

**Southampton City Planning & Sustainability  
 Planning and Rights of Way Panel meeting 26 June 2012  
 Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> Moorlands Primary School Kesteven Way SO18 5RJ			
<b>Proposed development:</b> Erection of a single-storey extension to provide 6 classrooms, a small hall and associated facilities; new vehicular and pedestrian entrance from Townhill Way and new car park			
<b>Application number</b>	12/00488/R3CFL	<b>Application type</b>	R3CFL
<b>Case officer</b>	Anna Lee	<b>Public speaking time</b>	15 minutes
<b>Last date for determination:</b>	4.7.2012	<b>Ward</b>	Harefield
<b>Reason for Panel Referral:</b>	Departure and Major with objections	<b>Ward Councillors</b>	Councillor Smith Councillor Daunt Councillor Fitzhenry

<b>Applicant:</b> Southampton City Council	<b>Agent:</b> Hunters
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<b>Recommendation Summary</b>	<b>Delegate to Planning and Development Manager to grant deemed planning permission subject to criteria listed in report</b>
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<b>Appendices attached</b>			
1	Ministerial statement in respect of schools development proposals	2	Development Plan Policies

**Reason for granting Deemed Planning Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan and other adopted guidance referred to in the report to the Planning and Rights of Way Panel 26 June 2012. Other material considerations do not have sufficient weight to justify a refusal of the application. Where appropriate planning conditions have been imposed to mitigate any harm identified. Overall, the exceptional educational need and positive regenerative opportunities associated with the development and its 'proposed 'dual use' are considered to outweigh the dis-benefits, particularly the loss of mature trees and building on part of a grassed playing area. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004, Deemed Planning Permission should therefore be granted having account of the National Planning Policy Framework and the following local planning policies:

Local Plan Review (2006) Policies

SDP1, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP16, SDP17, SDP22, NE4, HE6, CLT3, TI2

LDF Core Strategy (2010) Policies

CS6, CS11, CS13, CS18, CS19, CS20, CS21, CS22, CS25

## **Recommendation in Full**

Delegate to the Planning and Development Manager to grant deemed planning permission following the completion of an Undertaking from the Head of Children's Services and Learning to secure:

- i. Site specific transport contributions for highway improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (March 2006), policies CS18 and CS25 of the adopted LDF Core Strategy (2010) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
- ii. A financial contribution towards strategic transport projects for highway network improvements in the wider area as set out in the Local Transport Plan and appropriate SPG/D;
- iii. The funding of any Traffic Regulation Orders (TRO) required to enable the development to be implemented;
- iv. Submission and implementation within a specified timescale of a revised Travel Plan;
- v. Submission and implementation of a Training & Employment Management Plan committing to adopting local labour and employment initiatives (during and post construction) in line with LDF Core Strategy policies CS24 and CS25;
- vi. Submission and implementation of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer;

That the Planning and Development Manager be given delegated powers to vary relevant parts of the S.106 Unilateral Undertaking and to vary or add conditions as necessary.

## **Procedural Context**

### Council's Own Development

The proposed scheme is a Regulation 3 application for Full Permission. A Regulation 3 application relates to proposals made by the Local Authority (in this case as the Local Education Authority) for development that it wishes to undertake as part of its remit as a public sector service provider.

It is general practice that following the proper assessment of the planning merits of the proposal that Regulation 3 applications should be either approved, if considered acceptable, or the application should be requested to be withdrawn if not considered acceptable for justifiable planning reasons that would normally result in a refusal.

### **1.0 The site and its context**

- 1.1 The site is located on the eastern side of Townhill Way with vehicular access currently from Kesteven Way. The existing school building is located in the south-eastern part of the site closer to houses in Epping Close and Kesteven Way. To the north of the existing school building, towards Townhill Way the site is mainly open grassed sportsfield with a smaller area of hardsurface play. This part of the site is used and maintained for a range of formal and informal sport and leisure activities associated with the school with perimeter planting that

offers some screening to occupants of houses in Adur Close to the east and the Community centre to the north. The western part of the site has significant tree cover acting as an effective screen to occupants of houses in Rutand Way to the west of the site.

- 1.2 The present school was approved in 1968 but its context changed significantly in the 1980's with the development of Townhill Way and the modern housing estate to the north and east of the site (Adur Close, Rother Close and a more recent extension to Epping Close) which extended earlier housing developments (Edelvale Road, Kesteven Way, Epping Close, Meggeson Avenue) which the school originally served.

## **2.0 Proposal**

- 2.1 The Council's Primary School Review has concluded that there is a requirement for additional school places within the Harefield Ward area. It is therefore proposed to construct a flat-roofed, single storey 678 sq. m extension (33m long x 13m wide x 4.3m high) incorporating 6 classrooms to the existing school building on part of the existing grassed playing area within the school site. The simple elevational treatment proposed is a brick plinth and upper white rendered panels. Coloured panels will be introduced to the powercoated aluminium framed fenestration, reflecting the school's colours. The capacity of the school will increase from 210 to 420 pupils with staff levels listed to rise on the submitted application form from 26 to 44 FTE. The school will change from an infant school to become an all through primary school (4-11 years). A public exhibition was held at the school on 14 March 2012 and 9 written responses were handed in. Most supported in principle, subject to some concerns related to increased traffic and impacts to wildlife
- 2.2 In addition a new vehicular access is proposed from Townhill Way serving 23 new parking spaces of which 2 would be designed for disabled use, together with a range of ancillary works to provide pedestrian links to the existing school, including ramped and covered routes, new refuse storage and additional cycle store facilities
- 2.3 A retaining wall would be required to be provided along the western side new access road due to level changes on the site resulting in the loss of council trees for which mitigation scheme of replacement planting has been submitted.
- 2.4 The combination of the footprint of the new building, the access road into the site and the car parking to serve it would also result in the loss of protected open space.
- 2.5 The proposal will introduce improvements to the local transport network by relocating the main vehicle access away from an otherwise quiet residential road onto a local distributor road. Traffic volume through the estate roads will be reduced. The school is ideally located at the centre of a network of footpaths and residential streets which provide a safe, direct route for young children and encourage walking over car travel. No adverse transport impacts are predicted.
- 2.6 A BREEAM score of 'very good' is predicted in terms of sustainable construction measures to be employed.

