

**Planning, Transport & Sustainability Division**  
**Planning and Rights of Way Panel (West) 24 February 2015**  
**Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> Tanners Brook Primary School, Elmes Drive, Southampton SO15 4PF			
<b>Proposed development:</b> Erection of a single storey pre-school building to enable relocation of the existing Tanners Brook Community Association and Pre School within the grounds of Tanners Brook Primary School (revised application).			
<b>Application number</b>	14/02000/R3CFL	<b>Application type</b>	R3CFL
<b>Case officer</b>	Laura Grimason	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	26.01.2015	<b>Ward</b>	Millbrook
<b>Reason for Panel Referral:</b>	Request by Ward Cllr Denness	<b>Ward Councillors</b>	Cllr Galton Cllr Denness Cllr Thorpe

<b>Applicant:</b> Southampton City Council	<b>Agent:</b> Capita
--	----------------------

<b>Recommendation Summary</b>	<b>Conditionally approve</b>
-------------------------------	------------------------------

<b>Community Infrastructure Levy Liable</b>	<b>Not applicable</b>
---	-----------------------

**Reason for granting Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The proposal will support the provision of improved community facilities within the City and the Council's school building and expansion programme, ensuring that children in the city can continue their education whilst the school facilities are improved. The objections from local residents regarding noise, traffic generation and highway safety involving additional trips by school children is not considered to have sufficient weight to warrant refusal of the application, as a package of off-site measures has been put in place to ensure that people reach the site safely. The overall impact on the local highways network is acceptable. Other material considerations identified in the request to the Planning and Rights of Way Panel meeting on 24<sup>th</sup> February 2015 have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - SDP1, SDP5 SDP9, SDP16, NE4 of the City of Southampton Local Plan Review (March 2006) and CS11, CS13, CS18, CS19, CS22 and CS25 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

<b>Appendix attached</b>			
1	Development Plan Policies	2	Minutes of June Panel (14/00346/R3CFL)

## **Recommendation in Full**

Conditionally approve

### Background

The proposed scheme is a Regulation 3 application for Full Permission. A Regulation 3 application relates to proposals made by the Council (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 and subsequent planning appeal.

This application follows a similar proposal from last year, which was deferred at the June 2014 Planning Panel following a recommendation for approval. At that time it was felt that insufficient consultation had taken place with affected neighbours and the issue of noise had not been properly resolved. This application is a revised submission with a revised footprint and location and seeks to address these previous concerns.

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

- 1.1 This application relates to Tanners Brook Primary School located within the Millbrook ward of Southampton. More specifically, this relates to an area of open space within the curtilage of the school. Elmes Drive runs parallel to the eastern boundary of the school site with residential properties on the eastern side of this road separated from the school by the public highway. There are no residential properties on the western side of Elmes Drive. To the south, the rear gardens of the residential dwellings along Munro Crescent back onto the school site.
- 1.2 The Regents Park Community Centre and Pre-School is currently located within the school site, situated to the north west of Tanners Brook Infant School and to the west of Tanners Brook Junior School. As this proposal seeks to relocate an existing use within the school site, the existing vehicular and pedestrian access points will remain unaltered, as will parking arrangements.

### **2.0 Proposal**

- 2.1 This proposal seeks permission for the construction of a single storey pre-school building to facilitate the re-location of the existing Regents Park Community Centre and Pre-school. The applicants have advised that the current building accommodates a pre-school (9-4 every weekday), local scrap booking groups (every second Saturday), a ladies' club (every second Wednesday 8-10pm), a children's drama club (Mondays 6-8pm), local bands (some 25 times last year between 7-10pm) and the occasional children's party. The proposed use would be limited to a 10pm finish.
- 2.2 The proposed pre-school building would occupy a footprint of approximately 195 sq m and would comprise a brick and cedar-clad construction with powder coated aluminium windows. It would have a flat roof with a finished height of 2.6m.

