

Planning and Rights of Way Panel 11th February 2020
Planning Application Report of the Head of Planning & Economic Development

Application address: St Marks CE Primary School, Stafford Road, Southampton			
Proposed development: Demolition of existing buildings and erection of part three/part two-storey new school with associated gym, access, parking, landscaping and sports facilities (including multi use games areas and a flood lit all weather pitch) (departure from local plan).			
Application number:	19/02011/R3CFL	Application type:	Large Scale Major
Case officer:	Mathew Pidgeon	Public speaking time:	15 minutes
Last date for determination:	03/03/2020	Ward:	Freemantle
Reason for Panel Referral:	Departure from the Development Plan with objection	Ward Councillors:	Cllr Windle Cllr Shields Cllr Leggett
Applicant: Morgan Sindall		Agent: Vail Williams LLP	

Recommendation Summary	Delegate to the Head of Planning & Economic Development to grant planning permission subject to criteria listed in report
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Community Infrastructure Levy Liable	Not applicable
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Reason for Granting Planning Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations 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. Overall, the acute educational need and positive community benefits associated with the development and its 'proposed dual use' are considered to outweigh the dis-benefit of any associated increased on-street parking pressure and a BREEAM rating of less than 'Excellent'. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39 - 42 and 46 of the National Planning Policy Framework (2019).

Policies - SDP1, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP16, SDP17, SDP19, SDP22, NE4 and CLT3 of the City of Southampton Local Plan Review (Amended 2015) and CS11, CS13, CS18, CS19, CS20, CS21, CS22, CS23, CS24 and CS25 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015).

Appendix attached	
1	Development Plan Policies
2	Appendix 2 Appeal Decision, Itchen Sixth Form College, Southampton.

Recommendation in Full

1. Delegate to the Head of Planning & Economic Development to conditionally approve following the receipt of additional information and the removal of the highways objection and confirmation that BREEAM Excellent will be achieved.
2. That the Head of Planning & Economic Development be given delegated powers to add, vary and/or delete relevant parts of the above requirements and/or conditions as necessary.

Background

Local Authorities have a statutory duty to provide sufficient school places as set out in s14(1) of the Education Act 1996. Southampton City Council has previously invested significantly in primary school development in order to meet the increased demand for places in the City. Following a review in June 2018 (Southampton City Council Education Capital Programme Report), there is a requirement to provide an additional 1,500 secondary school places within the Central Planning Area of the City in order to meet increased internal demand for secondary school places within Hampshire. The St. Mark's School project forms part of this programme of secondary school expansion projects across the City. This project looks to provide 900 pupil places and the two schools will become an all-through school, providing primary and secondary education. The project expands the age range and capacity at St. Mark's Church of England Primary School (ages 4-11 years) to an all-through school (ages 4-16 years), on the same site. The School will need to be expanded by September 2022, with the proposed primary phase comprising 2 Form Entry (FE), and the secondary phase being 6 FE.

1. The site and its context

- 1.1 The application site comprises St Marks Primary School and adjoining former civil service playing fields to the rear of the school. The site is located in Freemantle Ward, approximately 1 kilometre to the North West of the city centre.
- 1.2 The front part of the site facing Shirley Road is fenced with railings, behind this is a border of undergrowth and trees; beyond this are the school buildings and ancillary outside areas. The main school playground is at the front of the site closest to Shirley Road with the school buildings behind.
- 1.3 The front and rear parts of the site are separated by Malmesbury Place. Malmesbury Place is closed at the north western end to vehicular traffic and only allows access for pedestrians and cyclists. To the south west, Malmesbury Place joins the junction with Stafford Road and Western District Cut where vehicular access is provided. The section of Malmesbury Place, separating the front part of the site from the playing fields, is a private road and is used to access the school

car park positioned adjacent to the north west boundary which is next to dwellings on the southern side of Malmesbury Place. Currently there are 34 parking spaces on site. For the private section of Malmesbury Place the public have in the past had permissive rights to pass through as pedestrians/cyclists although this is not a right of way.

- 1.4 The existing school can also be accessed by vehicles and pedestrians/cyclists via Western District Cut which defines the south eastern boundary along the front part of the site. Western District Cut is accessed by vehicles and pedestrians/cyclists from Stafford Road, however access from Shirley Road to Western District Cut is restricted to pedestrians only. No formal school car parking areas are located off Western District Cut.
- 1.5 Beyond the school buildings, to the north east, are the school playing fields/former civil service sports ground. The playing fields are surrounded by terraced housing which back onto the site. Currently the playing fields are turfed; in the past however this part of the site has included changing rooms, tennis courts and a bowling green. The playing fields have also been laid out for a range of sporting activities in the past including football, cricket, softball/rounders and athletics. The playing fields measure approximately 3.4ha.
- 1.6 The existing school buildings are a collection of much altered Victorian buildings and modern modular buildings. The buildings are not listed or locally listed, however their age and Victorian design provide a positive contribution to the local built environment.
- 1.7 The school building is occupied by the existing St. Marks Church of England Primary School and currently provides primary education for 630 pupils (4-11 years).
- 1.8 There are 48 protected trees on the site and two protected groups of smaller trees; the majority of which are positioned on the front section in front of the existing school buildings.

2. Proposal

- 2.1 Owing to the size of the front part of the site and restrictions over the use of the playing field (where construction of buildings would be contrary to policy) the existing school facility will be demolished before construction of the new school can begin. To ensure that continuous education is achieved a temporary school will need to be constructed on the playing field for use throughout the construction period. This is subject to a separate planning application. Once complete pupils will decant across to the new facility ready for the start of the 2022 academic year. The proposal involves the demolition of approximately 3240sqm of existing floor space and the development of approximately 9240sqm of new floor space.
- 2.2 The proposal involves the relocation of the majority of the existing school buildings from the current centrally located position adjacent to Malmesbury Place to a position closer to and addressing Shirley Road.
- 2.3 The proposed main school building would house the main teaching spaces/classrooms as well as the main entrance/reception, learning support, library, two school halls, dining facilities and servicing areas. To the rear there

would be a detached sports and drama block and on the existing playing fields there will be a reconfiguration and formalisation of playing pitches including Multi Use Games areas with flood lighting.

