



**DETERMINATION OF APPLICATION  
TOWN AND COUNTRY PLANNING ACT 1990**

**Town and Country Planning (General Development Procedure) Order 1995**

Hunters  
Mrs Mangala Ratnayake  
Sussex Business Village  
Lake Lane  
Barnham  
West Sussex  
PO22 0AA

In pursuance of its powers under the above Act and Regulations, Southampton City Council, as the Local Planning Authority, hereby gives notice that the application described below has been determined. The decision is:

**REGULATION 3 APPLICATION - CONDITIONAL APPROVAL**

**Proposal:**                   Erection of a new part 2-storey, part 3-storey school building on the existing car park with associated external works including a new vehicular access from Archers Road. (Upon completion of the new building all of the existing buildings with the exception of the reception building will be demolished and the area landscaped to form a car park and playing field. The existing reception building will change to nursery use)

**Site Address:**            Banister School Banister Gardens Southampton SO15 2LX

**Application No:**        12/00489/R3CFL

Subject to the following 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/PERFORMANCE CONDITION - BREEAM Standards [Pre-Occupation Condition]

Written documentary evidence demonstrating that the development has been designed 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).

04. APPROVAL CONDITION - Archaeological investigation [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.

05. APPROVAL CONDITION - Archaeological 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.

06. 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.

07. 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

**08. APPROVAL CONDITION - Noise: plant and machinery [Pre-Commencement Condition]**

The use hereby approved shall not commence until an acoustic report and written scheme to minimise noise from plant and machinery associated with the proposed development's plant room, including details of location, orientation and acoustic enclosure, has been submitted to and approved in writing by the Local Planning Authority.

**Reason**

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

**09. 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

**10. PRE-COMMENCEMENT/PERFORMANCE CONDITION - Bat survey**

Before any development or tree felling commences on site, the developer shall commission a Bat emergence survey across the application site, but particularly in connection with trees, where it is the stated intention to fell those trees to facilitate the proposed development. If this reveals the presence of any Bat roost, the developer shall obtain the necessary licence from Natural England to translocate protected species from the site before any tree felling occurs.

**Reason:**

In the interests of nature conservation.

11. 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.

12. 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.

13. APPROVAL/PERFORMANCE CONDITION - 'Fritted' glazing

Prior to the commencement of development, a sample of 'fritted' glazing shall be submitted to the local planning authority for its approval in writing. Once approved that form of glazing shall be installed to all glazed areas on the eastern and northern elevations of the approved building prior to its first use. Any opening windows shall be top hung. Once so installed, that glazing shall be maintained and retained at all times in that condition.

Reason:

To protect the privacy of occupiers of adjoining residential properties.

14. PERFORMANCE CONDITION - Rooftop terrace screening

Prior to the first use of the rooftop external teaching area, the approved screening to the northern and eastern edges of that area shall be fully installed. Once so installed, that screening shall be maintained and retained at all times in that condition.

Reason:

To protect the privacy of occupiers of adjoining residential properties.

15. APPROVAL/PERFORMANCE CONDITION - Use restriction to rear (Northern) external stairwell

Before the development commences, the developer shall submit details of how use of the rear stairwell element, adjacent to the northern site boundary, shall be controlled to prevent it forming a point of access to the approved school building, both at the bottom of the stairwell and at the top of the stairwell for the approval of the local planning authority in writing. Once so approved, those measures shall be fully installed and this rear stairwell shall only thereafter be used as a means of achieving egress from the building in times of emergency.

Reason:

To protect the amenities of occupiers of adjoining residential properties, particularly from intrusive overlooking and from a general disturbance perspective.

16. 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.

17. APPROVAL CONDITION - Operation restriction

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. 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.

18. 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.

**19. PERFORMANCE CONDITION - Access and Parking**

Before the first use of the new school building, facilities for the loading/unloading/circulation of vehicles and for the parking of a maximum of 26 cars to serve the school (to include a minimum of 3 disabled spaces) shall be provided in accordance with the approved plans. The car parking shall thereafter be retained for use in association with the educational buildings and their 'dual use' hereby approved.

