

<b>Application Reference</b>	<b>DC/088293</b>
<b>Location:</b>	Hazel Grove High School Jacksons Lane Hazel Grove Stockport SK7 5JX
<b>PROPOSAL:</b>	Western parcel: Demolition of existing garages on site; removal of existing tennis/netball courts; erection of a two storey educational facility (use class F1(a)), creation of new vehicular, cycle and pedestrian access and egress off Jacksons Lane; car park with drop off bay; new hard and soft landscaping including a MUGA; erection of PV canopies; and Eastern parcel: erection of replacement tennis /netball courts; fencing; two garages and resurfacing of existing hard standing to create a formal car parking area.
<b>Type Of Application:</b>	Public Services Infrastructure Development
<b>Registration Date:</b>	29.03.2023
<b>Expiry Date:</b>	28.06.23 – extension agreed until 31.08.23
<b>Case Officer:</b>	Dominic Harvey
<b>Applicant:</b>	Department for Education / Tilbury Douglas Construction Ltd
<b>Agent:</b>	Iceni Projects

### **DELEGATION/COMMITTEE STATUS**

This application can only be approved by the Planning and Highways Regulation as it constitutes a departure from the statutory development plan. It is also a committee decision on the basis of the number of objections received and the officer recommendation to grant planning permission.

### **DESCRIPTION OF DEVELOPMENT**

Stockport Metropolitan Borough Council ('The Council') and the Department for Education identified the application site as being suitable site to deliver a small, specialist provision school for 80 pupils. Alternative Provision schools provide an alternative educational setting for pupils where a mainstream school is not reasonably able to provide a suitable education and an alternative educational setting would be in the child's best interests.

An Alternative Provision (AP) School is proposed to be constructed to the west of the existing Hazel Grove High School, on land currently occupied by informal hard standing used for overflow parking, playing fields and netball & tennis courts.

The proposed development is separated into two parcels of land:

**Western Site** - The Western Site will be accessed from Jacksons Lane. Separate pedestrian and cycle paths will be provided in the south-west corner, which then lead

to the cycle storage area located to the side of the building, and the main entrance. Dedicated entrances and exits for vehicles will be provided to the south-west and south-east of the frontage, which facilitate a drop-off / pick-up system. A pick-up / drop-off layby is provided outside the main entrance.

The car park will provide 47 parking spaces, including two disabled bays. A total of six electric vehicle charging points will be provided, one of which will be adjacent to a disabled bay. Two solar roof canopies will be provided over sections of the car park offering a covered area for vehicles but also contributing to the energy demands of the building. Refuse and recycling storage is provided to the south-east corner of the car park.

The school building will be on an east-west axis and located approximately a third of the way into the Site. It will be two storeys in height and will form an L-shape. The building will be clad in brick with a glazed wall forming the main entrance to the building, above which will be the school's signage. The building fabric will be of a high quality and finish.

The building will have a flat roof behind a parapet wall. Additional plant machinery for the building will be placed on the roof, with the majority of the roof being covered by solar panels, again contributing to the energy demands of the building. The building will have a flat roof behind a parapet wall. Additional plant machinery for the building will be placed on the roof, with the majority of the roof being covered by solar panels, again contributing to the energy demands of the building.

The northern section of the site provides the play, sports, and amenity areas. Directly adjacent to the building will be a hard play area, beyond which will be a multi-use games area. To the eastern boundary will be a 'kitchen garden' with raised beds, and a habitat area. To the west will be a grassed 'soft play' area. To the northern end, there will be an open 'kick-about area' for informal play and games and within the north-east corner will be a tree circle with seating. The variety of outdoor amenity spaces encourages opportunities for outdoor play, new learning and sensory experiences, socialising, and quiet moments of reflection.

**Eastern Site** - The Eastern Site will be used to relocate the existing tennis and netball courts and provide a more formalised parking arrangement for HG High School staff who currently park on the informal overflow area of hardstanding on the western parcel. This will increase the capacity of parking available in this eastern area, so the western overflow area is not lost without being replaced. The existing access from Jacksons Lane will be retained, as will the amenity grassland adjacent to Jacksons Lane.

The existing hard surfaced area will be resurfaced with the southern section laid out as a formal car park, and the northern section left open. To the north-east of the Site there will be four re-provided tennis courts, overlain with three netball courts. They have been designed to be accessed via the school grounds and will include fencing (including some acoustic fencing) to ensure they are secure.

## **SITE AND SURROUNDINGS**

The site consists of two land parcels located to the southern edge of Hazel Grove. Both land parcels are currently within the curtilage of the Hazel Grove High School on the northern side of Jackson's Lane.

**Western Parcel** - The Western Parcel is approximately 1.1ha and comprises poor quality tennis and netball courts, an informal parking area, some amenity grassland, and a section of the School's playing fields. To the north are the playing fields for Hazel Grove High School. To the east are the Hazel Grove High School buildings and associated infrastructure. To the south are properties fronting Jacksons Lane, beyond which are open fields. To the west are residential properties located off Cotswold Avenue and Mostyn Road.

**Eastern Parcel** - The Eastern Parcel is approximately 1.3ha and comprises an area of hard surfacing used informally as an overflow car park, amenity grassland, and woodland and scrub. To the north are netball courts, beyond which is an all-weather football pitch and the High School's playing fields. To the east are residential properties fronting Denbigh Close. To the south is a residential dwelling (the former caretaker's cottage) fronting Jacksons Lane, beyond which are open fields. To the west are the HG High School buildings and associated infrastructure.

## **POLICY BACKGROUND**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 ("PCPA 2004") requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

### **The Development Plan includes-**

- Policies set out in the Stockport Unitary Development Plan Review adopted 31<sup>st</sup> May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; &
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document adopted 17<sup>th</sup> March 2011.

### **Saved policies of the SUDP Review**

- EP1.7: Development and Flood Risk
- UOS1.3 Protection of Local Open Space
- L1.1: Land for Active Recreation
- MW1.5: Control of Waste from Development
- CTF1.1: Development of Community Services and Facilities
- CDH1.2: Non Residential Development in Predominantly Residential Areas
- CDH1.9: Community Facilities In Predominantly Residential Areas

### **LDF Core Strategy/Development Management policies**

- SD-1: Creating Sustainable Communities

- SD-3 Delivering the Energy Opportunities Plans – New Development
- SD-6 Adapting to the Impacts of Climate Change
- AS-2 Improving Indoor Sports, Community and Education Facilities and their Accessibility
- SIE-1 Quality Places
- SIE-3 Protecting, Safeguarding and Enhancing the Environment
- CS1: Overarching Principles: Sustainable Development
- CS8: Safeguarding And Improving The Environment
- CS9 Transport and Development
- CS10 An Effective and Sustainable Transport Network
- T-1 Transport and Development
- T-2 Parking in Developments
- T-3 Safety and Capacity on the Highway Network

### **Supplementary Planning Guidance**

Supplementary Planning Guidance does not form part of the Statutory Development Plan; nevertheless it does provide non-statutory Council approved guidance that is a material consideration when determining planning applications.

The following are relevant to the determination of this application:

- Sustainable Design and Construction SPD
- Sustainable Transport SPD
- Transport and Highways in Residential Areas SPD
- Design of Residential Development SPD

### **National Planning Policy Framework**

A revised National Planning Policy Framework (NPPF) issued by the Secretary of State for Housing, Communities and Local Government (MHCLG) on 20th July 2021 replaced the previous NPPF. The NPPF has not altered the fundamental legal requirement under Section 38(6) of the Planning and Compulsory Purchase Act 2004 that decisions must be made in accordance with the Development Plan unless material considerations (such as the NPPF) indicate otherwise.

The NPPF sets out the governments up-to-date planning policy which should be taken into account in dealing with applications and focuses on achieving a lasting housing reform, facilitating the delivery of a greater number of homes, ensuring that we get planning for the right homes built in the right places of the right quality at the same time as protecting our environment. If decision takers choose not to follow the NPPF, then clear and convincing reasons for doing so are needed.

N.B. In respect of decision-taking the revised NPPF constitutes a “material consideration”.

### **Planning Practice Guidance**

The Planning Practice Guidance (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.

## **Ministerial Policy Statement – Planning for Schools Development – 15 August 2011**

### **RELEVANT PLANNING HISTORY**

**Reference: DC/083274**

Proposal: Reconfiguration of existing single storey sixth form building and extension to provide additional floor, new air source heat pump (ASHP) with associated landscaping and boundary treatments.

Decision: Granted 30/05/22

**Reference: DC/076762**

Proposal: Planning Application for alterations to school building and pedestrian access route to western elevation. South Elevation: Existing Main Entrance screen removed & replaced with new PPC aluminium glazed screen incorporating automatic outward opening double doors. West Elevation: Existing window opening removed & replaced with new PPC aluminium glazed screen incorporating outward opening double doors (allowing for new level landing/steps-up to suit levels).

Decision: Granted 24/07/20

**Reference: DC/052234**

Proposal: Application of overcladding, window replacement and construction of a new entrance lobby to sixth form building.

Decision: Granted 25/06/13

**Reference: DC/050027**

Proposal: Erection of paladin fencing and entrance gates.

Decision: Granted 23/07/12

**Reference: DC/018521**

Proposal: Erection of 60 and 40 place cycle shelters on two sites within school boundary.

Decision: Granted 30/03/05

**Reference: DC/006567**

Proposal: Erection of 2 no. replacement garages

Decision: Granted 07/03/02

**Reference: DC/004427**

Proposal: Temporary access road for site vehicles

Decision: Granted 25/07/01

**Reference: DC/004105**

Proposal: Ground floor extension to music/drama studio.

Decision: Granted 25/06/01

### **NEIGHBOUR'S VIEWS**

In relation to the application as originally submitted there have been 15 letters of objection received, with the grounds for objection summarised under the relevant criteria as follows:

#### **Loss of Open Space**

- The Planning Statement admits that the scheme will result in a conflict with the Local Plan. This should be refused due to this conflict.

#### **Noise Pollution**

- Due to the proximity of the site to the adjacent dwellings, this new development will not be beneficial in terms of noise pollution. Outdoor use of garden space will not be available to neighbours during term times.
- The noise generated by buses, private vehicles and staff vehicles will increase.
- It is misleading to state that the native hedgerow filters noise.
- The Noise Impact Report is not entirely credible as it requires further justification with regard to noise breakout from the building and noise attenuation measures proposed.
- Further calculations are required with regard to predicted noise levels at residential receptors.

#### **Un-neighbourly Land use**

- Damage to neighbouring property from balls coming from the pitches.
- Alternative Provision Schools provide education for pupils who have become unmanageable as they have been excluded from mainstream schools. Such a school should not be located within a quiet residential area.
- The scheme will in no doubt result in an increase in vandalism, littering and house break in.
- Will affect the safety of the neighbourhood.
- Recent application submitted to change the use of No.16 Cotswold Avenue to a home for troubled teenagers was refused.

- The Trust states that the school will operate only at term time however schools can let out their premises and facilities for additional revenue.
- What assurances can be made that the current grass football area will not be changed to AstroTurf and flood lit.
- Concerns that the pupils will not be from the local area and that this will negatively impact upon the many elderly, vulnerable residents.
- Residents have a positive line of dialogue with the current school and if the new pupils are to be resident on a short-term basis only there are concerns that this relationship may not continue.
- Pupils will walk through residential areas, and this will lead to an increase in antisocial behaviour.

### **Flood Risk / Drainage**

- Flooding is a big problem, and this will only increase if the scheme is approved.
- We have spent over £20,000 to improve drainage on our land. Any alterations to the field will result in drainage issues for local residents.
- There are no mentions made to existing sewerage capacity.