- 2.4 The main school building would be 12m in height to Shirley Road (3 storeys) and it would house the secondary year groups. Then on the section of the building adjacent to Western District Cut the height would drop to 9m (2 storeys) where the building would be occupied by the primary year groups.
- 2.5 Owing to the context of the site, and a wish to reference the character and identity of the existing school within the new school, the main material used for the external elevations of the building will be a deep red brick. On the corners adjacent to Shirley Road however, and for the parts of the building occupied by servicing areas, a buff brick will be used. In addition, and with reference to the existing school building and nearby buildings constructed at a similar time, stone string courses, and stone window frames and sills are proposed. Internally the appearance of the school, including the sports/drama block, will have a more modern appearance with coloured rainscreen cladding being incorporated. Common throughout the building will be powder coated aluminium windows, doors, gates and railings.
- 2.6 Two new pedestrian and cycle accesses into the site will be provided on Shirley Road. The car parking area will remain located in the same place as existing however access will change for vehicles so that drivers enter the site from Malmesbury Road/Malmesbury Place rather than from Stafford Road/Malmesbury Place. As a consequence of the proposal Malmesbury Place will also no longer provide a link across the site to Stafford Road and as such the permissive route across the site will be permanently removed.
- 2.7 The school currently benefits from a total of 34 car parking spaces. The scheme includes the provision of a total of 57 parking spaces (including 3 disabled bays) and 4 specific minibus spaces. This represents an overall increase of 23 car parking spaces. There are also hard surfaced (concrete) multi use games areas (MUGA) that could be used for parking at times of high demand (parents evening, drama/stage performances & sporting events). The scheme does not however provide provision for parking motorcycles.
- 2.8 A total of 274 covered and secure cycle parking spaces are proposed, reflecting the aspirations of the emerging school travel plan. 114 cycle hoops (228 cycles) will be provided for the secondary school, 14 hoops (28 cycles) for the junior school and 9 hoops (18 cycles) will be provided for staff.
- 2.9 45 of the 48 trees on site of varied size and species are proposed to be felled to facilitate the development. 56 of the trees are considered to be low quality with a maximum of 10 years life expectancy. 18 are moderate trees with a life expectancy of 20 years and there is only one tree of high quality (more than 40 years life expectancy). A replacement of 2 for 1 trees is proposed to compensate for the trees that will be removed. As well as tree planting there will also be further landscaping improvements to compliment the development, this includes softening the appearance of the buildings and floodlit playing pitches.
- 2.10 The site will also become available for community use outside of school hours including sporting facilities.

		Pupils	Staff (full time equivalent)	Car parking	Cycles parking
Existing primary school.		630 (4–11 yrs old)		34	
Proposed	Primary	420 (4–11 yrs old)		34	
	Secondary	900 (11-16 yrs old)		23	
	Combined	1320	150	57	274

3. Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 Major developments are expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13. In this case the scheme may not achieved BREEAM ‘Excellent’ and has been advertised as a departure accordingly.
- 3.3 The National Planning Policy Framework (NPPF) was revised in 2019. Paragraph 213 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan 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.
- 3.4 The application site is not allocated in the current development plan, although the existing playing pitches are designated under Local Plan Policy CLT3. Core Strategy Policy CS21 supports Policy CLT3 and seeks to protect existing playing fields from inappropriate development. A presumption of no net loss of open space now exists.
- 3.5 LDF Core Strategy Policy CS11 supports the development of new educational facilities on school sites and encourages wider community use of those facilities outside of school hours.

4. Relevant Planning History

- 4.1 The school dates from the late 1800’s.

- 4.2 The site was previously used by the Civil Service as a private sports club with access taken from Malmesbury Road. Two ancillary buildings were erected and extended before their demolition between 1999 and 2004. An area of hardstanding, and its vehicular access exists, but are currently unused.
- 4.3 A planning application for housing development was refused in 1964 due to the site's designation within the development plan for open space and playing field uses.
- 4.4 Permission was granted on 24th March 2010 for a change of use from private open space (class D2) to school playing fields (class D1) (LPA ref: 10/00105/R3CFL refers).
- 4.5 An application for a Certificate of Appropriate Alternative Development (CAAD) under S.17 of the Land and Compensation Act 1961 was submitted by the Council's Children's Services and Learning Directorate (ref: 10/01585/FUL) for land at the former civil service sports ground, positioned to the rear of the site, in 2010. Following approval of the application the City Council as Education authority acquired the land from Stonechat Development Ltd and Bovis Homes Ltd, both of whom had an interest in the land, through a compulsory purchase order.

5. 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 572 adjoining and nearby landowners, placing a press advertisement **13.12.2019** and erecting a site notice **10.12.2019**. At the time of writing the report **19** representations have been received from surrounding residents including Cllr Galton. The following is a summary of the points raised:

5.2 Additional parking and traffic associated with the school run and after school clubs harm neighbouring amenity by creating high levels of traffic congestion Response

- The project will lead to funding input to the school travel plan to enable the school to engage with pupils, parents and neighbours, to address this issue by encouraging sustainable travel to school.
- The scheme involves the formation of two new accesses into the site, this will help to spread the impact of the 'school run' parking and traffic experienced by local residents.
- The highways team will review the need for more Traffic Regulation Orders and site specific highways works associated with the site to mitigate the impact of the development.
- The development triggers the need for site specific highways works to mitigate the impact of the development.
- There will be a decrease in junior school children attending the site as a consequence. Junior school pupils are more likely to be driven to the school than secondary school pupils.
- It is likely that people driving their children to school will already be on the highway network – for example they will drop their children off at or close to the school on their way to work.