**REASON:**

to prevent obstruction to traffic in neighbouring roads, to ensure provision of vehicular access, car parking and servicing, to avoid congestion in the adjoining area and to protect the amenities of the area, in the interests of highway safety.

**20. APPROVAL/PERFORMANCE CONDITION - Bicycle parking**

Before the development commences, elevational details of the enclosed, covered and secure bicycle parking shall be submitted to and approved by the local planning authority. A minimum of 50 cycle parking spaces shall be provided as part of the replacement school prior to the first occupation of the new building(s). Once provided, those facilities shall be retained for that purpose at all times thereafter.

**REASON:**

To promote cycling as a sustainable form of travel in accordance with Local Plan Appendix 2 requirements and to meet the aims of the submitted Travel Plan.

**21. APPROVAL/PERFORMANCE CONDITION - Construction access and routeing and pedestrian access**

All traffic associated with the construction and demolition works hereby approved shall enter and leave the site via Archers Road and Banister Gardens in accordance with the submitted phasing plan only, and shall be subject to a construction vehicle routing agreement to be submitted to and approved by the local planning authority before the development commences. Once approved, that routing agreement shall be observed throughout the construction period. For the period of construction, pupils/parents/guardians/teachers shall continue to be permitted to enter the site from Banister Gardens, but upon completion of all works under 12/00489/R3CFL, pupils/parents/guardians/teachers shall only enter the site from Archers Road. Banister Gardens shall continue to function as an emergency point of egress from the site and as a means of servicing the school by emergency vehicles.

**REASON:**

In the interests of highway safety and to protect the residential amenities of those living close by.

**22. PERFORMANCE CONDITION - No Amplified System**

There shall be no installation or use of a personal address system or tannoy equipment or other sound amplification machinery for external broadcast outside of the school building at any time unless agreed in writing by the Local Planning Authority for temporary, seasonal, or permanent use.

**REASON:**

To protect the residential amenities of adjacent residents.

**23. 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).

**24. APPROVAL CONDITION - Ventilation - control of noise, fumes and odour**

No development shall take place until a written scheme for the control of noise, fumes and odours from extractor fans, associated refuse and other equipment from commercial cooking processes on site have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and findings.

**REASON:**

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

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

Notwithstanding the submission of drawing Y9709 PL10 Rev B, 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.

**26. APPROVAL CONDITION - Tree Retention and Safeguarding**

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. In particular, the tree northern-most Lime trees shown cross-hatched on the attached plan shall be fully safeguarded during the build and thereafter retained/maintained. 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.

**27. APPROVAL CONDITION - No storage under tree canopy**

No storage of goods including building materials, machinery and soil, shall take place underneath the crown spread of the trees to be retained on the site. There will be no change in soil levels or routing of services through tree protection zones or within canopy spreads, whichever is greater. There will be no fires on site. There will be no discharge of chemical substances including petrol, diesel and cement mixings within the tree protection zones or within canopy spreads, whichever is greater. In particular, the tree northern-most Lime trees shown cross-hatched on the attached plan shall be fully safeguarded during the build with none of the above practices occurring beneath those trees and thereafter retained/maintained.

**REASON:**

To preserve the said trees in the interests of the visual amenities and character of the locality.

**28. APPROVAL CONDITION - Arboricultural Method Statement**

Notwithstanding the information submitted to date 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.

In particular, the tree northern-most Lime trees shown cross-hatched on the attached plan shall be fully safeguarded during the build and thereafter retained/maintained.

**REASON:**

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

**29. APPROVAL CONDITION - Arboricultural Protection Measures**

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.

**30. APPROVAL CONDITION - Floodlighting System**

No external floodlights shall be installed on the site (including the approved Multi Use Games Area, sports pitches and/or car parking) 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.

**31. 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 Banister School and to protect the amenities of neighbours and the wider environment.

**32. 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 Banister School and to protect the amenities of neighbours and the wider environment.

**33. APPROVAL CONDITION - Demolition and Phasing**

Notwithstanding the submitted details shown on drawing Y9709 PL04 Rev A, the existing Banister School buildings shall be demolished in accordance with a phasing programme to be agreed in writing with the local planning authority prior to the commencement of building works associated with the replacement School. This phasing strategy shall explain how continued education upon the site will be achieved during the construction phase and shall include access to external sports pitches that are convenient and fit for purpose. All resultant materials from the

demolition phase shall be removed from the site within a timescale that shall have been agreed in writing with the Local Planning Authority before the replacement school hereby approved is first brought into use.