## **3.0 Relevant Planning Policy**

- 3.1 Secretary of States' (Eric Pickles and Michael Gove) 2011 have made a joint Ministerial statement regarding school development proposals (See **Appendix 1**) The Planning Service has fully engaged with the Head of Children's Services and Learning, through a pre-application process.

- 3.2 The National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> March 2012 and replaces the previous set of national planning policy guidance notes and statements. Having regard to paragraph 214 of the NPPF the local policies and saved policies listed in this report retain their full material weight for decision making purposes. The National Planning Policy Framework has an overarching principle to achieve sustainable development.
- 3.3 Part of the school site (including where these development proposals are shown) is allocated on the Proposals Map to the City of Southampton Local Plan Review (LPR - March 2006) as protected open space (Policy CLT3 & Policy CS21, which explains that the Council will “retain the quantity and improve the accessibility of the city’s diverse and multi-functional open spaces”. It is noted that provision of open space can be achieved with potential for dual ‘community’ use).
- 3.4 The relevant policies that would apply to this proposal are taken from the Adopted LDF Core Strategy Development Plan Document (January 2010) and those policies ‘saved’ from the City of Southampton Local Plan Review (2006) as supported by the council’s current list of approved Supplementary Planning Documents (SPD) and Guidance, more particularly the SPD on Car Parking. (See **Appendix 2**).
- 3.5 Policy CS11 (An Educated City) encourages “the development of new inspirational, high quality education and related facilities which encourage community use of their facilities”. The principle of intensifying the school site for education purposes is, in planning terms, welcomed and supported and will assist the City in meeting its growing education requirements.
- 3.6 The supporting text to the policy recognises that Southampton has an ambition to make sure young people have the opportunity of a good education in new / refurbished buildings with up to date equipment. The text also gives reference to the Primary School Review which will provide the actions required to achieve this vision. The policy therefore provides us with the principle that supports redevelopment of the site to provide a new up-to-date facility.
- 3.7 Policies SDP1 (i), SDP7 (i), SDP12 and CS13 (6) and CS22 all seek to safeguard amenity provided for through existing natural site features which make a positive contribution toward the character of the area and local biodiversity. Where existing natural site features are impacted, a suitable package of mitigation should be demonstrated by the applicant.
- 3.8 CS Policy CS20 requires all non residential development with a floorspace of more than 500sq.m to achieve a rating of BREEAM ‘Excellent’ with some 15% reduction in carbon emissions through the use of decentralised and renewable/low carbon energy sources. Low and zero carbon technologies should also be employed to offset a percentage of CO<sub>2</sub> emissions that each building generates through its functional operation.

#### **4.0 Relevant Planning History**

- 4.1 The school was initially erected under permission 1347/25, granted 26.03.1968.
- 4.2 Various applications to extend have been approved since.

#### **5.0 Consultation Responses and Notification Representations**

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was also undertaken which included notifying adjoining and nearby landowners, and erecting 2 site notices (26.4.2012) and advertising (3.5.2012) the proposals as a departure from the Development Plan. At the time

of writing the report **3** representations, mostly in the form of objections, have been received from surrounding residents. The planning related issues that are addressed in the Planning Considerations of this report include:

## 5.2 Highway matters

- 5.2.1 Increase in intensity of site usage would further exacerbate existing traffic issues, leading to increased issues of highways safety and access problems for emergency vehicles

## 5.3 Character

- 5.3.1 Over intensification of use in what is a predominately residential area
- 5.3.2 Concern regarding loss of Bassett House as part of the character of the local area

## 5.4 Amenity

- 5.4.1 Concern regarding issues of noise and dust during construction process

## 5.5 Consultee Comments

- 5.5.1 **SCC Tree Team** – The trees on this site are under Council ownership, they are therefore considered to have the same protection as a Tree Preservation Order. They do, therefore constitute a material consideration in the planning process.
- 5.5.2 Although the loss of trees and shrubs to create the new access is unfortunate it was agreed on site that this can be kept to a minimum and will have little affect on the visual amenity in the area. The proposed route was identified to require the least amount of tree removal.
- 5.5.3 As requested at the pre-application stage full arboricultural detail has not been provided apart from a basic survey.
- 5.5.4 The location of the extension will have no impact on any amenity trees. A number of conditions are recommended to safeguard retained trees during the build.
- 5.5.5 **SCC Access Officer** – Any views received will be reported at the meeting.
- 5.5.6 **SCC Environmental Health (Pollution & Safety)** – No objection subject to conditions preventing bonfires and controlling the hours of construction.
- 5.5.7 **SCC Ecology** – The proposed classroom block and new staff car parking are both located on areas of amenity grassland which have minimal biodiversity value. The route of the new vehicle and pedestrian access will however, require the removal of and number of trees and shrubs on the edge of the woodland and creation of a gap in the boundary vegetation. Both of these actions are likely to have adverse impacts on the biodiversity value of the woodland and hedgerow.
- 5.5.8 The existing school buildings and trees were subjected to a visual inspection to assess their potential for bat roosts. This survey indicated that the trees scheduled for removal lacked features that could accommodate bat roosts whilst the buildings had only low potential. In addition, the potential bat access points were located far enough away from the position of the new building for direct impacts to be unlikely. As a consequence, the proposed development is unlikely to have any direct adverse impacts on bats however, indirect impacts are possible. These consist of loss of foraging habitat and a break, both physical and through increased illumination, in a foraging corridor.
- 5.5.9 The removal of trees and shrubs also has potential to adversely affect breeding birds. All breeding birds receive protection under the Wildlife and Countryside

Act 1981 (as amended). As a consequence, vegetation clearance should be undertaken outside the breeding season which runs from March to August inclusive. If this is not possible the vegetation should be inspected by a suitably qualified ecologist prior to removal. If nesting activity is detected a buffer must be placed around the nest until the chicks have fledged.