- The Council's Highways team will review the need and local interest for active travel zones around the site.
- Officers acknowledge that the enlarged school may lead to some increased on-street parking pressures during morning drop-off and afternoon collection times, given that approximately 15% of the additional 900 secondary school places are forecasted to travel to school by car. Any additional impacts will need to be managed through the above control measures. The delivery of new educational facilities to meet identified education need is considered to outweigh these impacts.

5.3 ***Loss of existing building of historic character***
Response

- Whilst the building is of character and holds the affection of local residents it is neither listed nor locally listed. The Historic Environment Officer is also not opposed to the redevelopment of the site as the buildings have been substantially altered since construction in the late 1800's.

5.4 ***Building design lacks sustainable principles – including passive solar gain, incorporation of Combined Heat and Power, BREEAM Excellent should be achieved. SCC should set an example – Green City Charter/Carbon Neutral by 2030.***

Response

- Officer's are discussion with the applicant with the aim of achieving the highest possible sustainability level for the building.
- At the time of writing the report a condition is suggested requiring BREEAM Excellent although this may change by the date of the Panel meeting if acceptable justification is provided and agreed although officers agree that Council schemes should meet the requirement of our Development Plan.

5.5 ***Reusing existing buildings is more environmentally responsible***
Response

- Unfortunately the existing building cannot be easily altered/extended to provide either the quality or quantity of teaching space required by modern education standards and as needed to meet the demand of secondary school places in the central area of Southampton.

5.6 ***Environmental impact of the removal of natural grass playing surface and replacement by all-weather pitch (flooding/carbon absorption/biodiversity).***

Response

- The Council's Flood risk management team, Ecologist and Sustainable Development Officer have all reviewed the application and have not objected owing to suitable mitigation measures which can be delivered such as additional tree planting sustainable drainage systems/design and permeable hard surfacing materials.

5.7 ***Air Pollution from traffic around the entrances to the school especially Malmesbury Place given that the main site access will change.***

Response

- The Council's Scientific Team have reviewed the submission and do not oppose the application on the basis of air quality.

- 5.8 ***No dedicated community provision. Removal of ad-hoc community access. Contrary to details of the compulsory purchase order which requires community and school access.***

Response

- A community use agreement will be negotiated and secured so that the community will have access to the facilities available at the school outside of formal school hours. For safety, security and pupil safeguarding reasons once the playing fields have been absorbed in the school more formally there will not be the opportunity for informal access to the playing field for (for example) dog walking, recreation and sports. The community use agreement must balance the use of the school grounds out of hours with neighbouring residential amenity.
- The Council's legal team have identified that the land's legal designation is as playing fields under the education acts and, therefore, must be used as school playing fields. Community use, including dog walking, is currently allowed by informal agreement however a change of use has not occurred.
- Under the legal status of the land there is no requirement for informal public access of the land to be maintained.

- 5.9 ***Use of flood lights on artificial sports pitches - impact on neighbouring residential amenity (light impact)***

Response

- The information submitted with the application relating to lighting has been reviewed by the Council's Environmental Health Team. The conclusion being that the lighting design will prevent harmful direct light onto the playing surface without leading to harmful light spillage onto neighbouring residential properties.
- National standards for flood lighting has been achieved and the lighting is not opposed subject to limitation of hours and on this basis the lighting plan submitted.
- The hours of the field and associated lighting will be restricted to 5pm to 8.30pm Monday to Friday and 9am – 7pm Saturday and Sunday.

- 5.10 ***Use of artificial sports pitches during the evening - impact on neighbouring residential amenity (noise impact)***

Response

- The amended information submitted to support the application relating to noise has been reviewed by the Council's Environmental Health Team. The conclusion being that whilst there will be an impact generated by the school, and in particular the evening use of the outdoor sporting facilities, significant harm will be mitigated due to the incorporation of the acoustic barriers and limitation of the hours of use.

- 5.11 ***Use of flood lights on artificial sports pitches - impact on wildlife.***

Response

- The Council's Ecologist raises no objection to the application subject to the securing of mitigation measures.

- 5.12 ***The compulsory purchase order (CPO) places restrictions on the addition of floodlighting.***

Response

- The CPO is not a relevant material planning consideration.

- 5.13 ***Residents backing onto the playing field have not been asked if they would or would not like trees planted on the boundary.***

Response

- Tree planting shown is indicative and that details of the quantity, position, and specification of trees will be reserved by condition.

- 5.14 ***Visual harm caused by the change in character of the playing field including visual impact of noise barrier.***

Response

- The boundary fence to the playing field will be 2.4m high. The fencing around the all-weather playing pitches will be set within the boundary of the site some 20m from the closest residential property on Malmesbury Place, 25m from the closest properties on Suffolk Avenue and 45m from the closest properties on Malmesbury Road. The boundary treatment to the all-weather playing pitches will be a combination of 3m high acoustic barrier and 4.5m high weldmesh ball stop fencing. The separation distance is deemed sufficient to prevent significant visual harm.
- The layout of much of the playing fields could occur without the benefit of planning permission and the use of the land is not changing.

- 5.15 ***Safety impact of noise barrier (creating a space that cannot be naturally surveyed)***

Response

- The school will need to put management arrangements in place to ensure the site is safe and secure.