### **Loss of Habitat / Green space**

- Birds nest in this area and the scheme will result in the loss of habitat.
- Whilst the application states that replacement trees will be planted, there does not appear to be space on site to replace the quantity to be removed and it will take decades for them to mature.
- Loss of trees will result in an increased flood risk.
- Badgers and foxes live at this location and the scheme will displace these animals.
- There are badgers living on the site and in surrounding garden areas.
- The construction of the school will contravene the Protection of Badgers Act 1992.
- Given the clear evidence of badger activity a license will be required for the development. This license can only be obtained by ourselves or by the agent if we give permission. We will not give permission.
- An independent ecologist should be appointed to evaluate the existence of the set.

### **Traffic / Highways**

- The immediate highway network is already over capacity.
- Existing turning facilities into St Johns Road already poor.
- When cycle paths were installed the congestion on Dorchester Parade and surrounding road became a major safety issue. This scheme will exacerbate this issue.
- Provision is made for an unnecessary large carpark at the expense of existing green space.
- Both car parking access points on Jacksons Lane are unnecessary and will contribute to traffic difficulties.

- The statement that most of the pupils will arrive by mini-bus or taxi is unsupported.
- There is no mention of a traffic study to support the proposal for 2no additional access points on to Jacksons Lane.
- The amount of car parking spaces should be re-calculated taking into account alternative modes of transport.
- Hourly averages of traffic usage do not give a realistic view of disruption and delays.
- The additional 80 pupils and 45 staff is a significant increase to the footfall and transport impacts on the overall site.

## **Carbon Emissions**

- The concept of achieving carbon neutral status is flawed.
- There is no mention of redundancy to permit maintenance shut down and the concept of excluding vehicular charging points falsifies the net zero aspiration.
- There is no cooling in the school and ventilation relies on natural MVHR.
- There is no calculation referenced to support the internal heat gains and global warming effects are not properly considered.

## **Amenity Harm**

- Jacksons Lane has been significantly narrowed to accommodate cycling lanes and drivers / cyclists frequently use private driveways to turn on the road.
- The new school is located too close to residential properties.
- While we acknowledge that pupils with specific educational needs require an appropriate education setting, we fundamentally disagree that a small, cramped site, directly bordering quiet residential properties, where multiple elderly and vulnerable residents live, alongside families with young children, can be that setting.
- This will represent a loss of the health benefits obtained from green space nearby, including through the loss of a number of mature trees.
- An urban environment stores and traps heat and will therefore impact the summertime comfort and wellbeing of the local residential population.
- The land either side of Hazel Grove High School is intentionally free from buildings or other hardstanding in order to provide a buffer zone between the residential properties who border the Proposed Development Site.
- The installation of a two storey building will undoubtedly negatively affect the light which our property benefits from -a problem which will further be exacerbated by the introduction of a necessary tree line and evergreen hedge.
- Can the Laurus Trust (as the proposed operator of the site) provide legally binding assurances that the school building, outdoor facilities and car park will not be used outside of normal operating hours, including at weekends and during school holidays, and similarly will not be used as additional capacity or overspill from the existing Hazel Grove High School.
- There are two windows on the upper floor of the school building facing Cotswold Avenue and our Property including the rear garden, but only one is fitted with a privacy film. We should not be directly overlooked by windows as this interferes with our right to privacy.



- Activity in and out of the building: The site design does not appear to have taken this into account at all and will significantly increase noise and the peace of the neighbourhood.
- At night and during the winter months we are concerned that safety and security lighting from the school will directly affect our property – our master bedroom and child's bedroom is close to the east end of our house. Any lighting will also impact on our enjoyment of our rear garden.
- The Car Park is located right next to residential properties and our rear garden and will have a significantly detrimental impact on noise, pollution / air quality, light pollution, and environmental factors like surface water.
- The footpath and cycle access is poorly located, given it runs directly alongside and in extremely close proximity to the residential properties
- The site plans show a mesh fence next to a new hedge, with the mesh fence being of significantly greater height than the hedge/tree line (the height of the mesh fence being given as approximately 2m). Having this right next to our property will make us feel like we are living in a cage or prison, and we consider this to be wholly inappropriate directly next to residential properties.
- Assuming planning permission is granted (which we do not consider it should be), the proposed construction phase is, we understand, expected to commence in summer 2023 and last a full 12 months. This is an incredibly long period of time for us to endure the significant level of disruption and disturbance to our daily lives that this will bring, particularly given the close proximity of the proposed school building and car park to our property.

## Design

- The scheme will negatively affect the character of the local area.
- Sun canopies in the carpark are proposed with the sole purpose of these being to install architecturally disastrous PV cells to achieve zero carbon emissions.
- The location of the school should be placed on the eastern aspect of the site.
- New schools are not located in such proximity to residential properties and so this new building would be taken as being completely out of context with the wider site.
- Having seen the plans, the Proposed Site Location is clearly too small for the scale of the development planned, with it being sandwiched (or more accurately squashed) between existing buildings and the site's western boundary.
- The main school building itself is clearly much too large and far too close to our house, garden and front drive – the gap is barely fifteen metres. The negative impact of the proposed development disproportionately impacts the local residential neighbourhood, and our property.
- The Alternative Provision School is to be built in red brick in order "to compliment and respect the character of the area". This is completely wrong; the adjacent properties on Cotswold Avenue which will be adjacent are mock Tudor-style buildings, and a closer distance than the existing Hazel Grove High School buildings".

## **Consultation Process**

- Comments made by the public and potentially statutory consultees are not visible on the Council's website in response to the application.

## **Other Matters**

- When the Council handed responsibility over to the school it was on the understanding that it would remain as an area for wildlife.
- There are suitable sites across Stockport that are better suited to this type of development.
- The consultation process held was very poor. Many residents did not receive letter.
- There is no evidence that alternative sites have been considered for this development in accordance with Government guidance.
- The application makes no reference to BREEAM rating levels, and this should be included.
- There are 24 schools which are over-subscribed, 21 of which are primary schools. It does not therefore make sense to spend such monies to accommodate 80 pupils when overcrowding at other schools is evident.
- The local area is already well served by good schools. This scheme should be located in a different part of Stockport.
- The site has been chosen by Laurus Trust because they already manage the existing HGHS site. The decision is not therefore planning based but relies on convenience.
- A more central location within Stockport would reduce overall travel needs across the area.
- It has been entirely unclear to the general public when the cut-off date for comments on the Application is, meaning some people could miss the deadline and their legitimate views will not be taken into account. This lack of clarity is procedurally unfair.
- It is not clear how potential locations were assessed and by whom, and how this conclusion was reached that the proposed site is suitable.
- Children with social, emotional and mental health difficulties may display challenging, disruptive or disturbing behaviour and will need a comfortable distance between themselves and others and may need a safe place to calm down including a sheltered outdoor area. In these circumstances, surely a quieter location would be more suitable, rather than sharing a site with a mainstream school which is also directly adjacent to (and almost on top of) multiple residential properties and will be cramped and noisy.
- The fact that the children will be "under close supervision" is no guarantee that our property and potentially our security, and that of our young family, is not compromised or at least potentially compromised, or even simply disturbed.
- It is also entirely unclear how the Laurus Trust became involved in this process. Were they subject to a rigorous tender process?

## **Additional comments received following publication of report to Area Committee**

Two further written objections have been received raising concerns regarding:

- Biodiversity Net Gain Payment and non-compliance with NPPF
- Loss of Open Space
- Introduction of Wildlife Corridors and concerns over a potential Natural England licence for disturbance of habitat
- Impact of traffic
- Concern with regards to timeframes given for comments following submission of amended plans.
- Concerns that the applicant have not addressed all residents concerns and have only addresses consultee responses.

It is considered that all material matters raised have already been included within the wider assessment as part of the main report.

## **CONSULTEE RESPONSES**

### **SMBC Lead Local Flood Authority**

No objections raised subject to pre-commencement conditions relating to the following:

- The provision and subsequent management of a sustainable drainage system for the site.
- The inclusion of permeable paving and other such landscaping features such as green roofs, swales, ponds, tree pits and rainwater harvesting within an appropriate landscape plan.
- A ground investigation to assess the soil infiltration rates which shall inform the provision of an appropriate SUDS for the site

### **Manchester Airport**

No objections raised subject a condition relating to the control of external lighting systems alongside an informative directing the applicant to address the use of cranes on site and to avoid upward facing lighting systems beneath any rooflights proposed.

### **Transport for Greater Manchester (TfGM)**

Although no formal objection was raised by TfGM, the following points were raised for attention:

- TfGM would suggest that a review of the Traffic Regulation Orders in the vicinity of the development is undertaken. This should confirm whether additional parking restrictions are required, as well as ensuring adequate parking restrictions remain in place, and are refreshed accordingly. This will help to discourage pavement parking associated with the development and therefore assist in improving the quality of the surrounding public realm. In particular to ensure that 'School Keep Clear' markings are implemented across all access points to the school.

- A robust Construction Traffic Management Plan should be employed as part of the development.
- The applicant is advised to liaise with the Shelters team via [shelters@tfgm.com](mailto:shelters@tfgm.com) if any changes are proposed to the existing bus stops, prior to undertaking any works. It should be noted that any relocation / alterations will need to be wholly funded by the applicant.
- TfGM would refer the applicant to [stop.closures@tfgm.com](mailto:stop.closures@tfgm.com), if the proposed construction works are likely to temporarily impact the use of the bus stops.
- Any redundant vehicle access points should be reinstated as continuous footway to adoptable standards.
- The access points should be designed to ensure provision of tactile paving and dropped kerbs.
- Cycle parking provision should be provided in accordance with Stockport Council's adopted standards and where possible spaces in excess of the minimum provided. The cycle store should be lockable and covered, located in a central area with natural surveillance and should have sufficient security measures in place such as CCTV and lighting. Welfare facilities should also be provided for staff.
- The development will need to be supported by a robust School Travel Plan which should feature a range of measures promoting a choice of transport mode, and a clear monitoring regime with agreed targets.

In lieu of the above comments, TfGM have requested that the development, submission, implementation and monitoring of a Full School Travel Plan within 6 months of occupation be attached as a condition of any planning consent.

### **SMBC Environmental Health (Noise)**

No objection subject to conditions and informatives:

- Condition requiring a construction environmental management plan addressing noise, dust and vibration impacts
- Development to be implemented and operated in strict accordance with the submitted noise impact assessment.
- Plant noise limits
- Construction hours informative
- Pile method statement informative

The submitted noise assessment addressed the eastern parcel of the development and addresses noise from the new MUGA pitch to north of the site, atmospheric mechanical plant noise and internal noise levels within the building. The assessment notes that noise levels from the MUGA at the nearest window of a sensitive receptor will be lower than Sport England guidance thresholds and concludes that subject to mitigation measures the proposed new site layout is likely to have a positive impact on noise impact.

The assessment calculates that plant noise will be controlled to comply with the required limit of 50dB(A) and that the proposed plant will be inaudible at the residential properties.

The tennis and netball courts have not generated noise complaint at their original position. Therefore it is not anticipated that the relocated tennis and netball courts will create a negative impact upon residential amenity.

## **Sport England**

*Updated Comments received 26.07.2023*

Thank you for consulting Sport England on the above application. The following response should be read in conjunction with previous responses from Sport England in relation to this proposal.