- 5.5.10 **Mitigation:** The submitted landscaping plan indicates that replacement trees will be provided. Provided these trees are of native species, appropriate to the locality, this measure would help to mitigate the loss of foraging habitat.
- 5.5.11 Artificial lighting can adversely impact bat foraging activity and it is important that light is not permitted to spill onto the woodland or boundary hedgerow. New lighting columns should therefore be located away from the edge of the woodland and hooded to prevent light spilling beyond where it is required.
- 5.5.12 The submitted tree survey recommends turning the hedgerow on the northern boundary into a line of trees however, this would remove lower level habitat and diminish structural diversity resulting in an adverse impact on its biodiversity value. A management plan that includes new planting, with locally native species, and selective coppicing of the existing vegetation should be developed.
- 5.5.13 **Conclusion:** The proposed development has some potential for adverse impacts on bats and breeding birds. These impacts can be mitigated through appropriate timing of vegetation removal, replacement tree planting and sensitive lighting design. In addition, appropriate management of the boundary hedgerow would improve its foraging value. Conditions are recommended to restrict when tree felling can be undertaken, to require a package of ecological mitigation and to control external lighting.
- 5.5.14 **SCC Sustainability Team** – Objection raised. The development is new build non-residential over 500m<sup>2</sup> and a BREEAM pre-assessment estimator has been submitted to demonstrate the development has been designed to meet the requirements.
- 5.5.15 A BREEAM pre-assessment estimator has been submitted; however it indicates that the CS20 policy requirement of BREEAM Excellent will not be met. Therefore this is not compliant with policy.
- 5.5.16 **SCC Environmental Health (Contaminated Land)** – No objection. Whereas reference is made to Annex 2 of PPS23 which previously considered the proposed land use as being sensitive to the affects of land contamination, that government advice has now been replaced paragraphs 109 and 121 of the National Planning Policy Framework. These state that the planning system should contribute to and enhance the natural and local environment by preventing new development being put at unacceptable risk from or being adversely affected by unacceptable levels of soil pollution and remediating contaminated land where appropriate.
- 5.5.17 Whilst no site investigation report has been submitted, no evidence has been brought forward of likely historic sources of contamination either on or adjoining the site, which originally would have been the open countryside. In view of those considerations, it is not though reasonable to require a full site investigation by condition, but rather to impose conditions ensuring that any unexpected ground conditions encountered are properly dealt with and that any fill materials brought onto the site for landscaping are certified free of prescribed contaminants.
- 5.5.18 **SCC Archaeology** – No objection raised. There are no listed buildings affected by these proposals and the application site is not located within a designated conservation area. The site is not located in an area defined as having high archaeological importance. No conditions are therefore recommended.
- 5.5.19 **Sport England** – Support and withdraw earlier holding objection, as are now satisfied that a drained junior sports pitch will still be able to be provided on site with community use to be allowed, subject to these matters being controlled by

condition.

- 5.5.20 **Southern Water** – A public water distribution main crosses the site. This will need to be protected during any build when its exact location should be determined and no tree planting occur within 3m of it. Safeguarding conditions are recommended. Details of drainage are reserved by condition.
- 5.5.21 **Eastleigh Borough Council** – No objection.
- 5.5.22 **SCC Highways** - The proposed location for the pedestrian and vehicular access is acceptable, in principle.
- 5.5.23 The number of parking spaces shown exceeds the standards we have for a 14 classroom school, the maximum should be 21 spaces, but would permit a further 2 disabled spaces, rather than including these as part of the 21 allowance.
- 5.5.24 The new vehicular access from Townhill Way will be via a dropped crossing entrance to ensure pedestrian dominance on footpaths. The new vehicular access is separated from principle pedestrian entrance to reduce down vehicle/pedestrian conflict. This new access will help to reduce the pressure currently experienced in Kesteven Way, although school service traffic will still use this old access route. Via contributions through the Section 106/Unilateral Agreement there will be a contribution made to a school travel plan liaison scheme, which will involve the school and pupils with a stronger emphasis on walking/cycling and scooting to school. This will further mitigate against the impact of parent drop off as pupil numbers increase.
- 5.5.25 Conditions required are as follows:

The new school access shall be provided with a dropped crossing entrance, to be constructed in accordance with SCC standard specifications.

Sight lines for the new access shall be provided as 2.4m x 70m in each direction, and these sight lines shall be kept clear of obstruction.

The staff parking provision shall be 21 spaces, plus 2 disabled spaces, and this parking shall be constructed of an agreed material, and provided and marked out prior to the new development being brought into use.

Construction traffic shall avoid school start and finish times to reduce down the risk of incidents.

Any redundant vehicular accesses shall be reinstated with full height kerbing and reconstructed in accordance with standard SCC specifications.

Increased pupil cycle/scooter parking provision shall be provided with a safe lockable and covered store, in accordance with details to be agreed.