Consultation Responses

- 5.16 **SCC Highways: Holding objection**

At the time of writing this report the Highways Officer has concerns owing to the impact of the development on local residents and discussions between the Council's Highways Officer and the applicant's Highways consultant have not come to a conclusion. The Highways Team are aware that the proposed new school, which includes new vehicular access from Malmesbury Road/Place, will impact the local community, the main comments are summarised as follows:

- 5.17 Parking pressure and congestion in the roads directly adjacent to the school site; in particular at the beginning and end of the school day, through community use outside of school hours and the impact of changing vehicular access point to the car park from Stafford Road to Malmesbury Road/Place. The potential for overspill parking on site during time of high use by the community is being investigated.
- 5.18 The main safety concern raised relates to pedestrians crossing Shirley Road in front of the school without using dedicated pedestrian crossing points. This has been witnessed during officer's site visits associated with the development. The proposal is likely exacerbate the existing safety concern due to the higher pedestrian modal split of secondary school children (69% walking to school). The highways team are therefore reviewing potential crossing opportunities as part of the ongoing discussions.

- 5.19 Consideration has been given to the impact of pupils spilling out onto Shirley High Street.
- 5.20 **Parking Standards:** There are currently 34 parking space on site serving the primary school and this is not proposed to change notwithstanding the fact that there will be a reduction of 210 primary school places as a result of the development. The proposal will increase the amount of spaces to a total of 57 including 3 disabled/less mobile user spaces and 4 mini bus parking spaces. The additional 23 spaces meet the Council's maximum parking standards (0.75 parking spaces per classroom [rounded up]) for the additional 900 secondary school pupils assuming that there will be approximately 30 pupils per class room (therefore 30 class rooms).
- 5.21 It is not clear where coaches would park when visiting the school.
- 5.22 The transport assessment anticipates 69% of secondary school pupils will walk to school, 9% will cycle, 1% will use a scooter and 15% will arrive and depart by car. These figures have been queried.
- 5.23 Officer's note: Formal highways comments are therefore on hold until further information is received. It is however anticipated that by the date of planning panel the discussions will have been finalised and appropriate mitigation measures agreed to prevent significant harm to neighbouring residential amenity along with highway congestion & safety. An update will be provided at the panel meeting. The recommendation may change to reflect the receipt of this information.
- 5.24 **SCC Sustainability: Holding Objection**
At the time of writing the report the development is targeting BREEAM Very Good with a score of 59.9% (where there is a minimum of 55% for Very Good and 70% required for Excellent). In addition, potential additional credits have been identified (Improved Case Scenario) which increase the score to 74.1% sufficient to achieve an 'Excellent' rating
- 5.25 Insufficient justification has been provided explaining why the additional credits required to achieve 'Excellent' have not been reached and this is especially relevant given the Council's local declaration of a *'climate emergency'* and the adoption of Southampton's Green City Charter which states, *'Southampton will be a better place for present and future generations that is prepared for the challenges presented by climate change. We will achieve this by ensuring we are ambitious, lead by example and set ourselves challenging goals.'* This includes the objectives of being carbon neutral by 2030.
- 5.26 The Council's Sustainability advisor is therefore of the opinion that the additional credits must be sought. Therefore at the time of writing the report the Sustainability Advisor does not support the scheme unless BREEAM Excellent is achieved. Therefore conditions are recommended to secure BREEAM Excellent. A further update will be provided on this matter at the panel meeting.
- 5.27 **SCC Open Spaces – Objection**

This is an area which is very low in accessible green space the nearest green space to local residents being around 500m away (approximately 7 or 8 minute walk). The Council aims to provide usable green space within 300m of properties (approx. 5 minute walk) wherever possible. The green space is currently being used by local residents for informal recreation, such as walking, dog walking, picnics etc. and has been done so for over 5 years. The proposal will remove this resource from the local residents and mean the City has less accessible green space for its residents to use. Whilst there are covenants on the land for its use, the Council should be looking at how we can best serve the needs of the community whilst providing the new school and its grounds. This may include some kind of community use agreement which goes beyond hiring pitches and recreational facilities.

5.28 Concern is also raised owing to the lack of trees being planted and also the use of synthetic pitches. Given the climate crisis which has been declared by the Council and the clear issues with Climate Change the Council should be looking to enhance green space to enable it to mitigate these issues rather than using unsustainable surfacing, particularly in an area where we should be providing an example to children for the future. Detail on how the all-weather pitches are to be constructed and how these will aid climate change mitigation is required along with enhanced tree planting across the site with trees planted in small copse and spinneys to get the best benefit from them.

5.29 **SCC Trees – Holding Objection**

On the main school site, discounting the playing fields, there are approximately 48 individual trees and 2 groups of smaller understorey trees and shrubs. Of these there are 45 individuals and the two groups proposed for removal to facilitate the development, leaving just 3 trees on this part of the site. The majority of these trees are mature and semi-mature native species and were recently protected by a Preservation Order to highlight the amenity and ecological value they provide to the site and surrounding area.

5.30 It is disappointing to see this level of site clearance prior to development with little regard to the maturing tree population. It is understood that to retain more trees would likely result in specific engineering techniques being needed to enable the build and to protect trees and the associated costs for this. However the value these trees provide at present is considerable and their removal would be of significant detriment to local amenity, mitigation of pollution from Shirley Road and the wildlife they both attract and provide habitat for. Their value, if lost, would take many years to recover.

5.31 A holding objection is raised until further details are provided to justify loss taking account of available engineering solutions. Furthermore detailed mitigation plans are required identifying planting and species specification which is especially relevant for trees planted in hard surfaced areas.