**Summary:** Sport England **withdraws its objection** to the application because it is considered to accord with of the Exception 4 of Sport England's Playing Fields Policy and with Paragraph 99 of the NPPF, subject to conditions for:

1. Continuity of sport during construction
2. Technical design and construction specifications of the natural turf 5v5 pitch
3. "Natural Turf for Sport" Guidance compliance
4. Appropriate pitch and court sizes
5. Management and Maintenance Scheme
6. Technical specification for tennis/netball court surface
7. Provision of an athletics throwing area
8. Ball strike assessment for 5v5 pitch and tennis/netball courts
9. Provision of a Community Use Agreement for use of facilities including 5v5 mini pitch
10. Restriction of sporting use for facilities

Full condition wording is set out at the end of this response.

**If your Council decides not to attach the conditions below, Sport England would wish to raise an objection to this application.**

## **Additional Information Submitted and Assessed**

DRWG: FS0770-PEG-XX-XX-D-L-0014\_P03 – Football and Athletic Track Provision for Discussion (and in relation to the U15/U16 football pitch and athletics track only)

DRWG: FS0770-PEG-XX-XX-D-L-0001\_P20 – Landscape Masterplan – received 21<sup>st</sup> July 2023

| DRWG: FS0770-PEG-XX-XX-D-L-0006\_P15 – Landscape Masterplan – received 21<sup>st</sup> July 2023

## Sport England – Statutory Role and Policy

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 Paras 98 and 99) and Sport England's Playing Fields Policy, which is presented within its 'Playing Fields Policy and Guidance Document':

<https://www.sportengland.org/guidance-and-support/facilities-and-planning/planning-sport>

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 Policy Exceptions	
E1	A robust and up to date assessment has demonstrated, to the satisfaction of Sport England, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.
E2	The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.
E3	The proposed development affects only land incapable of forming part of a playing pitch and does not: <ul style="list-style-type: none"><li>▪ reduce the size of any playing pitch;</li><li>▪ result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);</li><li>▪ 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;</li></ul>

	<ul style="list-style-type: none"> <li>▪ result in the loss of other sporting provision or ancillary facilities on the site; or</li> <li>▪ prejudice the use of any remaining areas of playing field on the site.</li> </ul>
E4	<p>The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:</p> <ul style="list-style-type: none"> <li>▪ of equivalent or better quality, and</li> <li>▪ of equivalent or greater quantity, and</li> <li>▪ in a suitable location, and</li> <li>▪ subject to equivalent or better accessibility and management arrangements.</li> </ul>
E5	<p>The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.</p>

**Assessment is made against the Playing Fields Policy Exceptions E1- E5 as follows:**

Sport England has considered the proposals with regard to the specific exception criteria identified in the above policy and made the following assessment:

E1: Does not apply, there is no evidence to suggest that the playing field, in this particular case is not needed.

E2: Does not apply.

E3: Does not apply, the development does affect land previously marked out as pitches.

E4: Applies, the playing field which would be lost to the development contained pitches and courts which have been appropriately replaced.

E5: Does not apply, the proposal is for an education purpose.

The proposal is considered against Exceptions E4 of Sport England's Playing Field Policy. The additional drawings have demonstrated that the 5v5 mini pitch, which is impacted by the proposal, will be re-provided within the area of the proposed Alternative Provision School. In addition, the drawings demonstrate that the use of the existing natural turf track and 11v11 pitch will not be prejudiced and demonstrate the replacement tennis and netball courts meet Sport England standards. The drawing does not show re-provision of the athletics throwing area, however it is considered that it can be accommodated within the natural turf playing field to the

north of the Alternative Provision School and can be delivered through the detail of a planning condition (below).

The National Planning Policy Framework paragraph 99 states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings, or land to be surplus to requirements; or
- b) 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
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

In this circumstance Paragraph 99 b) applies.

On that basis Sport England considers that the development would accords with paragraph 99 because as the proposal loss of playing field has been appropriately re-provided on the site with the relocation of the courts and re-provision of 5v5 mini pitch.

### **Consultation with the National Governing Bodies for Sport**

Sport England has a memorandum of understanding with the pitch sport National Governing Bodies and consults with them on planning proposals. On this occasion, Sport England has consulted with; -the Football Foundation (FF); and England Athletics. All responses received are summarised as follows: -

Football Foundation:

- *The revised plans show that the pitch in the main playing field can be retained to U15/16 dimensions at 91x55m and that a mini 5v5 pitch to FA recommended dimensions for match play can also be accommodated including the required run-off areas. FF is content that these plans now show no reduction in the number of pitches or the formats to what might presently be in use by the community club using the site.*
- *The pitches and run-off areas meet guidance and are satisfactory. An advisory, the applicant should consider the proximity of the mini 5v5 pitch and run-offs to the proposed MUGA and where/if required, undertake its own risk assessment.*

As yet Sport England has not received a response from England Athletics, however no objection is envisaged.

### **Conclusion**



In light of the above, the additional information and amended plans and subject to conditions, Sport England **withdraws its previous objection** to the application (subject to planning conditions being included on any approval notice) because it is considered to accord with Exception 4 of Sport England's Playing Fields Policy and Paragraph 99 of the NPPF.

Given the above assessment, Sport England does not wish to raise an objection to this application as it is considered to meet Exception 4 of its Playing Fields Policy. The absence of an objection is subject to the following conditions being attached to the decision notice should the local planning authority be minded to approve the application. Should the local planning authority be minded to grant planning permission for the proposal, without the recommended conditions being attached, then as the original Sport England objection would stand, then in accordance with The Town and Country Planning (Consultation) (England) Direction 2021, the application should be referred to the Secretary of State, via the Planning Casework Unit.

If you wish to amend the wording or use another mechanism in lieu of the conditions as they are set out, please discuss the details with the undersigned. Sport England does not object to amendments to its recommended conditions, provided they achieve the same outcome and it is consulted on any amendments.

**If your Council decides not to attach the conditions below, Sport England would wish to raise an objection to this application.**

Sport England would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

### **Recommended Conditions**

1. *No development shall commence until a scheme to ensure either:  
(a) the continuity of the existing sports use of/on the playing fields and sports facilities – mini 5v5 and U15/U16 football pitches; netball courts; tennis courts; athletics track and throwing area  
or  
(b) the provision of replacement facilities has been submitted to and approved in writing by the Local Planning Authority. The scheme must set out details of the size, location, type and make-up of the facilities or replacement facilities (as appropriate) together with arrangements for access. The scheme must include a timetable for the provision of the facilities or replacement facilities (as appropriate). The approved scheme shall be implemented and complied with in full throughout the carrying out of the development.*

*Reason: To protect playing fields/sports facilities from damage, loss or availability of use during the construction of the development and to accord with Development Plan Policy \*\*.*

2. (a) No development shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:

*(i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality; and*

*(ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.*

*(b) The approved scheme shall be carried out in full and in accordance with the approved programme of implementation [or other specified time frame – e.g. before first occupation of the educational establishment]. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.*

*Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Development Plan Policy \*\*.*

*Informative: The applicant is advised that the scheme should comply with the relevant industry Technical Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to 'Natural Turf for Sport', (Sport England, 2011).*

3. *The playing fields and pitches - mini, U15/U15 football pitches, track and throwing area shall be constructed and laid out in accordance with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011), and shall be made available for use to a specified timeframe to be approved in writing by the Local Planning Authority in conjunction with Sport England.*

*Reason: To ensure the quality of pitches is satisfactory and they are available for use before development (or agreed timescale) and to accord with Development Plan Policy \*\*.*

4. *The football pitches shall be provided as mini 5v5 and U15/U16 shall be to FA standards and include appropriate run off areas i.e. mini 5v5(33m x 43m); U15/U16(61m x97m).*

*Reason: To ensure the quality of pitches is satisfactory and they are appropriate for use for FA club standards and to accord with Development Plan Policy \*\*.*

5. *No development shall commence until [or other acceptable timescale] a scheme for the management and maintenance of playing field drainage, including a management and maintenance implementation programme, shall be submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The playing fields shall thereafter be managed and maintained in accordance with the approved scheme.*

*Reason: To ensure the quality of pitches is satisfactory and that they are available for use before development (or agreed timescale) and to accord with Development Plan Policy \*\*.*

*Informative: Sport England recommend that the drainage assessment and improvement/management scheme is undertaken by a specialist turf consultant.*

6. *No development shall begin until the technical specification for the proposed tennis and netball courts surface has been submitted to and approved by the Local Planning Authority (after consultation with Sport England). The details as approved shall be implemented to an agreed timescale.*

*Reason: To ensure the quality of courts is satisfactory and that they are available for use before development (or agreed timescale) and to accord with Development Plan Policy \*\*.*

7. *No development shall begin until the details of the location of the athletics throwing area has been submitted to and approved by the Local Planning Authority (after consultation with Sport England). The details as approved shall be implemented to an agreed timescale.*

*Reason: To ensure the quality and quantity of facilities is satisfactory and that they are available for use before development (or agreed timescale) and to accord with Development Plan Policy \*\*.*

8. *The development hereby approved shall not be occupied until a ball strike assessment has been undertaken in relation to the mini 5v5 football pitch and tennis/netball courts. The recommendations as approved by the Local Planning Authority in consultation with Sport England, shall be implemented prior to the first use of the facilities and retained, managed and maintained in accordance with the approved details thereafter.*

*Reason: To provide protection for the occupants of adjacent uses and their property from potential ball strike from the new playing field or sports facility and to accord with policy\*\*.*

9. *Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the use of the natural turf pitches including the mini 5v5 pitch and tennis and netball courts and for completeness, include all existing facilities at the site, including details of pricing policy, hours of use, access by non-School users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement."*

*Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy \*\*.*

*Informative: Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/>*

10. *The playing field – including mini 5v5 pitch; U15/U16 pitch; athletics facilities; tennis/netball courts shall not be used other than for outdoor sport and play.*

*Reason: To protect the [playing field/outdoor games/games area/sports facility] from loss and/or damage, to maintain the quality of and secure the safe use of [sports pitch/es/sporting provision] and to accord with Development Plan Policy \*\*.*

### **Recommended Informative**

The applicant should consider the proximity of the mini 5v5 pitch and run-offs to the proposed MUGA and where/if required, undertake its own risk assessment.

**Original Response (Now superseded)** - Sport England object stating that the scheme is not considered to accord with any of the Exceptions to Sport England's Playing Fields Policy or with Paragraph 99 of the NPPF:

#### Sport England – Statutory Role and Policy

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 Paras 98 and 99) and Sport England's Playing Fields Policy, which is presented within its 'Playing Fields Policy and Guidance Document'.

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 Policy Exceptions	
E1	A robust and up to date assessment has demonstrated, to the satisfaction of Sport England, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.
E2	The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.
E3	The proposed development affects only land incapable of forming part of a playing pitch and does not: <ul style="list-style-type: none"><li>▪ reduce the size of any playing pitch;</li><li>▪ result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);</li><li>▪ 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;</li></ul>

	<ul style="list-style-type: none"> <li>▪ result in the loss of other sporting provision or ancillary facilities on the site; or</li> <li>▪ prejudice the use of any remaining areas of playing field on the site.</li> </ul>
E4	<p>The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:</p> <ul style="list-style-type: none"> <li>▪ of equivalent or better quality, and</li> <li>▪ of equivalent or greater quantity, and</li> <li>▪ in a suitable location, and</li> <li>▪ subject to equivalent or better accessibility and management arrangements.</li> </ul>
E5	<p>The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.</p>

Assessment is made against the Playing Fields Policy Exceptions E1- E5 as follows:

Sport England has considered the proposals with regard to the specific exception criteria identified in the above policy and made the following assessment:

E1: Does not apply, there is no evidence to suggest that the playing field, in this particular case is not needed.