## **6.0 Planning Consideration Key Issues**

- 6.1 The key issues for consideration in the determination of this planning application are:
- i. Principle of development balanced against tree loss and ecological impact;
  - ii. Highways and parking;
  - iii. Residential amenity;
  - iv. Design & Sustainability; and,
  - v. Other issues.

### **6.1.1 Principle of Development balanced against tree loss and ecological impact:**

There is empirical evidence from population forecasting that those children of primary school age is increasing and current school space provision is inadequate to cater for the demand that will occur. Southampton needs to add approximately 2600 primary school places over the next 4-5 years, by September 2018. As a matter of principle therefore, it makes sound land-use planning sense to provide for such growth on a sustainable basis within the community, so as to reduce the potential for cross city vehicle travel which might otherwise occur if provision were to be made elsewhere.

- 6.1.2 The proposed layout seeks to ensure continuous education on the site during the construction and demolition phase. A plan showing how the development will be phased has been submitted and ensures that pupils retain access to external playspace at all times.
- 6.1.3 The chosen design solution to position the extension on the grassed playing area has been driven by phasing and budgetary considerations.
- 6.1.4 **Highways and parking:** The applicant has prepared a transport assessment. This concludes no adverse impact to highway safety and no objections are raised by the Highways Development Management Team, subject to the imposition of conditions and undertakings from the Head of Children's Services and Learning.
- 6.1.5 Heavy reliance is placed upon the school revising its existing travel plan to encourage as many as possible to arrive at the site by foot.
- 6.1.6 **Residential amenity:** The school exists within the community and pupils arrive and depart from the school at times of the day when those living nearby have risen and are about their daily business. No overall harm to the amenities of neighbours is concluded.
- 6.1.7 **Design & Sustainability:** The adopted LDF Core Strategy Policy CS13 continues the Council's commitment to securing high quality design. The external appearance is acceptable in the context of the existing school buildings.
- 6.1.8 No objection is raised to the modern appearance of the building. Its simple elevational treatment, punctuated by good quality, recessed aluminium framed fenestration and coloured infill panels, are driven by the building's function.
- 6.1.9 The adopted LDF Core Strategy Policy CS20 continues the Council's commitment to securing sustainable development. The applicants propose to meet BREEAM 'Very Good' with a 15% reduction in predicted CO2 emissions through the use of 165sq.m of photo-voltaics located at roof level. This would have been policy compliant last year, but since January new developments are expected to achieve BREEAM 'Excellent'. A total of 70 credits are required to achieve this, compared to the 64 predicted. This has led to an objection from the Council's Sustainability Officer.
- 6.1.10 Whilst it is disappointing that a Council led scheme cannot meet its own policy requirements on sustainable building, as the scheme was conceived last year, is only 6 credits away from meeting policy and faces budget restraints in order to achieve the necessary delivery of additional school places it can, on balance, be supported. This latter need for school places to meet the 2013 intake outweighs the requirements of Policy CS20 in this instance.
- 6.1.11 **Other matters: Ecological impact** – Whilst there would be impact by loss of trees, the grassland itself has low ecological value. A package of mitigation and new landscaping will ameliorate such losses.

## 7.0 Summary

- 7.1 The site is currently in an educational use (Use Class D1) and the extension proposals for a larger school are considered appropriate. The new building will provide improved facilities for a growing number of children, thereby meeting



Council as well as planning policy aims of the Development Plan for Southampton, principally Policy CS11 (An Educated City) from the adopted LDF Core Strategy (2010).

7.2 Furthermore the National Planning Policy Framework states that 'the Government attaches great importance to ensuring that sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education' (paragraph 72 refers).

7.3 The scheme marginally fails to comply with the requirement for BREEAM 'Excellent' it is, on balance, recommended for approval due to the urgent requirements for additional school places with the potential for additional community 'dual use'.

## **8.0 Conclusion**

8.1 The application is recommended for approval subject to the attached planning conditions.

### **Local Government (Access to Information) Act 1985**

#### **Documents used in the preparation of this report Background Papers**

1a-d, 2b-d, 4f, 4cc, 5e, 6a, c, d, i, 7a, 8a, 9a-b

#### **ARL for 26/06/2012 PROW Panel**

##### **01. APPROVAL CONDITION - Full Permission Timing Condition - Physical works**

The development works hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

Reason:

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

##### **02. APPROVAL CONDITION - Approved Plans**

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

For the avoidance of doubt and in the interests of proper planning.

##### **03. APPROVAL CONDITION - Ecological Mitigation Statement [Pre-Commencement Condition]**

Prior to development commencing, including site clearance, the developer shall submit a programme of habitat and species mitigation and enhancement measures, which unless otherwise agreed in writing by the Local Planning Authority shall be implemented in accordance with the programme before any demolition work or site clearance takes place.

Reason

To safeguard protected species under the Wildlife and Countryside Act 1981 (as amended) in the interests of preserving and enhancing biodiversity.

**04. APPROVAL CONDITION - Protection of nesting birds [Performance Condition]**

No clearance of vegetation likely to support nesting birds shall take place between 1 March and 31 August unless a method statement has been agreed in writing by the Local Planning Authority and works implemented in accordance with the agreed details.

**REASON**

For the safeguarding of species protected by The Wildlife & Countryside Act 1981 (as amended) and the conservation of biodiversity.

**05. APPROVAL CONDITION - Lighting [Pre-Commencement Condition]**

A written lighting scheme including light scatter diagram with relevant contours shall be submitted to and approved in writing by the Local Planning Authority prior to implementation of the lighting scheme. The scheme must demonstrate compliance with table 1 "Obtrusive Light Limitations for Exterior Lighting Installations", by the Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light 2005. The installation must be maintained in accordance with the agreed written scheme.