**REASON:**

To secure a satisfactory comprehensive form of development and to safeguard the visual amenity of the locality.

**34. 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.

**35. 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.

**36. PRE-COMMENCEMENT/PERFORMANCE CONDITION - Refuse enclosure**

Before the commencement of development, details shall be submitted to the local planning authority for its approval in writing of a pergola to cover the approved refuse compound. Once approved, that covered refuse compound shall be provided before the school building is first brought into use. The refuse facilities shall provide for the recycling of waste. Once provided, those refuse facilities shall be maintained at all times thereafter.

**Reason:**

In the interests of amenity.

**37. PERFORMANCE CONDITION - Vehicular access**

The two vehicular access points to Archers Road shall be provided as a dropped crossing facility and the redundant dropped crossings shall be stopped up and replaced with standard footpath and kerbing.

**Reason:**

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

### 38. APPROVAL CONDITION - Horse Chestnut tree closest to Archers Road

Before the development commences, and notwithstanding the report by Wilmot Dixon received 25.6.2012, the developer shall commission a written report by a qualified arboriculturist to investigate the feasibility of retaining the Horse Chestnut tree closest to Archers Road, shown cross-hatched on the attached plan, as part of the redevelopment proposals, for the consideration of the local planning authority. The report shall investigate the feasibility of non-invasive methods of construction of the stepped access up to the main school entrance and design of the retaining wall shown on the Wilmot Dixon drainage plan so as to bridge over this tree's root system. This tree shall not be removed without the written consent of the local planning authority following consideration of the report.

#### Reason:

To fully and properly investigate the retention of this protected tree by a competent professional arboriculturist, having regard to the significant amenity value afforded by this tree, notwithstanding the pressing educational need for further primary school places in Southampton.

### 39. PRE-OCCUPATION CONDITION - Revised Travel Plan

The existing school travel plan referred to in the Scott White Hookins Transport Assessment shall be fully revised and submitted to the local planning authority for its written approval prior to the new school building first being occupied. Once approved, that revised school travel plan shall be implemented at all times the new school building is in use be updated and reviewed on an annual basis. The City Council's Travel Plan Officer and at the Head Teacher (or other teacher that may be appointed to that role) from Banister School shall be members of the body that will review the School Travel Plan. A copy of the reviewed Travel Plan shall be submitted to and approved in writing by the Local Planning Authority on an annual basis. The plan shall include provisions to encourage the use of alternative modes of travel to and from the site, together with targets and provisions for monitoring and review. In particular, the facilities proposed for bicycle parking, including shower facilities, lockers and secure bicycle parking shall be fully implemented as part of this permission and retained at all times thereafter.

#### Reason:

To as far as possible ensure those attending the school arrive and depart from the site by means other than the private car and in particular promote walking to and from the school.

#### 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 protected by a Tree Preservation Order. The use of 'fritted glazing' on the east facing classroom windows is considered to adequately safeguard the privacy of certain occupiers of flats in 19-21 Archers Road, who enjoy outlook across the school site. 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, TI2

LDF Core Strategy (2010) Policies

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

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](http://www.southernwater.co.uk).

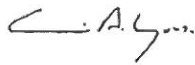
2. A formal application for connection to the water supply is required in order to service this development. Please contact Atkins Ltd, Anglo, St James House, 39A Southgate Street, Winchester, SO23 9EH (tel 01962 858688), or [www.southernwater.co.uk](http://www.southernwater.co.uk).

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. This application has been inspected by Southern Water who advise that a public water main crosses the site. Before any development commences on the site, the developer shall investigate the precise positioning of the public water main and employ such necessary measures during the build to ensure its protection from damage. Any detailed soft planting to meet the requirements of condition 25 of this decision notice shall ensure no new planting occurs within 3 metres of the public water main.