E2: Does not apply.

E3: Does not apply, the development does affect land previously marked out as pitches.

E4: Could apply, if the playing field which would be lost to the development was appropriately replaced.

E5: Does not apply, the proposal is for an education purpose.

The proposal could in principle be considered against Exceptions E4. The proposal would need to re-provide the 5v5 mini pitch, which is impacted by the proposal, demonstrate that the use of the existing track and 11v11 pitch was not prejudiced, show re-provision of the athletics throwing area, and demonstrate the replacement tennis and netball courts meet Sport England standards.

The National Planning Policy Framework paragraph 99 states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- d) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

- e) 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
- f) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

In this circumstance Paragraph 99 b) applies.

On that basis Sport England does not consider that the development would not accord with paragraph 99 because as the proposal results in a loss of playing field which has not been re-provided on or off-site.

#### Consultation with the National Governing Bodies for Sport

Sport England has a memorandum of understanding with the pitch sport National Governing Bodies and consults with them on planning proposals. On this occasion, Sport England has consulted with; -the Football Foundation (FF); The Lawn Tennis Association; Netball England; and Athletics England. All responses received are summarised as follows: -

##### Football Foundation:

1. The pitch in the main playing field appears to have a 90x60m (youth U15/16) pitch based on aerial imagery in 2022. The proposed pitch to be retained is 82x50m (youth U13/14) with surrounding athletics track. The proposed pitch would not be big enough to be used for age 15/16 play as it is now. A youth 11v11 (U15/16) pitch (91 x 55m, 97x 61m including safety run-off area) should be retained as we do not know exactly which pitches the club based onsite uses and for which ages. The submitted plans appear to suggest that further space is available to mark a larger pitch within the area of the athletics track, which the applicant could explore.
2. FF does not agree that a sub-standard size of mini pitch provision within the AP School facility is sufficient to replace the former mini pitch. The proposed MUGA and trees from the Tree Circle prevent the marking of a mini 5v5 pitch to recommended dimensions with run-off area, whilst a 2.85m run-off area is not sufficient and the full 3m must be kept to all sides.
3. A kick-about area rather than a formal pitch may meet school needs, however without further insight from the club we are not totally sure which pitches exactly it uses across the site, other than that it does use the grass pitches. Mini 5v5 play may be met suitably on the 3G pitch however we are not able to confirm that this is the case.
4. The Stockport PPS has not yet been completed for football and we are not able to determine whether there is demand for this pitch for formal 5v5 matches, whether pitches are overplayed or whether demand is met elsewhere by the other facilities at the site.

##### England Netball:

1. Principle acceptable as courts will be replaced.

Any further responses will be forwarded.

#### Assessment against Sport England Policy/NPPF

The current proposal based on the additional information, does not clearly meet any of the five Exceptions to ensure that it complies with its Playing Field Policy but has the potential to meet the requirements of Exception E4 and paragraph 99 of the NPPF subject to further review of the scheme.

- The proposal is shown to re-provide the four tennis courts/netball courts which would be lost as a result of the development to be located in an area to the east of the existing School building. The latest drawing FS0770-PEG-XX-XX-D-L-0006\_P11 shows the netball courts to be a sub-standard size and not in accordance with Sport England standards of a minimum of 34.5m x 18.25m (2m gap where side by side); tennis courts a minimum of 34.75m x 17.07m.
- Sport England is keen to encourage the increase the availability of sports facilities to the wider community when they're not being utilised by the main user and would expect that all of the proposed sporting facilities would be available for community use, including the proposed AP school, regardless of the potential need for more restrictions than for the main school facilities. It should be noted however that a CUA alone does not provide sufficient mitigation for the loss of playing field.
- The submitted drawing FS0770-PEG-XX-XX-D-L-0014\_P02 does not reflect the size of the pitch laid out on the site, which appears to be an U15/U16 pitch 97x 61m. The application needs to clearly demonstrate the existing pitches on the site and the impact of the proposal. Sport England cannot accept a loss of pitch provision.
- The option shown for the re-provision of the mini 5v5 grass pitch on drawings FS0770-PEG-XX-XX-D-L-0001\_P17; FS0770-PEG-XX-XX-D-L-0014\_P02; FS0770-PEG-00-XX-D-L-0003\_P06 will result in a sub-standard re-provision which is unacceptable under the criteria of Exception 4. The minimum required to replace the existing is 43m x 33m. Having discussed this with the Football Foundation, Sport England could not accept a reduction in this minimum provision. Sport England notes the comments made by the Football Foundation regarding the potential re-provision on the 3G pitch, however it should be noted that this would not meet the criteria of Exception 4 and should not be considered as an alternative.

#### Summary and Possible Resolution

Firstly, an U15/U16 pitch needs to be provided in addition to the athletics track.



Secondly, the proposal does not successfully re-provide for the loss of the existing 5v5 mini football pitch sufficient to meet the requirements of Exception 4 of Sport England's Playing Field Policy. This will need to be demonstrated on a revised plan.

Thirdly, the provision of the replacement tennis/netball courts do not fully meet with the minimum Sport England standards and this will need to be demonstrated on a revised plan.

### Conclusion

In light of the above, Sport England wishes to **maintain its objection** to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 99 of the NPPF.

Should the local planning authority be minded to grant planning permission for the proposal, contrary to Sport England's objection then in accordance with The Town and Country Planning (Consultation) (England) Direction 2021, the application should be referred to the Secretary of State, via the Planning Casework Unit.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

<b>OFFICER NOTE:</b> SINCE RECEIVING THIS OBJECTION THE APPLICANT HAS SUBMITTED ADDITIONAL INFORMATION TO ADDRESS SPORT ENGLAND'S CONCERNS. SPORT ENGLAND HAVE NOW WITHDRAWN THIS OBJECTION
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### **SMBC Education**

The support of young people's emotional wellbeing and mental health remains a key priority for Stockport within our area joint commissioning plan. We are also committed to educating our young people as close to home as possible. This provision would support this approach by offering support in borough and by helping to maintain young people's secondary education. We remain committed to commissioning placements from the provision. The need for this group of children has risen further post pandemic. This can be very clearly seen in the rise of costly external provisions in the last year. We have seen a rise from 99 to 149 placements externally for this group in 2022. The level of need is significant and the placements at Laurus Grace are critical to our planning to meet this need. If this provision did not progress the consequence would be further use of external specialist provision for Stockport young people. This would cause disruption to their education, as the model would not support maintaining their mainstream secondary place. It would also mean a substantial cost to the Council.

### **United Utilities**

No objections raised subject to conditions relating to:

- the provision of a sustainable surface water drainage scheme and a foul water drainage scheme

- the drainage schemes shall be completed in accordance with the approved details and retained thereafter
- Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing

Informatives were also recommended which relate to United Utilities Assets and Infrastructure.

## **SMBC Highways**

Initial holding objections were received from the Highways Authority, however following the submission of amendments, the Highways officer has commented as follows:

I note that the scheme has been amended with the aim of addressing the issues I previously raised. Amendments include:

- Reducing the width of the access that will serve the Hazel Grove High School car park (from 7.3m to 5.5m)
- Providing a cycle stand for visitor cycle parking by the school's main entrance
- Amending the cycle shelter to a shelter with two compartments (one for staff and one for pupils)
- Amending the cycle path into the site to fully segregate it from the footpath
- Providing double gates at the cycle access into the site

The applicant has also confirmed that a parking space for powered-two-wheelers will be provided within the site.

These amendments address the concerns I previously raised in respect to access routes within the site, cycle parking provision and motorcycle parking and, as such, subject to matters of detail relating to these matters being agreed (which can be dealt with by condition), I consider the revised proposals in respect to access routes and parking acceptable.

With respect to the proposals to widen the existing southern-eastern access that serves Hazel Grove High School, whilst I consider the reduced width more appropriate, I consider the access should be retained as a dropped-kerb access, rather than it being reconstructed as a bellmouth access. The requirement to construct it in this way, however, can be secured by condition.

The applicant's agent has outlined that they are willing to accept any approval granted being subject to conditions which require matters of detail relating to various matters being agreed, including:

- i. The specification details of cycle stores/stands
- ii. Servicing method statement for waste collections
- iii. Levels information
- iv. Details on external CCTV
- v. Lighting proposed by the cycle store.

- vi. Construction Traffic Management Plan
- vii. A more detailed Travel Plan
- viii. The upgrading of the existing footway on Jacksons Lane to a shared use path

The applicant's willingness to agree to this is noted and welcomed. I therefore consider these matters can be dealt with by condition.

The applicant has submitted a Transport Note (TN02 v 1.1), which aims to justify the proposals to construct a 60-space car park for Hazel Grove High School. In summary, it outlines that:

- 1) The car park will increase the number of car parking spaces for the school from 118 to 178 spaces
- 2) This level of parking would be within the maximum permitted level of parking (190 spaces ) based on the adopted parking standards (based on the school having 95 classrooms – this needs to be evidenced)
- 3) The additional 60 spaces simply replace the same amount of informal spaces and will therefore not promote or encourage car use. It will also mean that pressure will not be placed on the existing parking as a result of the loss of the informal parking area and its provision will reduce the likelihood of overspill parking taking place
- 4) 166 staff are employed at the school, with 89% travelling by car, equating to 148 cars (although this is not all at the same time). There is also a demand for contractor / visitor parking.
- 5) Surveys carried to support the planning application for the refurbished and extended 6<sup>th</sup> form at the school suggested that parking demand at the school was 90 cars. This, however, was not based on a parking survey but inbound and outbound vehicle flows and therefore may have underestimated parking demand (e.g. from pick-up and drop-offs) and did not consider how demand would vary during the pick-up and drop-off time periods.

After considering this report I would conclude that whilst existing parking demand at the site may be more than 90 vehicles (notably during drop-off and pick-up), as a parking survey has not been carried out to determine what demand actually is, there is no evidence to suggest the demand will exceed the existing car park's 118-space capacity. In addition, even if this was the case, I would question whether capacity is exceeded by 60 cars, as there is no evidence to suggest that this number of cars are currently being informally parked (i.e. not within designated spaces) within the site during times of peak demand. As such, I do not consider that the Transport Note has demonstrated that 60 additional spaces are required or justified and that the provision of such spaces will not result in an increase in vehicle movements to the site.

It is not therefore considered that the Transport Note that has been submitted has justified that there is need for the proposed 60-space car park for Hazel Grove High School and demonstrated that the provision of such spaces will not result in an increase in vehicle movements to the site or have an adverse impact on the local highway network. As such, I am unable to support this element of the scheme. I do acknowledge, however, that there it may be possible to justify the provision of some

additional car parking at the existing school and that the provision of some additional parking may be policy compliant.

In the absence of information on existing car parking demand, it is not possible to determine what additional parking, if any, is required, justified or what impact its provision would have on the local highway network. Additional survey work is therefore required to allow this issue to be reviewed but this could not be carried out until at least the autumn term (as the school will soon close for the summer holidays and we are now in holiday season). As such, I would recommend that the applicant removes the proposals to provide the 60-space car park from this scheme and pursues such proposals separately as part of a separate planning application once they have had the ability to carry out the relevant parking surveys.

OFFICER NOTE: During the course of the application process, the Highways Authority, the LPA and the agent have sought to address this latter concern and an updated Highways comment has since been received:

*Regarding progressing the matter, the Highways Authority have outlined that it would be appropriate to attach a condition which permitted a replacement parking area, providing it was to replace the existing parking areas at the site, and such that it would not increase the overall number of cars parking at the site (with this determined from parking surveys), the provision of an access which was modelled to demonstrate that it would operate in a safe and practical manner and that the School's Travel Plan included proposals to monitor car parking demand at the site over time so as to ensure parking demand did not increase over time.*

### **SMBC Land Contamination**

On submission, the consultee did not raise objection however a set of conditions were sought to address any contaminants that may be found on site, given the nature of the proposed use.