**Reason:**

To protect the amenities of the occupiers of existing nearby residential properties.

**06. PERFORMANCE CONDITION - Sewer protection (Performance Condition)**

Notwithstanding the approved plans, no development or new tree planting should be located within 3m either side of the centreline of the water mains, foul sewers and surface water sewers respectively and all existing infrastructure should be protected during the course of construction works.

**Reason:**

In the interests of public health and maintaining water/sewerage supply in the area.

**07. APPROVAL CONDITION - Surface / foul water drainage [Pre-commencement Condition]**

No development approved by this permission shall commence until a scheme for the disposal of foul water and surface water drainage have been submitted to and approved in writing by the Local Planning Authority and no building shall be occupied unless and until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority and subsequently implemented and maintained for use for the life of the development.

**Reason:**

To ensure satisfactory drainage provision for the area.

**08. APPROVAL CONDITION - Use of uncontaminated soils and fill [Pre-Commencement Condition]**

Clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall only be permitted for infilling and landscaping on the site. Any such materials imported on to the site must be accompanied by documentation to validate their quality and be submitted to the Local Planning Authority for approval prior to the occupancy of the site.

**Reason:**

To ensure imported materials are suitable and do not introduce any land contamination risks onto the development.

**09. APPROVAL CONDITION- Unsuspected Contamination [Performance Condition]**

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority.

Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority.

Any changes to the agreed remediation actions will require the express written consent of the Local Planning Authority.

Reason:

To ensure any land contamination not previously identified is assessed and remediated so as not to present any significant risks to human health or, the wider environment.

**10. APPROVAL CONDITION - Bonfires [Performance Condition]**

No bonfires are to be allowed on site during the period of demolition, clearance and construction.

Reason:

To protect the amenities of the occupiers of existing nearby properties.

**11. APPROVAL CONDITION - Hours of Work for Demolition/Construction**

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of;

Monday to Friday	08:00 hours to 18:00 hours (8.00am to 6.00pm)
Saturdays	09:00 hours to 13:00 hours (9.00am to 1.00pm)

And at no time on Sundays and recognised public holidays.

No deliveries of construction materials or equipment, or removal of demolition materials associated with this development shall take place between the following times:

Mondays to Fridays	08.30 to 09.15 hours and 14.30 to 15.30 hours
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Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

REASON:

To safeguard pupils of Moorlands School and to protect the amenities of neighbours and the wider environment.

**12. PRE-COMMENCEMENT CONDITION - Improvement to playing pitch drainage**

Prior to the commencement of the development hereby permitted, details of a scheme to improve the quality of the existing and proposed playing pitch, including adequate drainage and a subsequent management programme shall be submitted to and approved by the Planning Authority in consultation with Sport England. The works should be sufficient to ensure that the quality of the playing pitch meets the requirements of the school and community use. The approved improvement scheme shall be implemented in full prior to the commencement of use of the development and subsequent management shall be in full accordance with the approved programme.

Reason: To ensure that the sports pitch is of an appropriate quality and fit for purpose as playing fields.

### **13. PRE-OCCUPATION CONDITON - Community use programme**

Prior to the first occupation of the development hereby permitted, a report setting out expected community use of the playing field shall be submitted to and approved by the Planning Authority in consultation with Sport England. The report shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved scheme shall be implemented upon commencement of use of the development.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport.

### **14. PERFORMANCE CONDITION - Site access**

The new school access shall be provided with a dropped crossing entrance, to be constructed in accordance with SCC standard specifications. Sight lines for the new access shall be provided as 2.4m x 70m in each direction, and these sight lines shall be kept clear of obstruction.

In the interests of highway safety and to favour the pedestrian over the motorist, so as to promote walking locally.

### **15. PERFORMANCE CONDITION - Parking**

The maximum staff parking provision shall be 21 spaces, plus 2 disabled spaces, and this parking shall be constructed of an agreed material, and provided and marked out prior to the new development being brought into use.

Reason:

In the interests of highway safety and to encourage the use of more sustainable modes of travel.

### **16. PERFORMANCE CONDITION - Redundant vehicle access points**

Any redundant vehicular accesses shall be reinstated with full height kerbing and reconstructed in accordance with standard SCC specifications.

Reason:

In the interests of highway safety.

### **17. PRE-COMMENCEMENT & PRE-OCCUPATION CONDITION - Cycle parking**

Before the development commences, increased pupil and staff cycle/scooter parking provision to provide a minimum of 37 such spaces within a safe lockable and covered store shall be submitted to the local planning authority for its approval in writing. Once approved, those facilities shall be provided before the first use of the extension hereby approved and subsequently retained at all times thereafter.

Reason:

To promote sustainable modes of travel.

### **18. APPROVAL/PERFORMANCE CONDITION - BREEAM Standards [Pre-Occupation Condition]**

Written documentary evidence demonstrating that the development has been deisgned to achieve at minimum a rating of 'very good' against the BREEAM standard shall be submitted to the Local Planning Authority and verified in writing prior to the first occupation of the development hereby granted, unless an otherwise agreed timeframe is agreed in writing by the LPA. Six months after first occupation, evidence in the form of a post

construction certificate as issued by a qualified BREEAM certification body shall be submitted to the local planning authority.

Reason:

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

### **19. APPROVAL CONDITION - Sustainable Drainage Systems**

Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to and approved in writing with the Local Planning Authority. A feasibility study demonstrating an assessment of the potential for the creation of a sustainable drainage system on site shall be carried out and verified in writing by the Local Planning Authority as part of the detailed Reserved Matters stage. If the study demonstrates the site has the capacity for the implementation of a sustainable drainage system, a specification shall be agreed in writing with the Local Planning Authority. A sustainable drainage system to the approved specification must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained and maintained thereafter. In the development hereby granted consent, peak run-off rates and annual volumes of run-off shall be no greater than the previous conditions for the site.