- 2.3 The proposed building would be located to the south of the main school building, approximately 11m from the rear boundary of the nearest residential properties along Munro Crescent but angled to increase the separation distance to some 20m.
- 2.4 The new building will enable the planned expansion of the school in the future with the expectation that the existing community building will be re-used as classrooms without the need for planning permission.
- 2.5 The application differs from the previously deferred application in the following ways;
- The proposed building has been rotated so that a greater separation distance would remain between it and the rear of nearby residential properties along Munro Crescent.
  - The applicant has undertaken a noise report which has now been submitted alongside this application.
  - This application follows further consultation with affected residents. The previous application attracted 8 objections. The current proposals have received 1 written objection and 4 letters of support.

### **3.0 Relevant Planning Policy**

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 1**.
- 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. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

### **4.0 Relevant Planning History**

- 4.1 A previous application (ref.14/00346/R3CFL) submitted in February 2014 for the erection of a single storey pre-school building to enable relocation of the existing pre-school and community centre was withdrawn.
- 4.2 In April 2014, conditional approval (ref.14/00291/FUL) was granted for the erection of a single storey extension to provide a covered walkway, the widening of an existing gated pedestrian access and the formation of a new pedestrian gated entrance.
- 4.3 In 2012, conditional approval (ref.12/00126/R3CFL) was granted for the erection of a single storey building to provide 3 classrooms and a covered walkway. A subsequent application (ref.12/01054/DIS) for the discharge of condition 7 (materials) raised no objection.

## **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 undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (enter date) and erecting a site notice (enter date). At the time of writing the report **5** representations have been received from surrounding residents. The following is a summary of the points raised:

5.2 Comments in support (4):

5.2.1 The retention of the community building and pre-school would benefit the local community and would reinforce linkages between this facility and the primary school. The loss of this facility would have a detrimental impact on the local community. Existing classrooms already back onto residential properties. The impact of the proposal on traffic within the area would be minimal as there is ample on-site parking when the school is open out of school hours. Provided the facility isn't open too late, the associated noise impact would be minimal.

5.3 Comments raising objection (1):

5.3.1 The proposal would result in additional noise and disturbance to the detriment of the amenities of neighbouring residents.

*Response: The application has been assessed for its impact on the residential amenities of adjoining occupiers and is not considered likely to result in any additional harm. The submitted noise report concludes that the noise level arising from the general activities within the hall would be below the typical ambient noise level outside the residential properties closest to the site (taking account of the proposed mechanical services plant). Furthermore the Council's Environmental Health Officers are satisfied with these findings (see full response below).*

5.3.2 The proposal would result in additional traffic along Elmes Drive, exacerbating existing parking stress.

*Response: The application is not considered to have a significant impact on parking demand as the development will serve existing community groups.*

5.3.3 The rear garden fence of no.74 Munro Crescent would form the rear boundary for the proposed use and would subsequently be damaged though the use of the proposed building.

*Response: To ensure adequate boundary treatments are provided, a suitably worded planning condition will be imposed.*

## Consultation Responses:

- 5.4 **SCC Highways** - It is recognised that residents living near schools endure disruption at the beginning and end of the school day as a result of parent drop off and collection of pupils by car. This proposal is for the relocation of existing activities on site, therefore it is unlikely that there will be any change in traffic levels as a result of this proposal. However, this proposal is submitted to allow for expansion of pupil numbers within the existing school, as part of the schools expansion programme. It would therefore be appropriate for the school to review their travel plan, and work with the pupils and parents, with the support of the SCC School Travel Plan officer to work towards more sustainable travel to school to mitigate against an increased level of pupil numbers impacting on local neighbours at the beginning and end of the school day.
- 5.5 **SCC Sustainability Team** – The final development footprint would be less than 500 square metres. As such, it is not necessary to meet any specific sustainability standard.
- 5.6 **SCC Environmental Health (Pollution & Safety)** – No objection raised. Since it is not intended for the facility to be used for amplified music, it is recommended that a suitable clause is included in the lease for users of the facility to clarify that loud events (e.g., amplified music, DJs and brass or woodwind bands) are not permitted in the terms of use. It is suggested that a condition is applied requiring a management plan, which should include this limit on the use. This management plan should also include the controls mentioned by the applicant in their submission. The 24 Acoustics reports details the acoustic details for the construction, and the building should be constructed to the standards detailed in the report.
- 5.7 **SCC Environmental Health (Contaminated Land)** - This department considers the proposed land use as being sensitive to the effects of land contamination. Records maintained by SCC - Environmental Health Services do not indicate that any potentially contaminating land uses have existed on or, in the vicinity of the subject site. However, these records are not authoritative and reference to them alone is not sufficient to confidently determine the presence of any risk. In view of the sensitive nature of the proposal a more thorough assessment of the potential land contamination hazards would be prudent. Therefore, to ensure compliance with Para 121 of the National Planning Policy Framework - March 2012 and policies SDP1 and SDP22 of the City of Southampton Local Plan Review (adopted version, March 2006) this department would recommend that the site be assessed for land contamination risks and, where appropriate, remediated to ensure the long term safety of the site. Planning conditions are recommended.
- 5.8 **SCC Historic Environment** – The Historic Environment Record indicates that a number of prehistoric lithic finds have been found from the general area, although none of these are precisely located. There is therefore a possibility that remains associated with the prehistoric occupation of the city may be disturbed by the proposed development. However, there is insufficient reason to request evaluation of the site prior to development, and a Watching Brief on the groundworks (including the construction of new services) is requested.
- 5.9 **SCC Tree Team** – There are tree under Tree Preservation Orders on site that may be affected by the proposal. If permission is granted, trees to be retained on site