The applicant has subsequently provided both a Ground Gas Addendum Report and Supplementary Ground Gas Report which have now been assessed as part of this scheme. Accordingly, Environmental Health have since updated their comments as follows:

I can confirm I have reviewed the following reports;

- GRM Ground Gas Addendum Report dated 10<sup>th</sup> March 2023
- GRM Supplementary Ground Gas Letter Report dated 1<sup>st</sup> February 2023

There is now no requirement for remedial works for soil and gas, as such, I am satisfied that the original conditions I recommended are no longer required for the decision notice.

### **SMBC Nature Development**

No objections raised subject to conditions relating to the provision of:

- a mitigation strategy for Badgers;
- enhancements to grassland areas and scrub, provision of bat boxes and local native tree planting to be detailed in an accompanying Landscape and Ecological Management Plan (LEMP) or similar document;
- Reasonable Avoidance Measures in respect of Great Crested Newts and foraging Bats;
- the provision of a Construction Environmental Management Plan (CEMP); and
- the requirement for an updated Ecology survey to be submitted should works begin two years after the date of the original survey date (January 2025).

They have also noted that as the required level of biodiversity enhancements cannot be achieved on site then a biodiversity net gain should be sought locally to the development which contributes towards nature conservation priorities at local, regional and national levels. This shall be secured by way of a legal agreement wherein the applicant shall agree to provide £65,760 in respect of Biodiversity Net Gain offsetting.

The following informatives are also recommended:

- The applicant shall be made aware of legal protection that badgers receive. It should also state that a licence from Natural England will be required prior to commencement of works within 30m of the sett.
- Vegetation clearance should be timed to avoid the bird nesting season where possibly (which is March-August inclusive).

### **SMBC Planning Policy – Climate Change**

Planning Policy are satisfied with the proposed approach set out in the Energy Strategy Report (ESR) submitted in support of this application, however further detail is required regarding the eventual implementation of the proposed strategy with particular regards to the provision of solar PV and ASHPs. This can be secured via the use of an appropriate planning condition.

### **SMBC Air Quality**

#### Updated response 27.07.2023

A thorough review of the Air Quality Impact Assessment has been undertaken by the Councils Environmental Health Officer who raises no objection to the development.

Initial Response - Objection. Confirm that an air quality impact assessment (AQIA) is required given the scale of the development and one has not been submitted to date.

OFFICER NOTE: The agent provided and Air Quality Impact Assessment on Monday 24 <sup>th</sup> July 2023 which has been assessed by Environmental Health.
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## **Greater Manchester Archaeological Advisory Service**

GMAAS are satisfied that the current application has no significant archaeological implications, and on this basis there is no reason to seek to impose any further archaeological requirements upon the applicant.

## **SMBC Arboriculture**

No objections raised subject to conditions relating to:

- The prohibition of works to any on site trees unless otherwise agreed upon by the Local Planning Authority
- The prohibition of any works on site until all on site trees showing as being retained have been fenced off in accordance with BS 5837:2012 "Trees in relation to construction - Recommendations
- The provision of details of all proposed tree planting, including the intended dates of planting, have been submitted to and approved in writing by the local planning authority

## **SMBC Planning Policy**

The Planning Statement which forms part of the application correctly identifies that the scheme is (partly) sited on land which is allocated as Local Open Space in the development plan. The statement acknowledges that the proposal would be contrary to 'saved' UDP Review policy UOS1.3 ("Protection of Local Open Space") (and NPPF paragraph 99) and, as such, it should be treated as a departure from the development plan. The statement also, however, considers a range of factors to justify the departure.

In determining the application decision makers need to reach a view as to whether the visual amenity, ecological and recreational value of the open space is harmed by the proposal. If not, whilst the proposal should still be considered a departure from 'saved' UDP Review policy UOS1.3, it may be considered that such a departure is justified.

If so, however, it should be considered that such a departure is not justified and planning permission should not be granted unless material considerations indicate otherwise. In the latter scenario the proposal might also be considered to be contrary to NPPF paragraph 99 and, depending upon the conclusions reached in relation to ecological and recreational value, NPPF paragraph 174 d) and 'saved' UDP Review policy L1.1.

## **SMBC Public Health**

No objections raised however the following points were raised:

- Sustainable Transport / Active Travel: any comments made and conditions proposed by the Council's Highway Engineer are critical to enabling the use of

sustainable (including active) travel modes in and around this development and have been discussed with representatives of the Public Health and Transport Policy teams.

- While there is reference to travel planning in the submitted documents, this seems solely focussed on pupils travel to school. The travel plan should include a clear action plan for reducing the number of staff who travel by single occupancy car, which may allow the proposed number of parking spaces provided to be reduced.
- The proposed provision of secure cycle parking for staff is welcomed by Public Health since promoting active travel (which includes sufficient infrastructure for active travel modes) contributes to management of good public health in the Borough, especially healthy weight.
- Sports and physical activity: The provision of sports & outdoor physical activity facilities should ensure inclusive access for all pupils, staff and community irrespective of need. As an Alternative Provision School, design should ensure this includes access for the most complex needs.
- Infection prevention and control: The health protection lead nurse has provided the following comments: If the room on the plans labelled MI room is a medical intervention room, then provision for hand-washing inside this room needs to be made. It is not appropriate for handwashing provision to be in a nearby toilet block. Additionally, if it is envisioned that first aid incidents will be dealt with within the hygiene rooms shown on the plans, then these should not have toilets, and there needs to be suitable worktop provision to allow for the appropriate use of first aid kits.

## **ANALYSIS**

### **Principle of Development**

Members are advised that the Planning Policy Statement – Planning for Schools Development (August 2011), is a material consideration in the assessment of this particular application and substantial weight has been attributed to this within the planning balance. The statement confirms the following points:

- a. "There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.*
- b. Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions. The Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before him for decision.*
- c. Local authorities should make full use of their planning powers to support state-funded schools applications. This should include engaging in pre-application discussions with promoters to foster a collaborative approach to applications and, where necessary, the use of planning obligations to help to mitigate adverse impacts and help deliver development that has a positive impact on the community.*

- d. Local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95. Planning conditions should only be those absolutely necessary to making the development acceptable in planning terms.*
- e. Local authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible, and in particular be proportionate in the information sought from applicants. For instance, in the case of free schools, authorities may choose to use the information already contained in the free school provider's application to the Department for Education to help limit additional information requirements.*
- f. A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority. Given the strong policy support for improving state education, the Secretary of State will be minded to consider such a refusal or imposition of conditions to be unreasonable conduct, unless it is supported by clear and cogent evidence.*
- g. Appeals against any refusals of planning permission for state-funded schools should be treated as a priority. Where permission is refused and an appeal made, the Secretary of State will prioritise the resolution of such appeals as a matter of urgency in line with the priority the Government places on state education.*
- h. Where a local planning authority refuses planning permission for a state-funded school, the Secretary of State will consider carefully whether to recover for his own determination appeals against the refusal of planning permission."*

The Statement sets out the Government's policy position in planning for schools development, and is clear in its approach which weighs heavily in favour of the proposed development.

With specific regard to the principle of development, officers note that the application site is (partly) located on land which is allocated as Local Open Space in the development plan. The statement acknowledges that the proposal would be contrary to 'saved' UDP Review policy UOS1.3 ("Protection of Local Open Space") (and NPPF paragraph 99) and, as such, it should be treated as a departure from the development plan.

This conflict with policy has been identified by the Council's Planning Policy Officer for Open Space via the received consultation response with their abridged comments provided in the "Consultee Comments" section above. The consultee notes that, as correctly set out in paragraph 6.14 of the Planning Statement, in considering the acceptability of a proposed departure relating to a loss of open space, the consideration of this scheme should address the value of the space in terms of its benefit regarding visual amenity, ecological value and recreational terms.

These individual criteria are assessed as follows:



**Visual amenity value** - The Planning Statement sets out that the western parcel of the proposal site has limited visual merits as it stands, stating that the site will benefit from a visual improvement in terms of the appearance of the hard and soft landscaping. Given how, in their state of disrepair, the existing netball and tennis courts detract from the visual amenity of the open space it is reasonable to expect that the development at least affords an opportunity for such visual improvement to be realised.

Officers also consider that it is important to consider not just the immediate visual value of the site, but any value that might be gained looking across or through the site into/across the wider open space, from any angle and in particular from any publicly accessible vantage points. With this in mind, the applicant has sought to demonstrate the impact that each part of the scheme would have in terms of amenity impact upon both edges of the application site.

The western development parcel which will site the new school currently contains some hardstanding areas, however it is acknowledged that it is currently flat, with no raised built form aside from the fencing to the netball/tennis courts and two small storage garages. A comparison has also been provided of the existing and proposed levels of built form across the site which shows that the areas of built form (buildings, access/car parking and 'other' elements) will increase on completion of the new development.

However, officers recognise that the site will demonstrably benefit from a visual improvement in terms of the appearance of the hard and soft landscaping. It is also understood that the site's existing netball and tennis courts are only used for lunchtime breaks at present because they are in a state of disrepair and are visually detracting from the environment. The non-built form areas of the proposed site will support external teaching areas, habitat areas, hard play and a Multi-Use Games Area, all uses and activities which are considered acceptable use on designated open space. Further, the proposed built form is located in a relatively central position within the site with the boundary perimeter seeking to retain existing views of playing fields, hedges and trees for the most part, softening the boundaries of the site with neighbouring dwellings.

As such, in terms of the aesthetic value of the open grassland, the loss of this area of playing field would still leave approximately 4ha of playing fields as Local Open Space within this designated area to be viewed from the locale and officers would not consider that a grant of permission in this instance would lead to clear amenity harm along this western edge.

Similarly, the proposed relocated netball and tennis courts in the eastern parcel of land, having been set back from the front edge of the application site running along Jacksons Lane and buffered by the proposed scattered fruit trees and enhanced grassland would also not result in a direct harm to visual amenities of the site. Officers

also note that both the tennis and netball courts are considered acceptable uses on designated Local Open Space.

As such, on balance the facilities proposed for both areas would be an acceptable use of open space in any case and in overall terms, across both eastern and western parcels, it is the officers' consideration that there would be no overall detriment, and potentially an overall improvement, in terms of the visual amenity of the open space.

**Ecological value:** The Planning Statement sets out that the western parcel currently has only limited ecological value, whilst the eastern parcel has low importance and widespread, common habitats. This position is supported by the Preliminary Ecological Appraisal which accompanies the application. Assuming that the mitigation and enhancement measures set out in the Preliminary Ecological Appraisal are delivered by the scheme then it may be concluded that the ecological value of the open space would be retained. However, the Preliminary Ecological Appraisal directs to a separate assessment prepared in relation to Biodiversity Net Gain. NPPF paragraph 174 d) requires that planning decisions should contribute to and enhance the natural and local environment by "*minimising impacts on and providing net gains for biodiversity....*" The separate Biodiversity Net Gain Assessment concludes that (without mitigation or compensation) there would be an overall net loss of biodiversity.

If there is a net loss in overall terms, then (as well as being contrary to NPPF paragraph 174) the proposal should be considered harmful in terms of the Local Open Space's ecological value. Indeed, if there is no net gain in biodiversity then the proposal should be considered contrary to NPPF paragraph 174.