REASON:

As recommended by the submitted Flood Risk Assessment and to conserve valuable water resources in compliance with policy SDP13 (vii) of the City of Southampton Local (2006) and to protect the quality of surface run-off and prevent pollution of water resources and comply with SDP21 (ii) of the City of Southampton Local Plan (2006). To prevent an increase in surface run-off and reduce flood risk in compliance with SDP21 (i) of the City of Southampton Local Plan (2006) and Code for Sustainable Homes: Category 4 - Surface Water Run-off

### **20. APPROVAL CONDITION - Renewable Energy - Micro-Renewables**

An assessment of the development's total energy demand and a feasibility study for the inclusion of renewable energy technologies on the site, that will achieve a reduction in CO2 emissions [as required in core strategy policy CS20] must be conducted. Plans for the incorporation of renewable energy technologies to the scale that is demonstrated to be feasible by the study, and that will reduce the CO2 emissions of the development [as required in core strategy policy CS20] must be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development hereby granted consent. Renewable technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained thereafter.

REASON:

To reduce the impact of the development on climate change and finite energy resources and to comply with adopted policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

### **21. APPROVAL CONDITION - Use Restriction**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), the buildings shall only be used for educational purposes with ancillary sporting and refectory facilities available to the public through the community use agreement, and for no other purpose within Class D1 of Town and Country Planning (Use Classes) Order 1987 (as amended).

**REASON:**

To define the consent having regard to the level of car parking provision and to allow the local planning authority to control the nature of development in terms of protecting the character and amenity of the surrounding area.

**22. APPROVAL CONDITION - Details of building materials to be used [Pre-Commencement Condition]**

Notwithstanding the information shown on the approved drawings and application form no development works shall be carried out unless and until a written schedule of external materials and finishes has been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented only in accordance with the agreed details. These shall include full details of the manufacturers, types and colours of the external materials to be used for external walls, windows, doors and the roof of the proposed buildings. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site.

**Reason:**

To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality.

**23. APPROVAL CONDITION - Landscaping detailed plan**

Notwithstanding the submission of drawing Y9710 PL10 Rev A, a detailed landscaping scheme and implementation timetable, which clearly indicates the numbers, planting densities, types, planting size and species of trees and shrubs to be planted, means of enclosure, external lighting and treatment of hard surfaced areas, shall be submitted to and approved in writing by the Local Planning Authority.

The landscaping scheme shall specify all trees to be retained and to be lost and shall provide an accurate tree survey with full justification for the retention of trees or their loss. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise) to ensure a suitable environment is provided on the site.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

The approved scheme shall be carried out either prior to occupation of the new school building or during the first planting season following the full completion of building works or in accordance with a timescale that shall have been agreed in writing with the Local Planning Authority prior to the commencement of any building works. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision.

**REASON:**

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive

contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990.

**24. APPROVAL CONDITION - Arboricultural Method Statement [Pre-Commencement Condition]**

No operation in connection with the development hereby permitted shall commence on site until a site specific Arboricultural Method Statement in respect of the protection of the trees during all aspects of work on site is submitted and agreed in writing by the Local Planning Authority. It will be written with contractors in mind and will be adhered to throughout the duration of the demolition and development works on site. The Method Statement will include the following:

1. A specification for the location and erection of protective fencing around all vegetation to be retained
2. Specification for the installation of any additional root protection measures
3. Specification for the removal of any built structures, including hard surfacing, within protective fencing areas.
4. Specification for the construction of hard surfaces where they impinge on tree roots
5. The location of site compounds, storage areas, car parking, site offices, site access, heavy/large vehicles (including cranes and piling rigs)
6. An arboricultural management strategy, to include details of any necessary tree surgery works, the timing and phasing of all arboricultural works and protection measures.
7. Specification for soft landscaping practices within tree protection zones or the canopy of the tree, whichever is greatest.

**Reason**

To ensure that provision for trees to be retained and adequately protected throughout the construction period has been made.

**25. APPROVAL CONDITION - Arboricultural Protection Measures [Pre-Commencement Condition]**

No works or development shall take place on site until a scheme of supervision for the arboricultural protection measures has been approved in writing by the LPA. This scheme will be appropriate to the scale and duration of the works and may include details of:

- Induction and personnel awareness of arboricultural matters
- Identification of individual responsibilities and key personnel
- Statement of delegated powers
- Timing and methods of site visiting and record keeping, including updates
- Procedures for dealing with variations and incidents.

**Reason:**

To provide continued protection of trees, in accordance with Local Plan Policy SDP12 and British Standard BS5837:2012, throughout the development of the land and to ensure that all conditions relating to trees are being adhered to. Also to ensure that any variations or incidents are dealt with quickly and with minimal effect to the trees on site.

**26. APPROVAL CONDITION - No floodlights**

No external floodlights shall be installed on the remarked grass junior football pitch unless otherwise agreed in writing by the Local Planning Authority following the submission of a planning application.

**REASON:**

In the interest of protecting residential amenity, safeguarding highway safety and not causing undue distraction to aircraft approaching Southampton Airport.