**Chris Lyons**  
**Planning & Development Manager**

24 August 2012

If you have any further enquiries please contact:  
**Stephen Lawrence**

**IMPORTANT NOTE TO APPLICANT**

This decision has been made in accordance with the submitted application details and supporting documents and the development should be implemented in respect of the following plans and drawings.

<b>Drawing No:</b>	<b>Version:</b>	<b>Description:</b>	<b>Date Received:</b>	<b>Status:</b>
V9709 - PL01	Rev A	Design and Access Statement	13.06.2012	Approved
V9709 - PL02		Design and Access Statement	04.04.2012	Approved
V9709 - PL05	Rev B	Floor Plan	14.06.2012	Approved
V9709 - PL06	Rev B	Elevational Plan	14.06.2012	Approved
V9709 - PL07		Sections	04.04.2012	Approved
V9709 - PL09		Arboricultural report	04.04.2012	Approved
V9709 - PL10	Rev B	Landscaping Plan	13.06.2012	Approved
V9709 - PL16		Ecology report	04.04.2012	Approved
V9709 - PL19		Acoustic report	04.04.2012	Approved
V9709 - PL20		Transport assessment/statement	04.04.2012	Approved
SOILTECHNICS		Contamination Report	04.04.2012	Approved
V9709 - PL03	Rev A	Site Plan	13.06.2012	Approved
V9709 - PL23		Sections	13.06.2012	Approved
V9709 - PL24		Sections	13.06.2012	Approved
V9709 - PL25		Sections	13.06.2012	Approved
SPREADSHEET BY HUNTERS ON DESIGN	O Gill e-mail 14.7.201	Design and Access Statement	14.06.2012	Approved

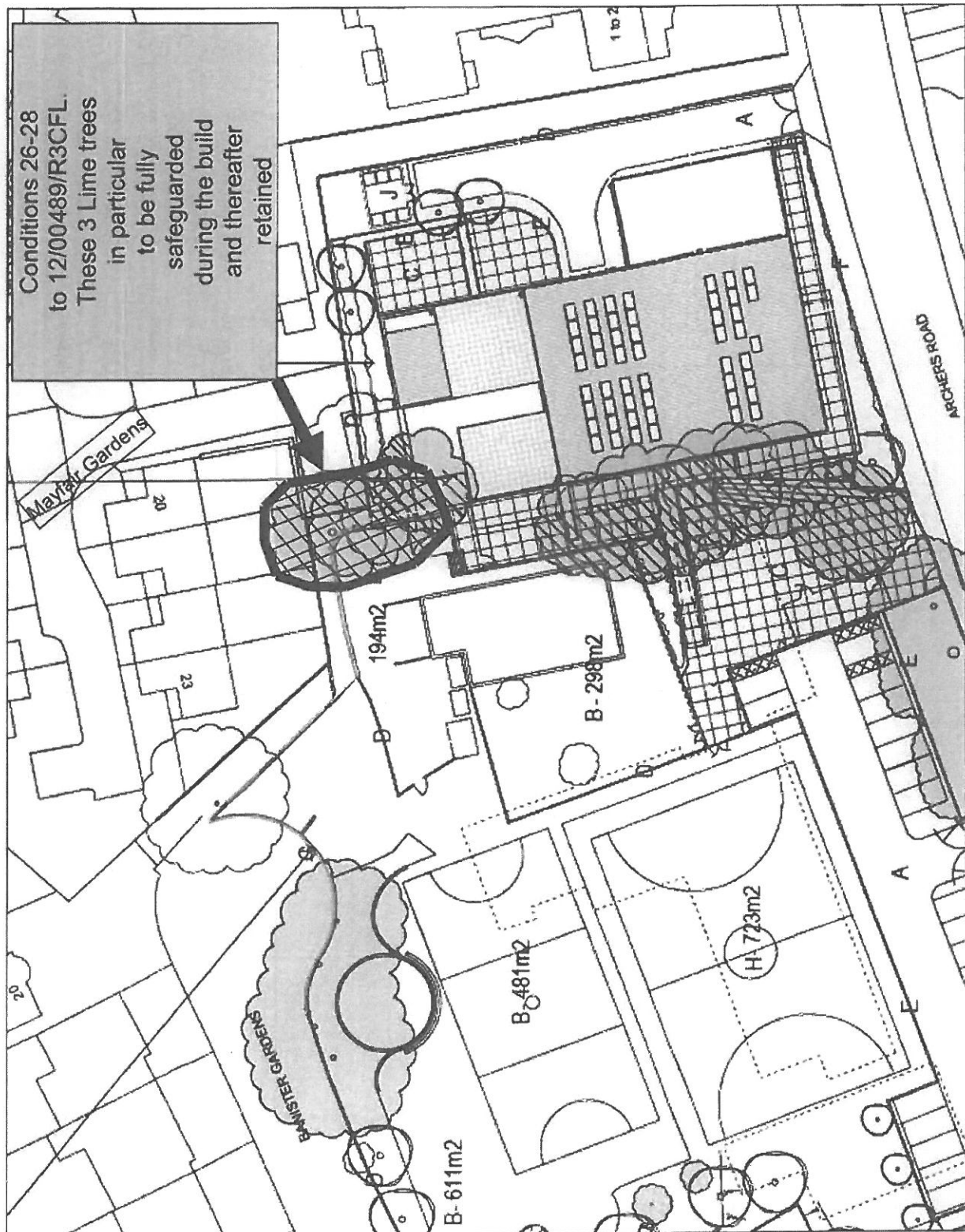
O GILL E-MAIL 19.6.2012		Letter of amendment	19.06.2012	Approved
O GILL E-MAIL 20.6.2012		General Plan	20.06.2012	Approved
S GARNER E-MAIL 13.6.2012		Transport assessment/statement	13.06.2012	Approved
ACCESS AUDIT	4.1.2010	Design and Access Statement	13.06.2012	Approved
O GILL E-MAIL 6.6.2012		Transport assessment/statement	06.06.2012	Approved
HUNTERS E-MAIL 18.6.2012		Design and Access Statement	18.06.2012	Approved
O GILL E-MAIL 15.6.2012		Letter of amendment	15.06.2012	Approved
V9709 - PL28	REV A	Elevational Plan	15.06.2012	Approved
TULLY DE'ATH 10490 PL13	REV A	Drainage Survey	04.04.2012	Approved