must be properly protected. Trees to be removed must be mitigated for by planting 2 new trees within the curtilage of the site. Conditions are recommended.

- 5.10 **Southern Water** – Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. An informative is recommended.

## **6.0 Planning Consideration Key Issues**

- 6.1 The determining issues for this proposal relate to;
- (a) the acceptability of the principle of development;
  - (b) the acceptability of the design of the proposed building;
  - (c) the impact of the proposal on the amenities of any neighbouring occupiers;
  - (d) the impact of the proposal in terms of highways safety and parking; and
  - (e) the impact of the proposal on any on site trees.

### **6.2 Principle of Development**

- 6.2.1 Paragraph 72 of the NPPF explains 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.
- 6.2.2 It is important to understand that as a direct consequence of relocating the existing facilities, it enables the scheduled expansion of the school which is necessary due to an increased demand for places. The proposed relocation will enable to first phase of the expansion, to allow the school to use the existing pre-school building for additional classrooms.
- 6.2.3 Core Strategy policy CS11 states that: 'The development of high quality education and related facilities which encourage community use of their facilities will be promoted'. This proposal seeks to retain an existing pre-school and community use on the site in a new purpose built structure in a more accessible and visible location.
- 6.2.4 The applicant has demonstrated that alternative locations for the building within the curtilage of the school were considered – including that previously submitted to the Panel in June of last year. These were however, found to be inappropriate as they would result in the loss of part of the school playground or field.
- 6.2.5 Having regard to the above considerations, the principle of the development is considered to be acceptable.

### **6.3 Design**

- 6.3.1 The adopted LDF Core Strategy Policy CS13 continues the Council's commitment to securing high quality design. The proposed building will sit comfortably in the space that is available on site.
- 6.3.2 In terms of form, the proposed building is similar to the classroom building approved in 2012 (ref.12/00126/R3CFL). It would be of an appropriate design and scale in relation to both the school and this recent addition and would be set back from Elmes Drive at an acceptable distance to ensure that it would have an

appropriate relationship with the wider streetscene. The existing vegetation along the Elmes Drive boundary will be retained and provide a degree of screening for the building.

- 6.3.3 The proposed boundary treatment along the Elmes Drive frontage is going to be taller than the existing boundary wall. It is considered essential to ensure the safety and security of the pupils. According to the submitted Design and Access Statement, the perimeter of the site will be surrounded by new anti-climb fencing not to exceed 1.8m in height. This would comprise a metal or timber construction. It is considered that the proposed fencing would create a stronger sense of enclosure to the site, having regard to the necessity of the high fence to protect the young pupils within the site.
- 6.3.4 Limited details have been provided on the appearance and scale of the external stores, but they would be ancillary in nature to the main building and secured by a planning condition.
- 6.3.5 Having regard to the above considerations, the proposed building is considered to be acceptable in design terms in accordance with Core Strategy Policy CS13.