## **27. APPROVAL CONDITION - Construction & Demolition Method Statement**

Before development commences a statement setting out the management of demolition and construction operations shall be submitted to and approved by the Local Planning Authority. The statement shall include detailed plans specifying (i) the areas to be used for contractor's vehicle parking and plant; (ii) storage of building materials, and any excavated material, huts and all working areas (including cement mixing and washings) required for the construction of the development hereby permitted; (iii) areas for the parking of vehicles of site personnel, operatives and visitors; (iv) areas for the loading and unloading of plant and materials; (v) the treatment of all relevant pedestrian routes and highways within and around the site throughout the course of demolition and construction and their reinstatement where necessary; (vi) a scheme for the erection and maintenance of security hoardings including decorative displays and facilities for public viewing; (vii) a scheme for recycling waste resulting from the construction programme (viii) measures to be used for the suppression of dust and dirt throughout the course of construction (including wheel cleaning); (ix) a "hotline" telephone number shall be provided for the use of residents in the case of problems being experienced from demolition and construction works on the site. The phone line will be provided, managed and problems dealt with by a person or persons to be nominated by the developer and shall operate throughout the entire development period. The demolition and development works shall be implemented in accordance with the agreed statement. In particular, no bonfires shall be lit on the site during site clearance and the build programme.

### **REASON:**

To safeguard pupils of Moorlands School and to protect the amenities of neighbours and the wider environment.

## **28. APPROVAL/PERFORMANCE CONDITION - Secured By Design**

Before the development commences, the applicant shall submit further details of how the proposed school and its site has been designed to achieve a 'Secured By Design' accreditation. The development shall be carried out in accordance with the agreed details.

### **REASON:**

In the interests of crime reduction and customer/staff safety.

## **29. APPROVAL CONDITION - CCTV system [pre-commencement condition]**

Before the use is first commenced details of a scheme for a CCTV system to comprehensively cover the site including all public entry points, servicing spur, car parks, and the playing surfaces shall be submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be fully installed and operational prior to the approved use first commencing and shall be maintained in working order and operated at all times when the premises is open. Unless otherwise agreed in writing with the Local Planning Authority recorded images shall be held for a 1 month period after being made on a daily basis for use by the Police as required.

### **REASON:**

In the interests of crime reduction and customer/staff safety.

### **Notes to Applicant**

1. A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Atkins Ltd, Anglo, St James House,



39A Southgate Street, Winchester, SO23 9EH (tel. 01962 858688), or  
www.southernwater.co.uk.

2. A formal application for connection to the water supply is required in order to service this development. Please contact Atkins Ltd, Anglo, St James House, 39A Southgate Street, Winchester, SO23 9EH (tel 01962 858688), or www.southernwater.co.uk.

3. Your attention is drawn to the pre-commencement conditions above which require the full terms of the condition to be satisfied before development commences. In order to discharge these conditions you are advised that a formal application for condition discharge is required. You should allow approximately 8 weeks, following validation, for a decision to be made on such an application. If the Decision Notice includes a contaminated land condition you should contact the Council's Environmental Health Department, and allow sufficient time in the process to resolve any issues prior to the commencement of development. It is important that you note that if development commences without the conditions having been formally discharged by the Council in writing, any development taking place will be unauthorised in planning terms and this may invalidate the Planning Permission issued. Furthermore this may result in the Council taking enforcement action against the unauthorised development. If you are in any doubt please contact the Council's Development Management Service.

4. Your attention is drawn to the performance conditions above which relate to the development approved in perpetuity. Such conditions are designed to run for the whole life of the development and are therefore not suitable to be sought for discharge. If you are in any doubt please contact the Council's Development Control Service.

5. It is recommended that the drainage assessment and improvement/management scheme is undertaken by a specialist turf grass consultant.



## Policy statement – planning for schools development

The Secretary of State for Communities and Local Government (Mr Eric Pickles) and the Secretary of State for Education (Mr Michael Gove) wish to set out the Government's commitment to support the development of state-funded schools and their delivery through the planning system. This statement supersedes the Statement of 28 July 2010.

The Government is firmly committed to ensuring there is sufficient provision to meet growing demand for state-funded school places, increasing choice and opportunity in state-funded education and raising educational standards. State-funded schools - which include Academies and free schools, as well as local authority maintained schools (community, foundation and voluntary aided and controlled schools) - educate the vast majority of children in England. The Government wants to enable new schools to open, good schools to expand and all schools to adapt and improve their facilities. This will allow for more provision and greater diversity in the state-funded school sector to meet both demographic needs and the drive for increased choice and higher standards. For instance, creating free schools remains one of the Government's flagship policies, enabling parents, teachers, charities and faith organisations to use their new freedoms to establish state-funded schools and make a real difference in their communities. By increasing both the number of school places and the choice of state-funded schools, we can raise educational standards and so transform children's lives by helping them to reach their full potential.

It is the Government's view that the creation and development of state-funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations. We expect all parties to work together proactively from an early stage to help plan for state-school development and to shape strong planning applications. This collaborative working would help to ensure that the answer to proposals for the development of state-funded schools should be, wherever possible, "yes".

The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools, and that the following principles should apply with immediate effect:

- There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.
- 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.

- **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.
- **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.
- **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.
- **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.
- **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.
- **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.**

This statement applies to both change of use development and operational development necessary to the operational needs of the school.

The Government is today publishing a summary of the responses to its consultation, *Planning for Schools Development*, and will continue to explore whether there is further scope and need for the planning system to do more to support state-funded schools, and in particular, free schools in the future.

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**POLICY CONTEXT**

The relevant policies that would apply to this proposal are taken from the Adopted LDF Core Strategy Development Plan Document (January 2010) and those policies 'saved' from the City of Southampton Local Plan Review (2006) as supported by the council's current list of approved Supplementary Planning Documents and Guidance.

CS Policy CS11 (An Educated City) encourages "the development of new inspirational, high quality education and related facilities which encourage community use of their facilities". The principle of intensifying the school site for education purposes is, in planning terms, welcomed and supported and will assist the City in meeting its growing education requirements.

