proposal against saved UDP policy GBA1.2 and the NPPF is required. The detailed comments received to the application from the Council Planning Policy Officer are contained within the Consultee Responses section above.

Paragraph 137 of the NPPF states that *'The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence'*.

Paragraph 149 of the NPPF states that the construction of new buildings should be regarded as inappropriate in the Green Belt and lists a number of exceptions. The Planning Statement submitted in support of the application seeks to argue that the proposal falls within exception (b) of Paragraph 149 of the NPPF, comprising *'the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it'*. However, due to the fact that the proposal would be in the form of an educational use rather than an outdoor recreational use, the Planning Policy Officer considers that this exception is not relevant. The Planning Policy Officer also considers that the proposal does not fall within any of the exceptions of other forms of development considered to be not inappropriate development Green Belt, as defined by Paragraph 150 of the NPPF, nor any of the forms of development considered appropriate development within the Green Belt, as defined by saved UDP policy GBA1.2.

In view of the above, the proposed development is considered to represent inappropriate development within the Green Belt. Paragraph 147 of the NPPF states that *'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'*.

In assessment of 'very special circumstances', the Planning Policy Officer notes that the proposed 'Hobbit House' structure would be located on the school site, immediately adjacent to the existing school building and would be proportionally much smaller than the existing school building. The proposed 'Hobbit House' structure would effectively be of predominantly subterranean form and would appear

buried, with two pothole windows and an access door to the Northern elevation and one pothole window to the Western elevation. The ground would be excavated so that the proposed 'Hobbit House' structure would sit approximately 1.3 metres above ground and would appear at a similar height to the existing school building. The proposed 'Hobbit House' structure would not be visible from Werneth Road to the East due to the site topography and the level increase North to South, however the topography of the landscape would appear somewhat different.

The Planning Policy Officer considers that there would be no significant encroachment into the countryside as a result of the proposal, as the site is already within educational use and would be situated within an established envelope of existing development. As such, it is considered that the proposal would have a very minor impact on the openness of the Green Belt. In addition, any harm would be outweighed by the enhancements to the educational provision that the school can provide. As such, in the opinion of the Planning Policy Officer 'very special circumstances' exist and the potential harm to the Green Belt is clearly outweighed by other considerations, as required by Paragraph 148 of the NPPF.

In summary, the proposed development is considered to represent inappropriate development within the Green Belt, contrary to saved UDP policy GBA1.2 and Paragraphs 149 and 150 of the NPPF. However, it is considered that 'very special circumstances' exist in the form of educational need which outweigh any potential harm to the Green Belt, by reason of inappropriateness and any other harm. Coupled with the minimal impact of the proposal on the openness of the Green Belt, it is considered that the proposal is clearly justified as a departure to the development plan and the NPPF.

Design, Siting, Impact on Visual Amenity, Impact on Landscape Character and Impact on Residential Amenity

The proposed 'Hobbit House' structure would be sited directly adjacent to the South of the existing school building and would be proportionally smaller than the existing school building. The proposed structure would appear buried, of predominantly subterranean form and would not be visible from public vantage points from Werneth Road to the East, due to the site topography. As such, it is considered that the proposed development could be accommodated on the site without causing harm to the visual amenity of the area or the character of the Etherow Parklands Landscape Character Area within which the site is located, in accordance with saved UDP policies LCR1.1 and LCR1.1A and Core Strategy DPD policy SIE-1.

The proposed 'Hobbit House' would be well separated from the nearest residential properties to the North, East and South of the site. As such, it is considered that the siting, scale and use of the proposed structure would not unduly impact on the amenity of surrounding residential properties, by reason of overshadowing, over-dominance, visual intrusion, loss of outlook, overlooking, loss of privacy, noise or disturbance, in accordance with Core Strategy DPD policies SIE-1 and SIE03

Highways Considerations

The detailed comments received to the application from the Council Highway Engineer are contained within the Consultee Responses section above.

In raising no objections to the proposal, the Highway Engineer notes that the building would be located within the school site, a distance from the public highway; construction of a new library at the school should not result in a material increase in

vehicle movements to the site or an increase in parking demand; the building would not affect the sites access arrangements, parking or servicing facilities; once constructed, the proposal should not have any highway implications; and the school already has cycle parking and a Travel Plan.

The Highway Engineers notes that delivery and installation of the building, which would be constructed off-site, could have highway implications, along with implications in respect of parking and access to the school, notably if carried out during term-time. As such, a condition is recommended by the Highway Engineer to require the submission, approval and implementation of a Construction Method Statement, to ensure that the development is constructed in a safe way and in a manner that will minimise disruption during construction.

In view of the above, in the absence of objections from the Highway Engineer and subject to conditional control, the proposal is considered acceptable from a traffic generation, access, parking and highway safety perspective, in accordance with Core Strategy DPD policies CS9, T-1, T-2 and T-3.

Impact on Trees

An Arboricultural Implications Assessment and Arboricultural Method Statement have been submitted in support of the application. The detailed comments received to the application from the Council Arboricultural Officer are contained within the Consultee Responses section above.

The Arboricultural Officer acknowledges that existing trees on the site are not afforded protection by way of Tree Preservation Order or Conservation Area status. As such, consideration must be taken of the fact that existing trees on site could effectively be removed or worked to without the requirement for consent.

Due to its siting, the Arboricultural Officer considers that the proposed development would not impact on existing trees and hedges on the site. In order to prevent damage to trees during construction, conditions are recommended to ensure that no existing tree is worked to and to require the provision of protective fencing to trees during construction. A further condition is recommended to require the provision of enhanced planting within the site.

In view of the above, in the absence of objections from the Arboricultural Officer and subject to conditional control, the proposal is considered acceptable in terms of its impact on trees, in accordance with Core Strategy DPD policies SIE-1 and SIE-3.