#### 6.4 Residential Amenity

- 6.4.1 The proposed building would be located in a part of the site which backs onto the rear gardens of the residential properties along Munro Crescent. The submitted 'Proposed Block Plan' indicates that an appropriate separation distance of between 11 and 20m would remain between the rear elevation of this building and the rear of these residential gardens. Having regard to this separation distance, the height and orientation of the proposed building, this proposal is not considered likely to give rise to any adverse impacts on the residential amenities of the occupiers of nearby residential dwellings by virtue of loss of light, overbearing relationship or loss of privacy.
- 6.4.2 Concerns have been raised about the impact of the proposal in terms of noise and disturbance. This proposal seeks to relocate an existing pre-school / community centre use from one part of the site to another. The applicant has submitted the following information regarding the use of the building based on its previous use in its current location;

- \* Pre-school in operation from 9am to 4pm Monday to Friday during term time.
- \* Scrap booking club the second Saturday of each month (8pm – 10pm).
- \* Ladies club every second and fourth Wednesday of each month (8pm – 10pm).
- \* Children's drama ground every Monday (term time only) (6pm – 8pm).

The existing community centre has also been used infrequently for band practice sessions (between 7pm and 9pm and 7pm and 10pm). Children's parties are also held on occasion. The applicant has indicated that the finish time for all events is 10pm.

- 6.4.3 The applicant has submitted a Noise Report examining the likely impact of the proposed use and the associated air conditioning equipment. The City Council's Environmental Health department have been consulted on this scheme and have reviewed this submitted document. This noise report acknowledges that it is not the intention of the applicant to use the facility to play amplified music and advises a restriction on this to prevent loud events taking place and to protect residential

amenity. The Environmental Health department have requested a condition requiring the submission of a management plan to demonstrate how the property will be used. This should include a limit on the playing of amplified music. Provided that this is undertaken and that the building is constructed to the standard that has been specified officers raise no objection to the proposal. A suitably worded condition will also be imposed to restrict the hours of operation to 7.30am to 10pm daily. Provided that these conditions are adhered to this proposal would not result in a loss of amenity.

## 6.5 Highways Safety and Parking

6.5.1 Tanners Brook School is located to the west of Elmes Drive. There are a number of parking restrictions (clearway / no stopping) associated with the school entrance on the western side of this road. There is however, on road parking available along Elmes Drive.

6.5.2 Parking and traffic generation was considered acceptable when the previous application for new classrooms (12/00126/R3CFL) was approved.

6.5.3 It is recognised that residents living near schools endure disruption at the beginning and end of the school day as a result of parent drop off and collection of pupils by car. This proposal is for the relocation of existing activities on site, therefore it is unlikely that there will be any change in traffic levels as a result of this proposal. However, this proposal is submitted to allow for expansion of pupil numbers within the existing school, as part of the schools expansion programme. Having regard to this, it would be appropriate for the applicant to review their travel plan in order to encourage the use of sustainable modes of transport. This should be undertaken with the assistance of the Southampton City Council School Travel Plan Officer. If undertaken appropriately, this would effectively mitigate against the adverse impact associated with increasing pupil numbers. In order to encourage cycling as a mode of transport to the school, a suitably worded condition will be imposed requiring cycle storage to be provided prior to occupation. An additional condition will be imposed required the school to review and submit an updated travel plan prior to occupation.

## 7.0 Summary

7.1 The proposed relocation of the community uses to a purpose built modular building will support the Council's school building programme, ensuring that school facilities are improved to meet the current and future demand.

7.2 It is considered that there is a direct link between the proposals and the school expansion programme and this will result in additional traffic and trips. It is also considered that sufficient measures can be implemented through planning conditions to ensure that the impact on traffic generation is mitigated. Other concerns such as noise can also be mitigated through the imposition of the suggested planning conditions.



## **8.0 Conclusion**

8.1 Having regard to the issues set out above it is considered that this proposal is acceptable.

### **Local Government (Access to Information) Act 1985** **Documents used in the preparation of this report Background Papers**

1(a), 1(b), 1(c), 1(d), 2(b), 2(d), 4(f), 4(vv), 6(c), 7(a), 9(a), 9(b).