5.32 If planning permission is minded to be granted for this proposal I would require full protection provisioned to those trees retained and a detailed landscape plan giving a diverse range of species and ultimate mature sized trees to mitigate the loss. I would also like to see planting specifications submitted detailing adequate undisturbed soil volumes (species specific) for all new trees to be able to reach their mature size without future pressure applied to them due to damage to surrounding

hardscaping and buildings. This could be achieved with the use of specific arboricultural engineering where needed in the form of modular suspended surfaces and integrated storm water management systems, allowing tree roots to thrive in un-compacted soil for the life of the tree and channel water runoff to where it can be useful. Use of a system like this, particularly in the courtyard area, would help prevent future damage to surface materials as the trees mature and allow larger species trees to be selected. For these systems to be effective they need to be included at the design stage rather than retro fitted later on. An update on tree matters will be provided at the panel meeting.

5.33 SCC Ecology: Holding objection

Based on the details submitted the proposal would result in the net loss of biodiversity for the following reasons:

- Data from the static bat surveys is missing;
- No plan showing the routes of bat flights;
- There is no assessment of the impact of removing the wildlife area;
- There is no assessment of the impact on bats of removing trees;
- There is no assessment of the impact of floodlighting which will stop bats foraging over much of the site, including the replacement planting;
- There is no mitigation and enhancement strategy.
- Officers have requested this additional information and an update on these ecology matters will be provided at the panel meeting.

5.34 SCAPPS – Results in the loss of public open space. SCC open space strategy acknowledges that there is a lack of open space in Shirley/ Freemantle/fails to meet national standards. The field was compulsory purchased in 2010 and permission granted for education and community use. Draft community use agreement is vague and doesn't allow informal access. The scheme should include a 'pocket park' as a minimum.

5.35 SCC Early Years and Childcare Service: The scheme helps the Council to fulfil its statutory duty pursuant to section 2 of the Childcare Act 2016 and sections 6, 7 and 7a of the Childcare Act 2006. Accordingly support is given.

5.36 SCC Principal Officer for Education and Schools: The rebuilding and expansion of St Marks School is a key part of the council strategy for the expansion and improvement of secondary school capacity in the city. Accordingly support is given.

5.37 Sport England – Sport England considers that the proposal will provide an improved offer for sport at the site with a range of new indoor and outdoor sports facilities and improvements to the existing playing field which could help to meet both the educational and community's needs for sport in the area. Sport England therefore considers that the proposal is capable of meeting our E5 exception policy, which states:

5.38 *'The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.'*

5.39 This is subject to requested conditions being added.

5.40 **SCC Flooding** - The submitted Flood Risk Assessment and Drainage Strategy identifies that the proposed drainage system is through the use of swales and oversized pipes. Any proposals for a sustainable drainage system should be designed in accordance with the non-technical standards for sustainable drainage systems), which includes controlling peak flow and volume of runoff to as close as reasonably practicable to greenfield rate and volume and design of the system so it manages surface water on the site up to and including the 1 in 100 year plus climate change rainfall event. No objection subject recommended conditions.

5.41 **SCC Right of Way** - The Malmesbury Place footpath is managed to ensure it does not become a public right of way rather it is a permissive path which the school/land owner has interrupted on a regular basis over the past 20 years in order to prevent it from becoming a public right of way. There have also been signs erected to identify its private status which further protect it from becoming a public right of way. The council has a duty to maintain a Definitive Map of rights of ways and also has a duty to keep the map under continuous review. It can be confirmed that currently there are no pending applications seeking to establish a public right of way through the length of Malmesbury Place.

5.42 **SCC Environmental Health (Pollution & Safety): No objection**

A combination of time restriction and acoustic control measures as detailed in the updated Acoustic Assessment Report will prevent significant adverse effects / noise nuisance to neighbours as the predicted residual noise level at the worst affected property would be at least 7 dB(A) below the Sport England threshold value of 50 dB(A) LAeq, 1hr, and therefore indicative of an acceptable noise level both in garden areas and within the property. The following conditions are requested:

- Out of hours facilities available for regular bookings from 5pm to 8.30pm Monday to Friday and 9am – 7pm Saturday and Sunday.
- Acoustic barrier added to the outside of the all-weather playing pitches.
- Acoustic barriers built outside the perimeter fence, so they are protected from being hit by balls generating impact noise;
- All fencing must be securely clamped with resilient fixings to avoid vibrations;
- Sheet metal signs can generate noise is struck by hockey balls etc. and should be avoided, or provided only in the form of soft vinyl signs;
- Lightweight plastic shelters should be located away from the playing surface, preferably in recesses;
- All access routes should be located away from the adjacent housing, so far as is practical;
- Facilities managed to avoid antisocial behaviour and unnecessarily raised noise levels; and
- Pitches used for hockey - solid backboards shall be lined with foam pads, to absorb impact energy.

5.43 **SCC Clean Air Team – No objection**

The Air Quality Assessment (AQA) supporting this application is considered suitable and sufficient and we are comfortable with the conclusion that there is little risk to the development impacting local air quality to the extent that statutory standards are compromised. Although impacts associated with the development

have been quantified as “negligible” by the assessment it does suggest a net increase in emissions and the opportunity to contribute towards cumulative impacts. The development also presents an opportunity to introduce measures that would contribute towards emission reductions and these should be pursued where possible. No objection is raised subject to the conditions recommended in section 6.1 of the Assessment.

5.44 **SCC Design: No objection** subject to recommended conditions to secure details of building elements including:

- Materials details;
- Windows and door openings to show reveal depths;
- Elements of the façade that are raised showing significant shadow depths on the elevations;
- Prevention of permanently visible safety railings on the roof (as visible from the street scene);
- Details of the wall defining the servicing compound; and
- Public art requirement.