With specific regard to the provision of BNG, the Council's ecologist has noted that the site has no nature conservation designations, legal or otherwise as listed in Stockport's current Local Plan (e.g. Site of Biological Importance, Local Nature Reserve, Green Chain). The nearest designated site is Happy Valley LNR / SBI approximately 500m to the south of the site, however, connectivity between the sites is poor.

The Ecology officer has also stated that as part of the ecological assessment undertaken by the Council, it was noted that for Area 1, this part of the site is mainly intensively managed amenity grassland dominated by perennial grasses such as ryegrass, Timothy grass, common daisy and common chickweed. For Area 2, the site contains intensively managed amenity grassland in the east and centre split by fencing. Sward height varies between 8 and 10cm and consisted of predominantly grassed areas. Area 2 also benefits from an area of semi-natural broadleaved woodland, scrub and bramble. There are also native species-poor hedgerows in both parcels of land and a native species-poor hedgerow with trees in Area 1.

A BNG calculation summary has also been calculated as follows:

BNG calculation summary:

Pre-development baseline

13.74 Habitat Units 2.55 Hedgerow Units

Post-Development baseline	10.73 Habitat Units & 3.21 Hedgerow Units
NET CHANGE =	-3.01 Habitat Units & + 0.65 Hedgerow Units -21.91% habitat & + 25.58% hedgerows

It is important that not only appropriate ecological mitigation is achieved but also measurable net gains for biodiversity are secured in accordance with national and local planning policy (see NPPF and paragraph 3.345 of the LDF). A DEFRA Biodiversity Metric (3.1) has been submitted with the application to help to demonstrate what level of Biodiversity Net Gain (BNG) can be delivered as part of the proposed scheme. Although current local and national planning policy does not set a figure for BNG, the Environment Act 2021 and BNG Guidance for Greater Manchester (Feb 2021) sets this at a minimum of 10% and so this target would be expected. Where it is not possible to secure adequate BNG on site (this should be maximised where possible), off-site BNG will need to be explored.

The BNG Assessment completed by Tetra Tech indicates the current proposals will result in a loss of 3.01 habitat units (-21%) and gain of 0.65 hedgerow units (+25.58%). The BNG report evidences a number of options to reduce this biodiversity loss have been explored but that given the sites location and the educational facility requirements no other reasonable layout is possible. Therefore off-site offsetting will be the required option to make up this deficit. The biggest biodiversity unit loss results from the loss of woodland and urban trees and therefore this should be avoided where possible. Officers also note that enhancements to grassland areas and scrub can be detailed in the accompanying Landscape and Ecological Management Plan (LEMP) or similar document (secured by condition).

### BNG Offsetting

As the required level of biodiversity enhancements cannot be achieved on site then a Net Gain will be sought local to the development which contributes towards nature conservation priorities at local, regional and national levels. It has been previously advised that a minimum 10% BNG is sought as this is stated within the Environment Act 2021 which has received Royal Assent. This also accords with GMCA Guidance for BNG in Greater Manchester (February 2021) which states that for developments in Greater Manchester, the minimum level of Biodiversity Net Gain is considered to be achieved when the biodiversity units for the habitats impacted by the development is increased by 10% or more after the development.

In terms of habitat offsetting, SMBC will accept £15,000 per biodiversity unit for offsetting plus an appropriate management and monitoring fee (in the region of 10%). This is an interim figure based on advice from the Greater Manchester Ecology Unit (GMEU) following pilot studies carried out within Greater Manchester and work undertaken by DEFRA.

To achieve 10% gain in biodiversity units, this would result in an offsetting payment in the region of:

[habitat units lost + 10% of baseline habitat units = 3.01 units required]

$$3.01 \text{ habitat units} + (13.74 \times 0.1) \times £15000 = £65,760^*$$

\*plus management and monitoring fee (10%)

Officers can confirm that this payment will be secured via legal agreement and in light of this provision, the scheme will not result in an overall loss of ecological value in compliance with NPPF paragraph 174 d) and UDP Review policy UOS1.3.

**Recreational value:** The Planning Policy consultation response notes that the recreational value of the site lies specifically in its formal use as playing fields. This value is principally to pupils of Hazel Grove High School, although officers are aware that parts of the wider open space are used by others by agreement on occasion. The statement notes that the proposals include measures to mitigate against any loss of recreational value. The statement also notes, however, that as things stand the mitigation only achieves 95% of what is needed to satisfy Sport England's requirements. In this context the statement notes that further discussion will be required with Sport England.

If agreement is reached with Sport England then it should be considered that the recreational value of the Local Open Space has been appropriately retained and/or any loss appropriately mitigated. If no agreement is reached then the proposal should be considered harmful in terms of the Local Open Space's recreational value. It follows that, if no agreement is reached, then the proposal should also be considered contrary to 'saved' UDP Review policy L1.1 ("Land for Active Recreation") which seeks to protect against the loss of public or private sports grounds or other land currently or last used for active recreation.

It is noted that during the course of the application process, a number of amendments have been sought to address the issue of under-provision as initially illustrated on the submitted plans. These amendments have focused on securing the adequate provision of the 5v5 football pitch on the western edge of the application site.

**OFFICER NOTE:** Based on the additional information provided to Sport England by the applicant the council is now in receipt of a revised response from Sport England.

Having regard to the information contained in the response provided and subject to conditions identified Sport England have now confirmed that the proposals accords with Exception 4 of Sport England's Playing Fields Policy and with Paragraph 99 of the NPPF and as such have withdrawn their objection.

It is considered that the applicant has demonstrated that the 5v5 mini pitch, which is impacted by the proposed development will be provided on site, and that the use of the existing natural turf track and 11v11 pitch will not be prejudiced by the development. The proposals also demonstrate the replacement tennis and netball courts meet Sport England standards. Whilst the proposals do not show a replacement athletics throwing area it is considered that it can be accommodated within the natural turf playing field to the north of the site and delivered via condition.

The proposals are considered to accord with para 99 of the NPPF and Saved Policy L1.1 (Land for Active Recreation) as Local Open Space has been appropriately retained or any loss appropriated mitigated. Conditions as identified by Sport England are recommended to be attached to any planning approval.

Due to the constraints on site and in part, due to the operational requirements of the school, the provision of this 5v5 football pitch at its full size cannot be achieved and it is noted that the pitch can only be accommodated up to 95% of the required size for such pitches.

As noted within the Planning Policy consultation response, the proposal should therefore be considered harmful in terms of the Local Open Space's recreational value and it follows that the proposal is therefore considered as running contrary to 'saved' UDP Review policy L1.1 ("Land for Active Recreation") which seeks to protect against the loss of public or private sports grounds or other land currently or last used for active recreation.

In such circumstances, given that the under-provision is 5% and given the abundantly clear public benefits of providing additional educational facilities for children within Stockport Metropolitan Borough in line with the clear direction contained within the Planning Policy Statement – Planning for Schools Development (August 2011), these public benefits clearly outweigh this conflict with 'saved' UDP Review policy L1.1 ("Land for Active Recreation").

As such, irrespective of the abovementioned policy conflict, officers are satisfied that planning balance weighs heavily in favour of the scheme and the principle of development can be supported on this basis.

## **Design**

Paragraph 126 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

It goes on to state that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this.

Paragraph 130 states that decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Having taken into account the design as illustrated on the submitted plans, alongside the urban context within which this new structure would be set, officers consider that the scale and design of development proposed is not significantly greater, or of significantly different in character, to the existing locale.

The new school building is to be set to the west of the existing secondary school and would be part single and part-two storeys in height with floorspace of 1,685sqm (GIFA), to be located upon an area already covered in hardstanding within the existing school site. The new structure would be set adjacent to existing school buildings which have a maximum height of three-storeys and would be separated from the adjacent smaller residential properties located to the west of the application site by a defined boundary and hedgerow planting. This defined boundary to the site clearly delineates the new building from the wider suburban dwellings whilst allowing it to be respond in a positive manner to the existing school set on its eastern aspect.

Officers recognise that some amenity grassland, trees and hedging would be lost as part of the proposals for both the site to the west and east, however, soft landscaping, habitat areas and tree planting are also proposed to be planted and retained within the site in mitigation of this loss. Such mitigation can be secured by an appropriate landscaping condition.

The proposed areas of hardstanding, courts and car parking to the east would be located within the existing school site and set back from the main front elevation, whilst it is also noted that these elements would be sited upon land which already includes existing hardstanding used for play and formal sports courts.

Taking both the design of the new building and the associated landscaping works into account, officers consider that the visual impact that this scheme would have upon the wider environment would be limited. Although it is distinct from the residential properties set along the western edge of the site, the building would primarily be read in conjunction with the existing school, and being of a smaller scale than the existing school building, the new structure would not visually compete with Hazel Grove High School when views are taken from the wider street scene.

Subject to an appropriate landscaping condition which will secure optimum boundary enhancements, there would not be a significant urbanising effect as a result of the development and on balance officers do not raise objection to the scheme on design grounds.

## **Amenity**

### Western Edge

#### **- Privacy**

Officers are satisfied that the plans as submitted demonstrate that the distance between the closest part of the proposed school building and the boundary with No. 16 Cotswold Avenue is acceptable. In this particular instance, the distance between the side gable of No.16 Cotswold Avenue and the gable end of the new building would be 15m at its nearest point and this extends to 18m where the building line recesses along this elevation.

It is also noted that the elevation of the new structure facing No.16 Cotswold Avenue features 2no windows however these openings would not provide readily available vantage points across this adjacent residential property. These two windows, which are to be located on the upper floor of the elevation facing Cotswold Avenue, consist of one window at a high level within the proposed main hall, so will not be accessible by pupils/staff and this would be solely used for daylighting purposes. The second window is on a stairwell and will be fitted with a privacy film. This will ensure that privacy is maintained.

In light of this, officers would not raise objection with regard to a loss of privacy to those nearest neighbouring occupants as no formal views out towards this property would be provided.

#### **- Physicality**

This positive position is also taken regarding the potential harm caused by the structure being considered as an overbearing built feature along this side aspect of the site. Officers are satisfied once more that the separation distance between the new school and the nearest property on Cotswold Avenue complies with the Design of Residential Development SPD and so would not be considered as being an oppressive built feature within this suburban environment.

The new structure, having been set at an appropriate distance away from this western boundary, would not cast undue shadow upon the more sensitive rear elevation of this nearest property whilst the main views provided out from the rear of this building would not be affected.

- Noise

With regard to the impact upon no. 16 Cotswold Avenue in relation to noise and other such activity generated by the use of the site, it is noted that the design shows a continuation of the landscaping along this side boundary, such that the rear garden associated with this property abuts an area of landscaping rather than having a hard boundary tight up with the car parking area. Further, officers also note that the landscaping for this part of the site will be species enhanced grassland and trees, rather than simple amenity grassland with garden fencing (as is currently the case). This enhanced grassland, populated by trees is not expected to be used by the children for play purposes as instead it is more likely that they will instead play in the soft play grassed area.

Officers also consider that this new arrangement should likely improve the current situation as Hazel Grove pupils are permitted to come right up this boundary during school break times. The use of this space will become much more limited and controlled with the new school.

Both the new MUGA and hard play area are located off from the side boundary with No.15 Cotswold Avenue by 28m and 18m respectively. This is buffered by hedgerow planting, some sporadic tree planting and the wider grassed area running along the western edge of the site. Officers recognise that noise can be generated by both of these features, however it is noted that the existing school play areas run closer to the boundary than that which is proposed under this scheme.

In this regard, the scheme would bring a moderate benefit to those adjacent neighbours located on Cotswold Avenue and officers would not raise objection in this regard.