**LAUGRI for 24/02/15 PROW Panel**

### **PLANNING CONDITIONS**

#### **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 - Restricted Use [Performance Condition]**

Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (as amended), the building hereby approved shall only be used for educational purposes with ancillary sporting and leisure 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 allow the local planning authority to control the nature of development in terms of protecting the character and amenity of the surrounding area.

#### **04. APPROVAL CONDITION - Operation restriction [Pre-Occupation Condition]**

The school premises hereby approved shall be operated on a "dual use" basis in accordance with further details that shall be agreed in writing with the Local Planning Authority prior to first occupation. These details shall include the proposed hours of use, the on-site management of the community uses and a pricing policy (if applicable). The site shall be closed and vacated of all persons enrolled on educational courses or accessing the building through the community use agreement between the hours of 22:00 (10pm) and 07:30 (7:30am) on a daily basis.

Reason:

To safeguard the amenities of occupiers of adjoining residential properties at to secure wider community benefit in accordance with Policy CS11.

#### **05. APPROVAL CONDITION - Details of building materials to be used**

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.

#### **06. APPROVAL CONDITION - Landscaping, lighting & means of enclosure detailed plan**

Notwithstanding the submitted details before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted, which includes:

- i. proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle pedestrian access and circulations areas, hard surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc.);
- ii. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- iii. an accurate plot of all trees to be retained and to be lost. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise);
- iv. details of any proposed boundary treatment, including retaining walls; and
- v. a landscape management scheme.

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 hard and soft landscaping scheme (including parking) for the whole site shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. 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

**07. APPROVAL CONDITION - Boundary fence [Pre-Occupation Condition]**

Before occupation of the development hereby approved, details of the design and specifications of the boundary treatment of the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed boundary enclosure details shall be subsequently erected prior to the occupation of any of the units provided under this permission and such boundary treatment shall thereafter be retained and maintained to the boundaries of the site.

Reason:

In the interests of the visual amenities of the area and to protect the amenities and privacy of the occupiers of adjoining property.

**08. APPROVAL CONDITION - Cycle parking facilities [Pre-Occupation Condition]**

The development shall not be occupied until provision of the cycle parking facilities detailed in the approved plans shall be provided and such space shall not thereafter be used other than for the purposes for which it is provided

Reason:

To prevent obstruction to traffic in neighbouring roads and to encourage cycling as an alternative form of transport.

**09. APPROVAL CONDITION - Travel Plan [Pre-Commencement Condition]**

Prior to occupation of the proposed building hereby approved, the applicant shall submit an updated Travel Plan undertaken in collaboration with the Southampton City Council School Travel Plan Officer, pupils and parents, outlining how sustainable modes of transport will be encouraged. The site shall be managed in accordance with the agreed details

Reason:

To encourage the use of sustainable modes of transport in the interests of highway safety and to protect the residential amenities of nearby residential occupiers.

**10. APPROVAL CONDITION - Use of uncontaminated soils and fill [Performance 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.

**11. 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.

**12. APPROVAL CONDITION 'Archaeological watching brief [Pre-Commencement Condition]**

No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason:

To ensure that the archaeological investigation is initiated at an appropriate point in development procedure.

**13. APPROVAL CONDITION 'Archaeological watching brief work programme [Performance Condition]**

The developer will secure the completion of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason:

To ensure that the archaeological investigation is completed.

**14. APPROVAL CONDITION - Tree Retention and Safeguarding [Pre-Commencement Condition]**

All trees to be retained pursuant to any other condition of this decision notice shall be fully safeguarded during the course of all site works including preparation, demolition, excavation, construction and building operations. No operation in connection with the development hereby permitted shall commence on site until the tree protection as agreed by the Local Planning Authority has been erected. Details of the specification and position of all protective fencing shall be indicated on a site plan and agreed with the Local Planning Authority in writing before any site works commence. The fencing shall be maintained in the agreed position until the building works are completed, or until such other time that may be agreed in writing by the Local Planning Authority following which it shall be removed from the site.

Reason:

To ensure that trees to be retained will be adequately protected from damage throughout the construction period.