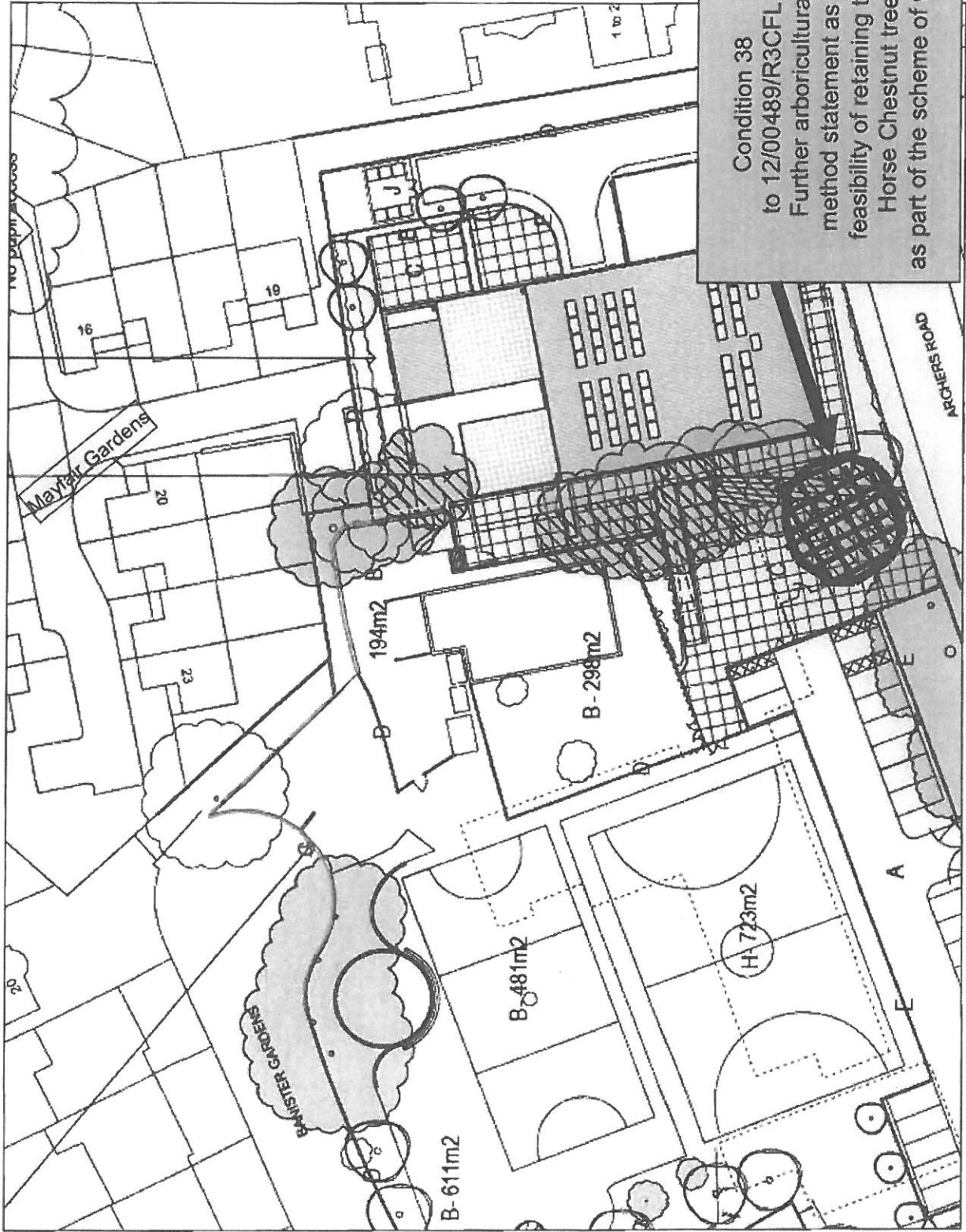
**NOTES**

1. This permission relates to Planning Control only. Approval under the Building Regulations may also be required and should you be in any doubt about this, please contact Building Control Services, Tel. 023 8083 2558. Any other necessary consent must be obtained from the appropriate authority. Special attention is drawn to the fact that this permission does not relate to the display of advertisements and separate consent is required under the Town and Country Planning (Control of Advertisements) England Regulations 2007. Development affecting buildings of special Architectural or Historical interest is also subject of separate Listed Building Consent. Any queries should be made to Development Control Service as indicated below.
2. This permission has been granted on the basis of all the information submitted by the applicant shown on the plans accompanying the application. Any material misstatement or wrong information may invalidate the permission.
3. If the applicant is aggrieved by the decision of the Local Planning Authority to approve the proposed development, subject to conditions, they may appeal to the Secretary of State for Communities and Local Government, in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of decision. Appeals can be submitted on line [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk) or by a form available from the Planning Inspectorate, 3/15 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS2 9DJ. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been granted other than subject to the conditions imposed by it having regard to the statutory requirements, to the provisions of the Development Order and to any directions given under that Order.
4. If permission to develop land is granted subject to conditions, whether by the Local Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the Council a purchase notice requiring the Council to purchase their interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990.
5. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
6. Attention is drawn to the provisions of Section 12 of the Hampshire Act 1983 relating to access for the Fire Brigade, and you are advised to contact Building Control Services as set out in Note 1.
7. For those developments which are covered by the Disability Discrimination Act, the attention of developers is drawn to the relevant provisions of the Act and to the British Standard B300:2001 Design of buildings and their approaches to meet the needs of disabled people code of practice.
8. The applicant is recommended to retain this form with the title deeds of the property.

Please address any correspondence in connection with this form quoting the application number to: **Development Control Service, Southampton City Council, Civic Centre SOUTHAMPTON. SO14 7LS**

Conditions 26-28  
to 12/00489/R3CFL.  
These 3 Lime trees  
in particular  
to be fully  
safeguarded  
during the build  
and thereafter  
retained





Condition 38  
to 12/00489/R3CFL.  
Further arboricultural  
method statement as to  
feasibility of retaining this  
Horse Chestnut tree  
as part of the scheme of works