As part of the consultation process, Environmental Protection have noted that an assessment of the proposed MUGA has been undertaken in accordance with Sport England guidance document Artificial Grass Pitch (AGP) Acoustics - Planning Implications - New Guidance for 2015.



The consultee notes that AGP Guidance for 2015 recommends that any assessment of artificial grassed pitches is taken over a period of one hour, rather than the sixteen hour time base of WHO and:

- an internal noise limits of 35dB LAeq during the daytime due to use of AGPs, and
- external limits of 50dB LAeq at 1m from the façade of living spaces (assuming 15 dB sound reduction of a partially open window).

Having considered the application, Environmental Health have made the assessment that the predicted MUGA noise levels at the nearest window will be lower than the AGP guidance of 50dBLAeq, 1hr.

It was therefore recommended that to limit potential noise from ball impacts, the following perimeter fencing design considerations shall be considered necessary for the appropriate usage of the MUGA operation:

- *Acoustic barriers should be built outside the perimeter fence so they are protected from being hit by balls and generating impact sounds;*
- *Weldmesh fencing is commonly used to enclose the AGP and the panels should be securely clamped with resilient fixings to avoid vibrations;*
- *Sheet metal signs can make a clattering noise when hit by a hockey ball and these should be avoided in proximity to the playing surface or replaced by soft vinyl signs;*
- *People tend to congregate around the entrance to a pitch and as such, the entrance and access route should be located away from nearby housing where possible;*
- *Some users may act in an unreasonable manner resulting in higher noise levels and a management/monitoring plan could be developed to effectively respond to specific incidents*
- *Use should be restricted to authorised groups only.*

For the MUGA, the acoustic report concludes that:

*If the pitch is used no more than the existing pitches, which are closer to the properties, the proposed new site layout is likely to have a positive impact on noise impact.*

Environmental Health have considered the report and accepts the NIA - MUGA, methodology, conclusion and recommendations. Officers concur with this position and raise no objection to the siting of the proposed MUGA.

With regard to the proposed roof plant, officers note that the external plant will be located on the first-floor concrete roof to the east of the proposed building. The Noise Impact Assessment calculates that plant noise will be controlled to comply with the required limit of 50dB(A) at the nearby school building and that the proposed plant will be inaudible at the residential properties.

Environmental Health have considered the report and accepts that the roof plant will not lead to amenity harm to adjacent occupiers. Officers concur with this position and raise no objection to the siting of the proposed roof plant.

The side boundary associated with No.29 Jacksons Lane also runs along this western edge of the application site and, if the scheme is approved, would see the installation of a cycle path and pedestrian access along this boundary. The car parking area would be off-set from this boundary line. This represents a material change from the current circumstances wherein the adjacent plot of land is currently grassed over with no daily activities which would otherwise occur at this location.

To address this issue, the landscaping plan shows the inclusion of a new hedgerow to be planted along this side boundary in order to mitigate the noise that could otherwise disperse out to this neighbouring property. Although this arrangement is considered acceptable in principle, further boundary planting could be secured via condition and officers are satisfied that on submission of such detailing, no undue harm would result.

### **Eastern Edge**

The plans as submitted show that this edge of the application site will see the introduction of 4no tennis / netball courts which would be brought closer to the boundary with those properties located along Hazel Grove. Officers also note that the closest property on Hazel Grove is set 23m away from the edge of the nearest court at its closest point.

- **Physicality**

The courts to be sited on this eastern edge are well screened from public view and would not be considered problematic from a visual standpoint.

- **Noise**

Having considered this layout, it is noted that although activities associated with the school will clearly come closer to these adjacent properties, there still remains a substantial buffer between these dwellings and the new courts. This buffer would consist of enhanced woodland planting and officers consider that this will be sufficient to mitigate against the potential harm caused by the use of these courts during the day.

This position is supported by SMBC Environmental Protection. This service has commented that no floodlighting is proposed at the relocated tennis and netball courts, whilst the tennis and netball courts have not generated noise complaint at their original position. Therefore it is not anticipated that the relocated tennis and netball courts will create a negative impact upon residential amenity.

As such, no amenity-based objections are raised against the proposed works along this edge of the site.

- Construction works

The impact of construction works in terms of noise and disturbance can be controlled via a condition which will require the applicant to provide an appropriate Construction Management Plan. Such a condition has been recommended by Highways and Environmental Health officers who consider that through this condition, undue harm caused via the construction process to the amenity of neighbouring occupants can be effectively mitigated.

## **Highways**

As noted from the consultation response received from the Highways Authority, there are no objections raised with regard to the proposed access points on to the site nor the internal layout as proposed for the additional parking area.

It is however noted that the Highways Authority have raised concerns that without an appropriate justification, the provision of the new parking area may well result in additional parking demand at the site which could have ramifications for the wider highway network in terms of congestion and potential harm to highway safety.

To address this point, a pragmatic approach has been agreed between all parties such that a condition requiring the following details should be attached to any subsequent consent:

- A Transport Technical Note to justify the need for the parking area, determine the appropriate number of parking spaces to be provided within the parking area, assess the impact of its provision on the operation and safety of the access that will serve the parking area and the wider highway network and determine any required mitigation
- Engineering drawings of the parking area, including details of surfacing, carriageway markings and signage
- Details of the electric vehicle charging points to be provided within the parking area

This condition, alongside conditions relating to matters of detailed design and the upgrading of the existing footway on Jacksons Lane, as well as the production and operation of a Servicing Method Statement, Travel Plan and Construction Management Plan would be considered appropriate.

Officers concur with this approach and confirm that, subject to conditions and the applicant entering into a Section 111 legal agreement relating to the payment of £7500 to fund the provision of parking restrictions on Jacksons Lane, no objections are raised with regard to highway safety.

## **Ecology**

Core Strategy Policy SIE3 sets out the Council's development management policies on protecting the natural environment stating that net losses of biodiversity and geodiversity will be prevented using a hierarchical approach to conserving and enhancing designated sites and habitats.

It goes on to state that applications for development that would harm the borough's biodiversity will be determined in accordance with the key principles set out in former government policy (PPS9). It goes on stress the requirements for biodiversity enhancements through the development of green infrastructure networks to improve connectivity between habitats.

Importantly, the policy then states that planning applications should identify mitigation measures that keep disturbance to a minimum and provide alternative habitats to sustain at least the current level of population as well as setting out a long-term management plan for the site. Finally, the policy then highlights the importance of retaining trees and vegetation that make a positive contribution to amenity and makes clear that replacement, compensatory planting where losses arise is necessary.

Paragraph 174 of the NPPF states that proposals shall seek to minimise impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

Paragraph 180 of the NPPF states that when determining planning applications, local planning authorities should apply the following principles:

- if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

As noted previously, the site has no nature conservation designations, legal or otherwise as listed in Stockport's current Local Plan (e.g. Site of Biological Importance, Local Nature Reserve, Green Chain). The nearest designated site is Happy Valley LNR / SBI approximately 500m to the south of the site, however, connectivity between the sites is poor.

It has however been identified as an opportunity area within the Local Nature Recovery Strategy (LNRS) pilot study for Greater Manchester. This is not necessarily a barrier to development and does not confer protection or prevention of land uses but shows that such areas have been prioritised for restoring and linking up habitats.

The application area is within a Site of Special Scientific Interest (SSSI) Impact Risk Zone (IRZ) however the development is not of the type that is included within this designation and requires no assessment.

A full assessment of the scheme in relation to the ecological value of the site has been carried out by the Council's Nature Development Officer and no objections have been raised with regard to the impact made by this scheme.

### Biodiversity Net Gain (BNG)

As outlined previously, it is understood that a net gain cannot be achieved on site. To address this point, the applicant has agreed to enter into a legal agreement with the Council to ensure that off-site provision is made with a fee of £65,760 (plus a monitoring fee of 10%) to be paid direct to the Council. Officers are satisfied that such provision would comply with paragraph 180 of the NPPF in that this would ensure that the identified BNG deficit is compensated for off-site.

### Badgers

The consultation response notes that there are badger setts located in and around the application site, however the response notes that such works cannot be undertaken without a licence from Natural England prior to commencing these works. The methods required under licence are subject to agreement with Natural England.

### Hedgerows

There are native species-poor hedgerows in both parcels of land. Although in poor condition, the consultee considers that they do hold value however the imposition of a condition requiring the submission of a Landscape and Ecological Management Plan (LEMP) for habitats and species in conjunction with the landscaping scheme, would be considered sufficient to ensure that such ecological value associated with these features is not lost as a result of a permission.

### Bats / Birds

In relation to breeding birds, vegetation clearance can be controlled via condition. The consultee also notes that a number of trees will be lost to the proposals. Therefore, in consideration of tree T1 referenced in the bat survey report and the woodland G1 with a number of ivy clad trees, the consultee has recommended that a precautionary approach is adopted where tree removal is necessary. The procedures for such works are detailed within the submitted bat survey report by Tetra Tech (July 2023) which include a toolbox talk for relevant site personnel, pre-commencement checks by a bat licensed ecologist and implementation of soft-felling techniques. This approach was considered acceptable by the consultee and officers would not raise objection in this regard.

### Great Crested Newts

From review of aerial imagery there appears to be two ponds within 500m of the application area. Ponds and their surrounding terrestrial habitat offer potential to support amphibians such as great crested newt (GCN). GCN receive the same level of legal protection as bats (outlined above). No records for GCN exist in the local area.

The consultee notes that there is terrestrial habitat and potential hibernacula on the site although, as noted in the PEA, the overall likelihood of GCN on-site is low as the nearest pond is approximately 400m away and separated by a main A road. In light of this it is recommended that a condition be attached to any subsequent consent which ensures that 'reasonable avoidance measures' are undertaken

during the construction phase of the scheme and officers consider that this would be sufficient in this instance.

## **Drainage**

Section 14 of the NPPF sets strict tests to protect people and property from flooding which all local planning authorities are expected to follow. Where these tests are not met, national policy is clear that new development should not be allowed.

Policy SIE-3 states that all development will be expected to comply with the approach set out in PPS25 Annex D or any superseding national policy. Development within Critical Drainage Areas (CDAs) will be expected to have floor levels at a minimum of 300mm above road level so as to reduce the risk of damage being caused by surface water flooding. Achievement of this requirement must be without detriment to accessibility or high quality design.

Policy SD-6 states that development should be designed in such a way as to avoid, mitigate or reduce the impacts of climate change. In particular, all development will be required to incorporate Sustainable Drainage Systems (SuDS) so as to manage the run-off of water from the site.

Development on previously developed (brownfield) land must reduce the rate of unattenuated run-off by a minimum of 50% if it is within an identified Critical Drainage Area (CDA). Until CDAs have been identified in detail the same reduction (a minimum of 50%) will be required of developments on brownfield sites in all areas; once detailed CDAs have been identified the minimum required reduction of run-off on brownfield sites outside of CDAs will be 30%.

Where planning permission is required, areas of hard-standing or other surfaces, should be of a permeable construction or drain to an alternative form of SuDS.

Officers note that both United Utilities and the LLFA have not raised objection to the scheme however conditions have been recommended which will ensure that the appropriate provision of SUDS on site will be delivered. It is also noted that the LLFA have requested that a condition be attached to the scheme to ensure that the landscaping scheme shall include measures to aid in the drainage of the site (such as swales / permeable paving / rainwater harvesting etc) alongside a drainage infiltration investigation.

Considering the above, officers are satisfied that, subject to conditions, the scheme can be effectively drained and would not lead to displacement of flood risk to neighbouring sites.