CS Policy CS20 requires all non residential development with a floorspace of more than 500sq.m to achieve a rating of BREEAM 'Excellent' with some 15% reduction in carbon emissions through the use of decentralised and renewable/low carbon energy sources. It is noted that further discussions are to be had on this issue.

LPR Policy CLT3 safeguards the existing playing field at the School and is supplemented by CS Policy CS21, which explains that the Council will "retain the quantity and improve the accessibility of the city's diverse and multi-functional open spaces". It is noted that a like-for-like re-provision of open space can be achieved and the potential for dual 'community' use will be explored with the School. CS21 (criterion 2) allows configuration of open space in order to achieve wider community benefits. The new school building would go a long way to meeting that criterion.

**Adopted LDF Core Strategy for City of Southampton (2010)**

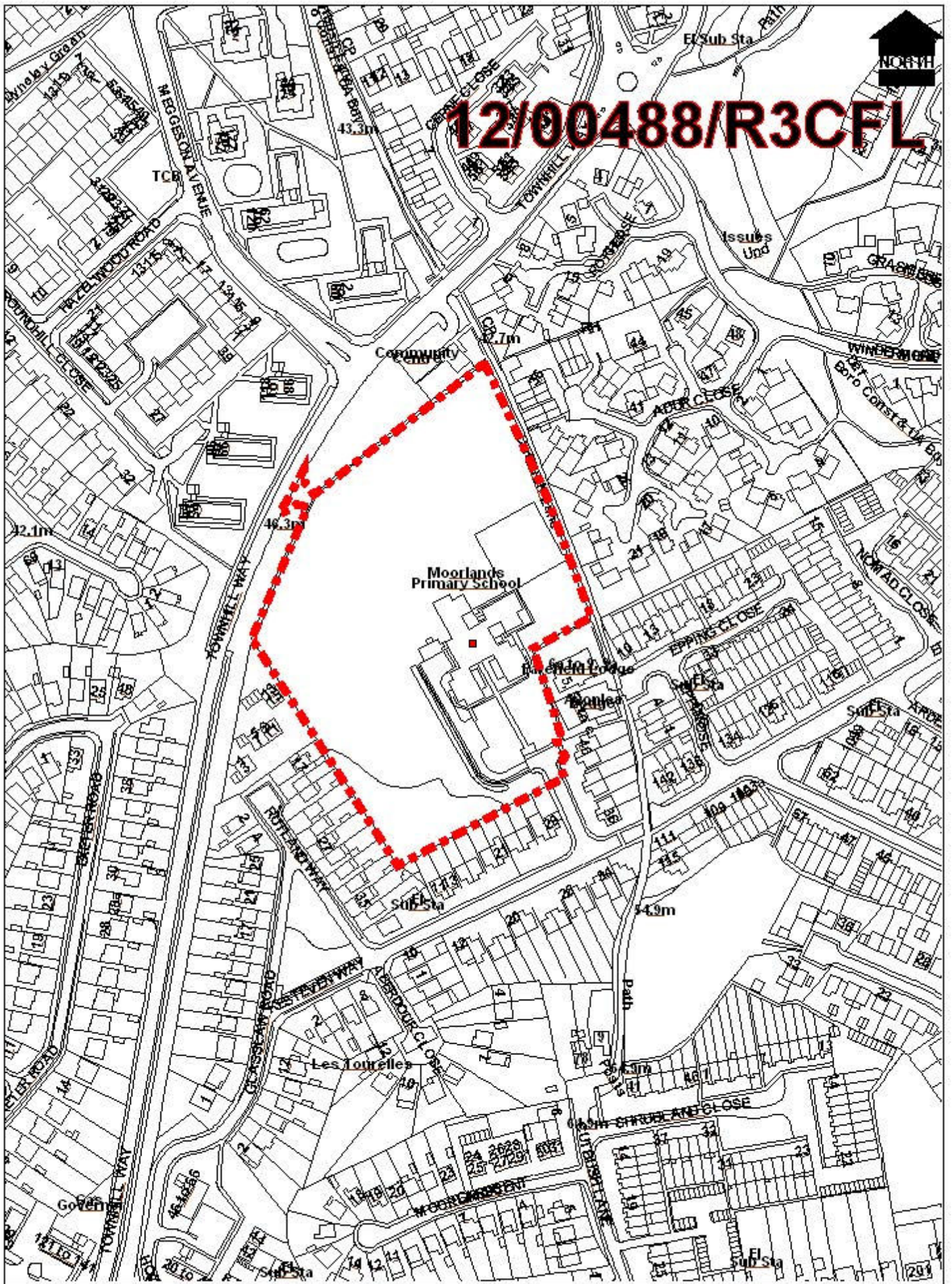
CS6	Economic growth
CS11	An educated city
CS13	Fundamentals of design
CS18	Transport: Reduce-manage-invest
CS19	Car and cycle parking
CS20	Tackling and adapting to climate change
CS21	Protecting and Enhancing Open Space
CS22	Promoting biodiversity and protecting habitats
CS25	The delivery of infrastructure and developer contributions.

**Saved City of Southampton Local Plan Review Policies (March 2006)**

SDP1	General Principles
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Context
SDP8	Urban form and public space
SDP9	Scale, Massing and Appearance
SDP10	Safety and Security
SDP11	Accessibility and Movement
SDP12	Landscape and biodiversity
SDP13	Resource conservation

SDP14	Renewable Energy
SDP16	Noise
SDP17	Lighting
SDP22	Contaminated land
NE4	Protected Species
HE6	Archaeological remains
CLT3	Protection of Open Spaces
TI2	Vehicular access to classified highways

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Scale : 1:2500

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