5.45 **Historic Environment/Built Heritage - No objection**

St Marks CE Primary School is a multi-period education complex which contains a linear range of late-C19 historic buildings built of brick with gabled frontages. Architectural details include stone finials, large mullioned picture windows, and horizontal stone bands - all typical of late-Victorian schools of this period. The original plan form of the school was extended and enlarged to the south in the 1930`s with buildings built in a similar style. Since this time the older buildings have been altered and upgraded (the former timber windows have been replaced with uPVC), and large-scale C20 extensions and new buildings have enveloped the plot to the south and west.

5.46 Whilst from a conservation perspective the preference is to reconfigure and reuse as much of the existing school as possible the majority of the buildings on-site are relatively recent and generic buildings of no significant heritage value. The late-C19 range of buildings display some degree of heritage interest from a historic, social, and architectural standpoint due to their age and community function, however, in terms of significance, the former segregated entrances of the school have been obscured, the original windows have all been replaced with modern units, and the original plan form and layout of the units have been affected by modern purpose built school additions. Unfortunately, these changes have severely reduced their historic character and integrity to such an extent that the school does not display a sufficient degree of heritage interest or intactness to meet the council`s local listing criteria. Notwithstanding this, the late-C19 school buildings would be considered a non-designated heritage asset, and whose heritage interest, albeit low, would still need to be considered in the planning balance.

5.47 No objection is raised subject to relevant conditions.

5.48 **SCC Archaeology - No objection** subject to conditions to secure a watching brief on ground works, evaluation to determine if there is archaeological potential, archaeological work programme if necessary, structure recording and damage assessment.

- 5.49 **SCC Environmental Health (Contaminated Land)** – The land use is sensitive to land contamination and there is a risk that the development works result in contamination being released into the environment. No objection subject recommended conditions to secure Land Contamination investigation and remediation, Use of uncontaminated soils and fill and measures to manage any Unsuspected Contamination exposed as a consequence of the development.
- 5.50 **SCC Employment and Skills Development Coordinator:** An Employment and Skills Plan is needed and will be secured via legal agreement.
- 5.51 **Hampshire Fire and Rescue Service** – No objection has been raised however recommendations have been made and have been forwarded to the developer.
- 5.52 **Hampshire Constabulary** – No objection has been raised however recommendations have been made and have been forwarded to the developer.
- 5.53 **Southern Water** – No objection subject to requested conditions and informatives.to secure sustainable drainage and details of the proposed means of surface water and sewerage disposal.

6 Planning Consideration Key Issues

- 6.1 The key issues for consideration in the determination of this planning application are:
- i. Principle of development;
 - ii. Sports pitch provision and community use;
 - iii. Design
 - iv. Sustainability;
 - v. Residential amenity;
 - vi. Highways and parking;
 - vii. Air quality
 - viii. Ecology and trees.
 - ix. Mitigation of direct local impacts

Principle of Development

- 6.2 The NPPF (Paragraph 94) states that *‘It is important that a 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. They should:*
- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and*
 - b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.’*
- 6.3 The Government Policy Statement – *Planning for Schools Development* also demonstrates the Government’s commitment to support the development of state-funded schools and their delivery through the planning system.

- 6.4 The scheme will ensure that the Council meet the statutory duty to provide sufficient school places by providing 900 pupil places within a new all-through school by the required date of September 2022. The application is therefore supported in principle.
- 6.5 The Development Plan supports the principle of school development which seeks to modernise and improve teaching facilities within the City for the benefit of pupils and teaching staff. Whilst it is acknowledged that continuous education provision creates a significant constraint the plan also seeks to secure high quality education facilities which can be used for multiple purposes to benefit the community.
- 6.6 The new buildings will provide much improved facilities for a growing number of children, and the development will also enable the Council to control the use of the building so that it can be accessed by community groups' outside of school hours.

Sports pitch provision and community use

- 6.7 As part of this application for the replacement school there is a need to ensure that the redevelopment can be undertaken without compromising the school's ability to provide continuous education provision on site. There is also a need to safeguard open space, including playing fields, due to Core Strategy Policy CS21 and paragraph 96 and 97 of the NPPF.
- 6.8 LDF Core Strategy Policy CS21 (Protecting and Enhancing Open Space) seeks to retain the quantity, and improve the quality, of existing open space provision.
- 6.9 Whilst the playing pitches are publically accessible at present the land is legally designated as school playing fields under the education act and so must be used as school playing fields. The critical distinction being that the open space is 'private' rather than 'public' and, therefore, the public do not have the right of access. Currently access by the public is permitted by the land owner (the school) on an informal basis.
- 6.10 There is a presumption against developing existing school playing fields unless alternative provision of equal (if not better) space is provided. Due to the need to provide continuous education on site there will need to be a temporary school built on the playing field. This will result in a temporary loss of playing fields on site during construction. Throughout the construction of the school pupils will still however be able to use some of the field for outside play. The temporary school forms part of a separate application.
- 6.11 For safeguarding reasons informal public access of the playing fields will cease on commencement of development of the new school.
- 6.12 Once the replacement school is completed the existing buildings can be demolished and the land reinstated as replacement sports pitches.
- 6.13 As part of the development the school are proposing to significantly improve the sporting facilities available on the existing sports field which includes providing all weather sporting facilities. The proposal is therefore considered to be a net benefit in terms of sporting provision which is important given the increased intensity of use that will result as a consequence of the additional secondary school element. Sport England support the approach.

- 6.14 As clarified by the Council's legal team there is no requirement to provide the public with access to the open space. However, the new school will be subject to a community use agreement with managed community access to the school facilities.