## **Air Quality**

The Council received an Air Quality Impact Assessment (AQIA) 24<sup>th</sup> July 2023. The AQIA was undertaken in order to determine baseline conditions and assess potential impacts as a result of the proposed development.

The report included assessment of impacts during both construction and operational phases of the development. The report highlights that there could potentially be air quality impacts from fugitive dust emissions as a result of demolition, earthworks, construction and trackout activities, however it is considered that the use of good practice control measures would provide suitable mitigation for the development and would reduce any potential impacts to an acceptable level.

Potential impacts during the operational phase of the proposals were assessed that may occur due to road traffic exhaust emissions associated with vehicles travelling to and from the site. Dispersion modelling was therefore undertaken in order to predict pollutant concentrations at sensitive locations as a result of emissions from the local highway network both with and without the development in place. Results were subsequently verified using local monitoring data. A review of the dispersion modelling results have indicated that air quality impacts as a result of traffic generated by the development are not predicted to be significant at any sensitive location in the vicinity of the site.

A thorough review of the document has been undertaken by the Councils Environmental Health Officer who raises no objection to the development.

The proposal are considered acceptable and not considered to give rise to any unacceptable air quality harm. It is proposed that a condition should be applied to any planning permission requiring a construction management plan to be submitted, agreed and implemented for the duration of demolition and construction phases.

### **Contaminated Land**

The Environmental Health Officer for Contaminated Land has assessed the proposal and recommends that on the basis of the submitted GRM Ground Gas Addendum Report and the GRM Supplementary Ground Gas Letter Report, the previously recommended conditions requiring remedial works for soil and gas are no longer required and accordingly, no objections were raised. Officers are therefore satisfied that no further remediation work is required and consider that the scheme accords with Core Strategy Policy SIE-3.

### **Planning obligations**

As detailed above, the application generates the need for the applicant to enter into a legal agreement to secure the following planning obligations:

- the payment of commuted sums to deliver 10% off site biodiversity net gain mitigation measures - £72,336 including a 10% management and monitoring fee;
- the payment of £7500 to fund the provision of parking restrictions on Jacksons Lane; and
- a monitoring and reporting fee of £500

The applicant has agreed these obligations.

## **CONCLUSION**

### **Planning Balance**

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

Although it is recognised that the scheme represents a departure from the Local Plan, with specific regard to the conflict with policy UOS1.3, it is considered by officers that, on balance, the provision of a new school alongside the improvements made to the wider landscaping and sports provision on site, coupled with the provision of a payment in lieu of a BNG for off-site provision all weigh heavily in favour of the scheme within the planning balance.

Despite any potential harm regarding recreational and ecological value, the wider justification for the scheme relating to the intrinsic public benefits relating to the provision of alternative education provision clearly outweighs any potential harm.

Officers also note that it is made clear within the NPPF that clear support is given to the delivery of new schools, stating at paragraph 95, that 'it is important that a sufficient choice of school places is available to meet the needs of existing and new communities' and that great weight should be given to the need to create schools through the preparation of plans and decisions on applications.' The Ministerial Statement on Planning for Schools emphasises that strong presumption in favour of applications relating to state funded schools.

Both development parcels are designated as Local Open Space according to the Council's UDP Policy Map. In accordance with national and local planning policy, designated Open Space should be protected unless exception criteria allowing for its loss can be met. Officers consider that the development parcels offer limited ecological value, visual and amenity value and moderate value as formal recreational playing field land.

Officers also recognise that the loss of the playing field land is marginal; wherein a 5 v 5 mini pitch can be re-provided on site up to circa 95% of the required size, which will still offer opportunities for informal sport by Laurus Grace pupils. The MUGA, tennis and netball courts are considered acceptable uses on Local Open Space, and the 5v5 pitch is capable of being re-provided within the HG High School site, as is the athletics throwing area.

As noted within the Planning Policy consultation response, although the proposal should therefore be considered harmful in terms of the Local Open Space's



recreational value, in such circumstances, given that the under-provision is 5% and given the abundantly clear public benefits of providing additional educational facilities for children within Stockport Metropolitan Borough in line with the clear direction contained within the Planning Policy Statement – Planning for Schools Development (August 2011), these public benefits clearly outweigh this conflict with ‘saved’ UDP Review policy L1.1 (“Land for Active Recreation”).

As such, irrespective of the abovementioned policy conflict, officers are satisfied that planning balance weighs heavily in favour of the scheme and the principle of development can be supported on this basis.

Whilst the site will be subject to a quantifiable loss in open space due to the increase in built form, the proposed development will include new tree planting and landscaping to soften its appearance, and areas of open space will remain; this development is not dense and is suitable in design terms within this suburban environment. When considered as a proportion of loss against the wider designation, the loss of the western parcel constitutes 1.1ha and leaves over 4ha of the Local Open Space designation remaining. With regards to Core Strategy Policy CS8, officers consider that the proposed nature of the development; the delivery of a much needed Alternative Provision school, should be considered a factor which substantially outweighs the need to continue to protect the existing area of Open Space from change.

In conclusion the conflict with policy UOS1.3 is clearly outweighed by the positive effects resultant of the scheme upon local education provision, whilst the mitigation measures proposed further add weight within the planning balance. As such, it is considered that the scheme is acceptable in relation to the relevant Saved UDP and Core Strategy DPD policies and does not conflict with the policies of the NPPF. As such, the application is recommended for approval.

## **Summary**

In considering the planning merits against the NPPF, the proposal would, as a whole, represent a sustainable form of development; and therefore, Section 38(6) of the Planning and Compulsory Purchase Act 2004 would require that the application be granted subject to conditional control and a Section 111 Agreement to secure developer contributions toward highways improvements and a commuted sum in respect of biodiversity net gain.

## **RECOMMENDATION**

**Recommendation to grant planning permission subject to:**

- **conditions;**
- **the completion of a Section 111 legal agreement requiring:**

- **the payment of commuted sums to deliver 10% off site biodiversity net gain mitigation measures; and**
- **the payment of £7500 to fund the provision of parking restrictions.**

#### Stepping Hill Area Committee – Tuesday 1<sup>st</sup> August 2023

The Planning Officer introduced the application and highlighted the pertinent issues of the proposal. Attention was drawn to the updated report circulated to members ahead of the committee identifying 2 additional neighbour responses, an updated response from Sport England raising No objection subject to conditions and a response from Environmental Health raising no objection to the development following assessment of an Air Quality Impact Assessment.

Members sought clarifications with regards to protected species on site and whether if a site visit is carried out that members could be given further information to this regard. The officer advised that that was the case and that there are wildlife corridors proposed on site. Members were also advised that with regards to badgers that licences would be required from Natural England for any development to proceed.

Questions were asked regarding how pupils would arrive at the site and the potential traffic and congestion associated with the development. The officer confirmed that the development is different to mainstream schools with pupils generally arriving by bus and taxi. Concern was raised by members the impact that this could have on traffic. The officer confirmed that the school is proposing to stagger the start and finish times and that these would not coincide with Hazel Grove High School. It was also pointed out to members that the site has a drop off/pick up area so vehicles will be off Jacksons Lane.

Members sought clarification as to whether there is a proposed gate into Cotswold Avenue. The officer confirmed that there is no proposed gate into Cotswold Avenue and the gate on the plans is purely a maintenance gate within the site and not on the boundary.

Members sought clarification regarding Biodiversity Net Gain where it was confirmed that a BNG payment would be secured for offsite works as it was not achievable to deliver it onsite.

Confirmation was sought regarding the allocations of the land. It was confirmed that part of the site is allocated open space within an educational use.

Concern was raised by members regarding the design of the building and any potential overshadowing, noise and impact on neighbours and that should a site visit take place that members of Planning and Highways Regulation Committee look at this onsite. The officer advised that design and appearance is subjective, and the proposed development is not considered to cause undue overshadowing of the neighbouring properties.

Clarification was sought on how grassland and trees could provide noise

mitigation. The planning officer confirmed that the boundary of the site is proposed to be laid to hedge which can assist with noise mitigation. It was also confirmed that trees planted would assist both visually and audibly.

Confirmation was further sought by members relating to the separation distances between the proposed development and neighbouring properties. Separation distances were identified to all nearest residential dwellings.

A local resident spoke against the application stating that they do not believe that this is a suitable site for an Alternative Provision School and that the pupils should be afforded a quiet and calm locality which they do not believe can be afforded on this site. They believe that there are better alternative sites. The resident believes that footpath and cycle access to the site is poorly located and would result in additional harm, noise and lack of privacy from children congregating together with concerns about security. Concern was raised about a significant increase in footfall to the site and concerns were raised regarding the additional traffic associated with the development, that the development would result in noise, overshadowing and nuisance behaviour from the development.

Concern was raised about badgers and the resident confirmed to members that no landowner consent will be given for Natural England.

Questions from members sought to understand the impacts that residents are concerned about. Concern about traffic, pupils causing nuisance and use of the site at weekends were raised together with the development increasing footfall. They are concerned about the overshadowing of properties and that an existing buffer zone would be built up.

Members sought clarification about the existing impact of Hazel Grove High School with the resident advising that they coexist well. Concerns about coexisting with a new school due to noise, traffic and the impact of additional pupils were raised

The planning agent, proposed new headmaster and senior design manager spoke in support of the planning application identifying the proposed development and identified the work that had been undertaken in the search for alternative sites. The school vision was explained to members for pupils who experience social, emotional and mental health needs for pupils most in need of support. Members sought clarification on the travel arrangements and the proposed travel Plan. The headmaster confirmed that SMBC would be responsible for admissions and that the council has adopted a 'cluster model' where pupils attend a school closer to home.

Clarification was sought regarding how pupils will arrive, however at present, due to the admission process sitting within the Council the school would not know where pupils would come from at present. The transport consultant is using information from other similar schools to provide information.

Confirmation regarding the search for alternative sites was sought and whether that search was for an Alternative Provision School. It was confirmed it was.

Members sought clarification on Community use, the headmaster advised that there wouldn't be community use, however the planning officer confirmed that Sport Englands objection was withdrawn based on the need for a community use agreement. It is also proposed that there would be parents evening after normal school hours.

Members were advised that they should consider the application based on community use being at the site.

Queries were raised regarding security fencing, it was confirmed that it would be a standard school security fencing on site. The proposed fence would be installed on the school site with hedging behind.

Concern was raised by members about the 'imposing' design and materials proposed. The agent confirmed that they have used the existing area to assist with the design and pallet of materials. It was advised that they are seeking net zero with green roof and solar PV which has influenced the design.

Questions were posed to the headmaster regarding the behaviour of pupils and what measures are in place to ensure safety of pupils, teachers and residents. It was identified that that the needs of the pupils will be met on site with nurturing approaches where they would not anticipate any impact to residents based on the pupil staff ratio and ability to defuse situations.

Member were reminded that if planning permission is granted that a licence from Natural England would be required.

Members expressed concerns about the recommendations from Sport England for the site to be used for Community use and sought clarification to Planning and Highways Regulation Committee on the final position.

A site visit was proposed where members sought that the development is pegged out to inform how close the development would be from neighbouring properties and potential noise impact. Additional detail was sought regarding traffic management and impact of the proposed development especially with regard to how pupils will arrive at the site. Loss of Green Space and biodiversity was raised as a concern together with wanting members to have a greater understanding of impact of protected species.

No recommendation was made but the need for the development was supported.

The above is a summary of the meeting, however the full webcast is available here: [Stepping Hill Area Committee - Tuesday 1 August 2023, 6:00pm - Stockport Council Webcasting \(public-i.tv\)](#)