Impact on Protected Species and Ecology

The detailed comments received to the application from the Council Nature Development Officer are contained within the Consultee Responses section above.

Trees on the site have the potential to support roosting bats and nesting birds, both of which are protected species. Arboricultural Reports submitted in support of the application demonstrate that no impacts are anticipated on the Oak and Ash tree adjacent to the site and that the trees would be protected during construction works. As such, the risk of impacting protected species such as nesting birds and roosting bats which may be present within these trees is very low. Should any pruning or tree works be required, the applicant will be advised of the requirement for a bat survey in advance of works by way of informative. A further informative is recommended to ensure that no tree works are undertaken during the bird nesting season, unless a

check of trees and vegetation for active birds nests are carried out to ensure that no birds would be harmed and/or there are appropriate measures in place to protect nesting bird interest.

Ecological Survey work has been carried out as part of previous planning applications at the site. No evidence indicative of badger activity was recorded and no records exist on species records for badgers in the local vicinity. Although it is acknowledged that ecological conditions can change over time and that badgers are a mobile species, habitats on site and in the immediate vicinity are considered to offer limited potential of sett creation and the risk of a badger sett being impacted by the proposals is considered to be very low. Nevertheless, as a precautionary measure, a condition is recommended to require Reasonable Avoidance Measures to be adopted during construction, to protect badgers and prevent potential disturbance during construction.

On this basis, the Nature Development Officer does not consider it reasonable to request the submission of an ecology survey as part of the application, as the risk to protected species and habitats is considered to be very low. The applicant will however be advised of the legislation in place to protect biodiversity and procedures to follow should protected species be discovered by way of informative. The provision of appropriate biodiversity enhancements will also be secured by condition.

In view of the above, in the absence of objections from the Nature Development Officer and subject to conditional control, the proposal is considered acceptable in terms of its impact on protected species, biodiversity and the ecological interest of the site. As such, the proposal complies with Core Strategy DPD policies CS8 and SIE-3.

Land Contamination

No objections are raised to the proposal from the Council Environmental Health Officer, who notes that the site has not been identified as being potentially contaminated, therefore the proposed development would not be at risk from land contamination, in accordance with Core Strategy DPD policies CS8 and SIE-3. The applicant will be advised of relevant procedures to follow should contamination be suspected, found or caused during development by way of informative.

Impact on Sport Facilities and Playing Pitches

The detailed comments received to the application from Sport England are contained within the Consultee Responses section above.

In raising no objections to the application, Sport England note that the proposal meets Exception 3 of its Playing Fields policy in that the proposed development only affects land incapable of forming part of a playing pitch and does not reduce the size of any playing pitch, does not result in the inability to use any playing pitch, does not reduce the capacity to accommodate playing pitches, does not result in the loss of other sporting provision or ancillary facilities and does not prejudice the use of remaining areas of playing field on the site. As such, in the absence of objections from Sport England, the proposal is not considered to unduly impact on existing sports facilities or playing pitches, in accordance with saved UDP policy L1.1 and the advice contained within the NPPF

SUMMARY

At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 8 of the NPPF establishes three dimensions to sustainable development – economic, social and environmental and indicates that these should be sought jointly and simultaneously through the planning system.

It is considered that the nature, scale, design and visual appearance of the proposed development could be accommodated on the site without causing undue harm to the character of the Etherow Parklands Landscape Character Area, the visual amenity of the area or the amenity of surrounding residential properties.

In the absence of objections from relevant consultees and subject to conditional control, the proposal is considered acceptable with regard to the issues of traffic generation, parking, access and highway safety; impact on trees; impact on protected species and ecology; land contamination; and in terms of its impact on existing playing fields/sports pitches.

The application site is allocated within the Green Belt and the proposed development is considered to represent inappropriate development within the Green Belt, contrary to saved UDP policy GBA1.2 and Paragraphs 149 and 150 of the NPPF. However, it is considered that ‘very special circumstances’ exist in the form of educational need which outweigh any potential harm to the Green Belt, by reason of inappropriateness and any other harm. Coupled with the minimal impact of the proposal on the openness of the Green Belt, it is considered that the proposal is justified as a departure from the Development Plan and the NPPF in this particular case.

In view of the above, in considering the planning merits of the proposal against the requirements of the NPPF, the proposal is considered to represent sustainable development. On this basis, the application is recommended for approval.

Given the conflict with saved UDP policy GBA1.2 and the NPPF, the proposal comprises a Departure from the Development Plan. Accordingly, should Members of Werneth Area Committee be minded to grant planning permission, the application will be required to be referred to the Planning and Highways Regulation Committee for determination as a Departure from the Development Plan.

RECOMMENDATION

Grant.

Should Werneth Area Committee be minded to agree the recommendation and grant planning permission, the application should be referred to the Planning and Highways Regulation Committee as a Departure from the Development Plan.

WERNETH AREA COMMITTEE (07/03/22)

The Planning Officer summarised the report, outlining that the proposed ‘Hobbit House’ represents ‘inappropriate development’ which is, by definition harmful and should not be approved except in ‘very special circumstances’. Members acknowledged that the structure is required to provide a new library and information technology suite due to the existing library being utilised as a classroom for increased class numbers. The Planning Officer answered Members questions relating to the drainage implications given that the school had experienced problems in the past necessitating remedial works and whether the structure would require adherence to Building Regulations. The applicant’s planning consultant spoke in favour and clarified that the installation would take account of remedial drainage

works that have already taken place. Members noted that the structure would be of predominantly subterranean form and accepted that the case for 'very special circumstances' relating to educational need is sufficient to outweigh harm by reason of inappropriateness, and any other harm, and accordingly resolved to recommend that permission be granted subject to conditions outlined within the report.