Design

- 6.15 The current scheme intends to demolish all the buildings on-site and erect a contemporary purpose built all-through school with associated facilities.
- 6.16 The adopted LDF Core Strategy Policy CS13 continues the Council's commitment to securing high quality design. The new building would be a significant structure with a 66m long and 12m height fronting Shirley Road (not including expected plant equipment). The external design of the public facing elevations of the main school building has been formed with the aim of seeking to incorporate some of the historic details of the original school within its design. The aesthetic of the proposed school will make reference to the character and identity of the existing school by reinterpreting elements of the existing design features including stone string courses, deep red bricks used on the main elevations fronting the public realm, and stone window frames & sills. The primary hall will also effectively be reconstructed.
- 6.17 Alternative options for the location and configuration of buildings have been reviewed in detail, with a conclusion being that the proposed siting is the only feasible location to deliver the required scheme and optimise open areas of the site for sports facilities; the location also enables the site to operate efficiently and without pause and prevents the need to build on the open space which would be contrary to policy CS21.
- 6.18 In terms of the proposals, it is acknowledged that the public benefits of creating a complete new through school facility on an existing educational site is substantially high. It is also acknowledged that alternatives that included the retention of some of the buildings were assessed but were deemed impractical due to the constraints of the older buildings and the need to meet modern standards. Furthermore, creating a traditional primary hall building on-site to display elements of historic fabric would provide some form of reference to the school's past.
- 6.19 On this basis, although the retention and reuse of the late 19th Century buildings would be preferred from a conservation perspective it is concluded in the planning balance that the harm resulting from the total loss of the non-designated heritage asset would be outweighed by the high public benefits presented by the scheme. As required by the Council's Heritage team a full photographic and archaeological recording scheme for the buildings on-site will need to be carried out prior to works commencing.

Sustainability

- 6.20 The adopted LDF Core Strategy Policy CS20 commits the Council to securing sustainable development. The applicant proposes to meet and exceed BREEAM 'Very Good' and, at the time of writing, the application cannot achieve BREEAM 'Excellent' which is required by Core Strategy Policy CS20. The development is therefore not policy compliant as new developments are expected to achieve BREEAM 'Excellent'. As such the proposal represents a departure from the Development Plan (refer to paragraphs 5.18 – 20 for full details).

- 6.21 The proposal is currently able to achieve BREAM Very Good with a score of 59.9% (where there is a minimum of 55% for Very Good and 70% required for Excellent). This is not considered sufficient by Officer's and as such negotiations are ongoing with the hope that a higher BREAM score can be achieved. In the meantime, and notwithstanding the current state of negotiations, a condition is recommended to require BREEAM Excellent. An update will be given to panel on the negotiations.

Residential amenity

- 6.22 Representations have been received from neighbouring occupiers raising concerns regarding traffic generation and associated parking and congestion problems (discussed below in the highways and parking section), loss of access to the playing field that is currently accessible on an ad-hoc basis and noise & lighting impact from the playing pitches with concerns mostly relating to out of school hours. The response to these concerns as detailed above identify that whilst officers appreciate that development will have an impact in planning terms the impact is justified and is acceptable. The benefits of the proposal outweigh the negative and conditions have been recommended where appropriate.
- 6.23 Regarding the concerns in relation to loss of public access to the playing fields, there are no planning or legal reasons to oppose the scheme on the basis as the open space is not 'public'. It is 'private' open space owned by the Council's education department. Legally the land is 'playing fields' under the education act and the current informal use of the land by members of the public is permitted by informal agreement rather than by law. It is fully within the Council's Education Team and the School's rights to exclude the public from the site (on child safeguarding grounds) during school hours. Community use, including dog walking etc could be permitted in the evenings and weekends and outside term times by informal agreement however given the management difficulties associated with allowing members of the public access to school playing fields for safeguarding reasons it is unlikely that this will be possible in the future.
- 6.24 The community will be able to use the sports and other school facilities by formal arrangement and will be secured through the community use agreement.
- 6.25 Noise impact can be managed by the school staff during school hours and will also be mitigated by measures set out in the amended noise assessment and as agreed by the Council's Environmental Health Officers. The main mitigation measures that will be required include restricting the hours of 'community use' outside of school hours to 5pm – 8:30pm Monday to Friday and 9am – 7pm Saturday and Sunday along with the use of an acoustic barrier and fixings to the fencing around the artificial pitches that prevent excessive noise and vibration caused by ball strikes. The predicted noise level, as a result of the mitigation measures put forward are also below the national threshold set by Sport England when measured at the worst affected property.
- 6.26 The flood lighting proposed also meets national standards and will also be mitigated by restricting the hours of use to 5pm – 8:30pm Monday to Friday and 9am – 7pm Saturday and Sunday. On the edge of the field tree planting is proposed where practical in order to also mitigate the visual impact of the flood lights.

- 6.27 Officers consider that the proposed hours of use strike a fair balance in terms of making the sports facilities available to the community at evening and weekends whilst protecting the amenities of residents later into the evening. The proposed hours are consistent with the hours of use of other similar school community facilities across the city. That said, officers recommended similar hours to the panel for the proposed artificial sports pitch at Itchen College (LPA Ref 18/00520/FUL) and the panel revised the hours of use down on that particular application to 6pm to protect the amenities of neighbouring residents. Itchen College subsequently lodged a planning appeal seeking later hours and the appeal inspector upheld the Panel's decision and agreed that the hours of operation of the sports pitch at Itchen College should be no later than 6pm. A copy of the Itchen College appeal decision is attached as **Appendix 2**.
- 6.28 The outlook from habitable rooms and the garden serving the residential property at 255 Shirley Road will be effected by the proposal. This is owing to the depth of the proposed school building positioned close to the shared boundary. Fortunately the school building will however be positioned so that significant shadowing of the garden and house will not occur during the afternoon and evening; there will however be an impact on the amount of sunlight received to the garden in the morning. Mitigation in the form of tree planting will help soften the impact and obscure glazing will also be needed to prevent privacy loss. This is judged to be a negative aspect of the proposal that must be balanced against the positive elements.
- 6.29 Taken in the round and upon considering the positive aspects of the proposal it is judged that no significant privacy and/or amenity issues will arise as a consequence of the development in terms of noise, light impact and direct impacts of the buildings proposed providing the mitigation offered is secured. The application is considered to address the requirements of adopted Local Plan policies SDP1(i), SDP7(v) and SDP9(v).