**15. APPROVAL CONDITION - Vegetation retention and protection [Pre-Commencement Condition]**

No development, including site works of any description, shall take place on the site unless and until all the existing bushes, shrubs, and hedgerows to be retained on the site have been protected by a fence to be approved in writing by the Local Planning Authority erected around each area of vegetation at a radius from the stem or stems of 5 metres or such other distance as may be agreed in writing by the Local Planning Authority. Within the area so fenced off the existing ground levels shall be neither raised or lowered and no materials, temporary buildings, plant machinery, rubble or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any roots encountered with a diameter of 25mm or more shall be left un-severed.

Reason:

To ensure the retention and maintenance of vegetation which is an important feature of the area.

#### **16. APPROVAL CONDITION - Replacement trees [Performance Condition]**

Any trees to be felled pursuant to this decision notice will be replaced with species of trees to be agreed in writing with the Local Planning Authority at a ratio of two replacement trees for every single tree removed. The trees will be planted within the site or at a place agreed in writing with the Local Planning Authority. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting. The replacement planting shall be carried out within the next planting season (between November and March) following the completion of construction. If the trees, within a period of 5 years from the date of planting die, fail to establish, are removed or become damaged or diseased, they will be replaced by the site owner / site developer or person responsible for the upkeep of the land in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

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.

#### **17. 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.

#### **18. APPROVAL CONDITION, Control of amplified equipment - [Performance Condition]**

At no time shall sound amplifying equipment be used or installed which would generate noise audible from the boundary of the nearest noise sensitive property to the building hereby approved unless otherwise agreed in writing with local Planning Authority.

Reason:

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

**19. APPROVAL CONDITION – External Stores**

Details of the proposed external stores (including size, location and purpose etc.) shall be submitted to and agreed in writing by the Local Planning Authority prior to their installation. The stores shall be installed as agreed.

Reason:

In the interests of visual and residential amenity.

**20. APPROVAL CONDITION - Hours of work for Demolition / Clearance / Construction [Performance Condition]**

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.

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

**21. APPROVAL CONDITION - Construction Delivery Hours [Performance Condition]**

Deliveries to the site shall not take place at the start of the school day (between 08:00 and 09:00) and at the end of the school day (between 14:30 and 15:30).

Reason:

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

**Note to Applicant:**

A formal application for connection to the public sewerage system is required in order to service the development. Please contact Southern Water, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)

Due to changes in legislation that came into force on 1st October 2011 regarding the future ownership of sewers, it is possible that a sewer now deemed public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation will be required to ascertain its condition, the number of properties served and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

**POLICY CONTEXT**

Core Strategy - (January 2010)

CS11	An Educated City
CS13	Fundamentals of Design
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS21	Protecting and Enhancing Open Space
CS22	Promoting Biodiversity and Protecting Habitats

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP15	Air Quality
SDP16	Noise
SDP17	Lighting
SDP22	Contaminated Land

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)  
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework 2012

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

**Minutes from Planning and Rights of Way Panel for the previous scheme (ref.14/00346/R3CFL)**

4. TANNERS BROOK PRIMARY SCHOOL, ELMES DRIVE SO15 4PF 14/00346/R3CFL  
The Panel considered the report of the Planning and Development Manager recommending delegated authority be granted in respect of an application for a proposed development at the above address. (Copy of the report circulated with the agenda and appended to the signed minutes).

Colin Floyd (applicant), Claire Lebas (local resident / objecting) and Councillors Galton and Thorpe (ward councillors) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported:

- An amendment to the recommendation to include an additional delegation that in the event the Undertaking is not provided within two months from the Panel decision that officers be able to refuse/seek withdrawal of the application;
- The receipt of additional correspondence from SCC Environment Health to secure a noise report with recommendations regarding amplified music;
- Amended and additional conditions regarding trees, contaminated land and noise; and
- An additional condition regarding construction delivery hours

The Panel expressed their concern regarding the operating hours and potential noise from the community centre element of the application.

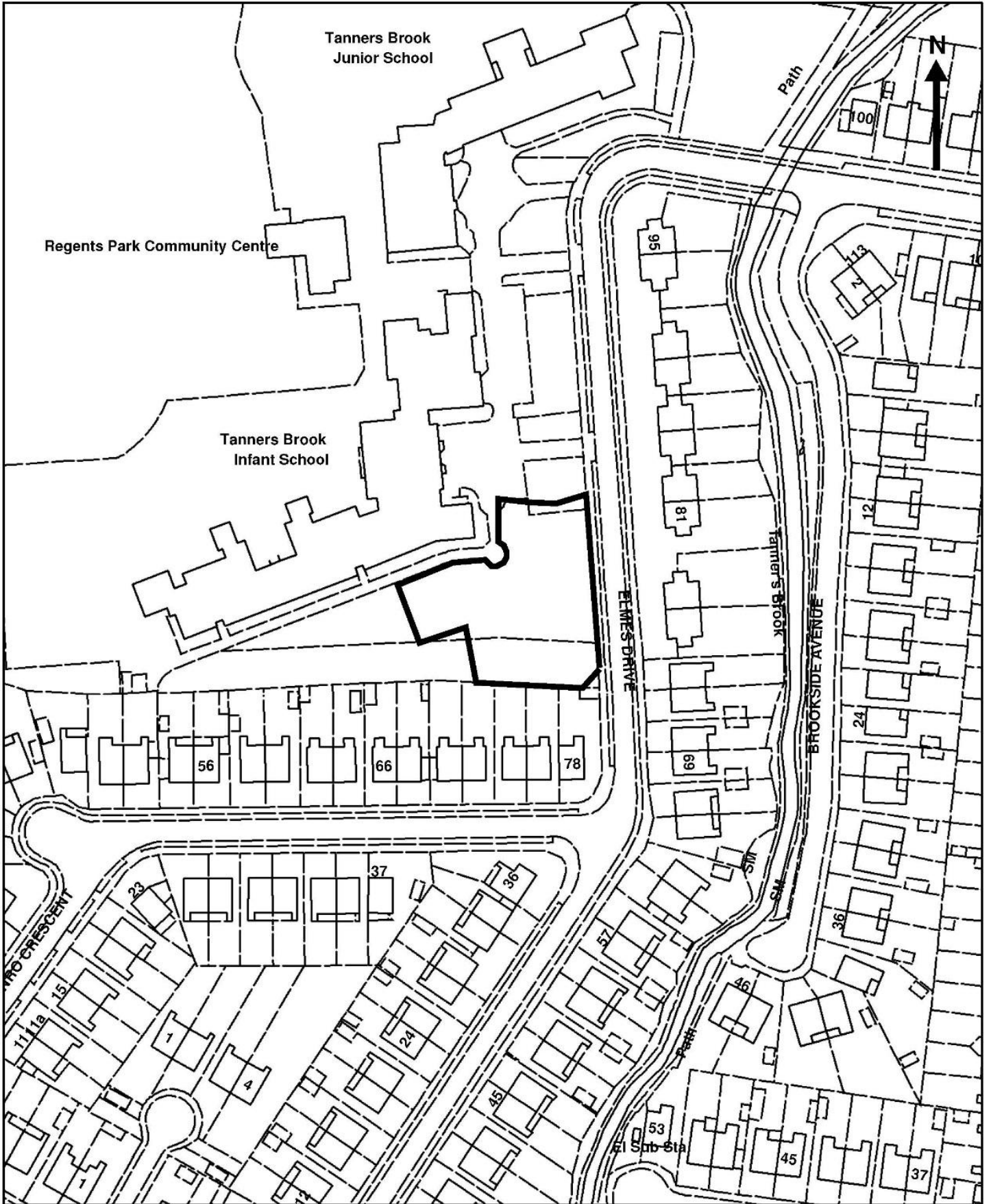
RESOLVED that this item be deferred to secure amendments to the application, a noise survey and additional consultation with local residents.

RECORDED VOTE to defer the application:-

FOR: Councillors Harris, Lewzey, Lloyd and Tucker  
AGAINST: Councillor Fitzhenry



# 14/02000/R3CFL



Scale: 1:1,250

©Crown copyright and database rights 2014 Ordnance Survey 100019679