Highways and parking

- 6.30 A Transport Assessment has been submitted to support the application. A travel plan, which will include measures to reduce the likelihood of staff arriving by car and parents arriving and collecting children by car, can be secured through the unilateral undertaking.

The Transport Statement predicts the transport, to and from school, modal split for secondary school pupils attending the school:

Mode of travel	% modal split	Number of pupils (900 total)
Walk	69%	621
Car	15%	135
Cycle	9%	81
Bus	6%	54
Scooter	1%	9
Park and stride	0%	0

- 6.31 Car parking is a key determinant in the choice of mode of travel. The Local Plan aims to reduce reliance on the private car and encourage alternative modes of transportation such as public transport, walking and cycling. The level of proposed car parking should be governed by the Council's revised maximum parking standards (2011). It is noted that the school is located in an area that is classified as being highly accessible due to its close proximity to the transport corridor of Shirley Road. Based on this location a maximum parking standard of 0.75 spaces per classroom is identified within the SPD. Thus for a 900 place secondary school and based on 30 students in each class this would equate to a requirement for 23 parking spaces. A primary school with 420 pupils equates to further 10.5 spaces. In this instance 57 spaces are proposed which equates to an additional 23 parking spaces on site. The Highways Team have not objected to the proposed level of car parking which exceeds the maximum standard and retains the existing parking provision for the junior school.
- 6.32 It makes sense to intensify educational use on this large site that is at the heart of its local community, with good accessibility to the public transport network, encouraging healthier lifestyles by walking and cycling. The ongoing implementation of the Travel Plan will encourage the use of non-car modes and car sharing. The proposed redevelopment of this school is acceptable in highway safety terms subject to mitigation measures and site specific highways work which are in the process of being agreed. It is hoped that by the time that the application is presented to planning panel that the mitigation measures are finalised and agreed. Accordingly the panel will be updated at that time.
- 6.33 The repositioning of the main building and the two additional access points will help to distribute the impact of pupil's arrival and departure from school experienced by local residents. This will help to potentially dissipate the impact of the 'school run' on local residents.
- 6.34 Vehicle access has moved from Stafford Road to Malmesbury Place. Which will likely have an impact on Malmesbury Place at the beginning and end of the school day along with potentially causing an impact when the school facilities are being used out of hours as part of the community available facilities.
- 6.35 The cycle storage provision will be increased to 274 spaces. The quality of the cycle storage accommodation will also be considerably improved and it is hoped that the provision will encourage more pupils and staff to use bicycles to travel to and from the site.
- 6.36 As confirmed by the Council's legal team (rights of way) the Malmesbury Place footpath a permissive path meaning that the School and Council (as land owner) have allowed the public to pass along the route in the past. The route is however not a public right of way and therefore there is no legal reason why the route cannot be stopped and access for public users denied.
- 6.37 It is argued by the highways consultant that the impact of the new all through school will be acceptable as there will be a reduction of 210 primary school pupils attending the school (from 630 to 420) as a consequence of the development. The lesser impact is considered as more junior school pupils are likely to be driven to school by parents, and those vehicles are already likely to be on the highway network development of this nature is however likely to cause some degree of

additional disturbance to residents in the local area at drop off and pick up times. This impact must be balanced against the positive aspects of the proposal.

- 6.38 As a means of mitigation the project will lead to funding input to the school travel plan to enable the school to engage with pupils, parents and neighbours, to address this issue by encouraging sustainable travel to school. The formation of two new accesses will help to spread the impact of the 'school run' and the highways team will review the need for an active travel zone in nearby streets (in consultation with local residents).
- 6.39 The Highways consultants have also made the point that it is likely that people driving their children to school will already be on the highway network for a variety of reasons, the main reason is likely to be that they are driving to work. On balance the impacts of the expanded school are considered to be capable of mitigation.

Air Quality

- 6.40 The Core Strategy Strategic Objective S18 seeks to ensure that air quality in the city is improved and Policy CS18 supports environmentally sustainable transport to enhance air quality, requiring new developments to consider impact on air quality through the promotion of sustainable modes of travel. Policy SDP15 of the Local Plan sets out that planning permission will be refused where the effect of the proposal would contribute significantly to the exceedance of the National Air Quality Strategy Standards.
- 6.41 The Council has also recently established its approach to deliver compliance with the EU limit and adopted a Green City Charter to improve air quality and drive up environmental standards within the city. The Charter includes a goal of reducing emissions to satisfy World Health Organisation air quality guideline values by ensuring that, by 2025, the city achieves nitrogen dioxide levels of 25µg/m³. The Green Charter requires environmental impacts to be given due consideration in decision making and, where possible, deliver benefits. The priorities of the Charter are to:
- Reduce pollution and waste;
 - Minimise the impact of climate change
 - Reduce health inequalities and;
 - Create a more sustainable approach to economic growth.
- 6.42 The application will address the Green Charter and the air quality impact of the development by the implementation of an updated travel plan which will encourage sustainable modes of transport and mitigation measures set out in the Air Quality Assessment submitted with the application.

Ecology and Trees

- 6.43 In light of the Cities 'Green City Charter' and its environmental responsibilities Council led developments should be leading the way in providing sustainable and effective green infrastructure and eco-system services. In schools particularly, where the children are likely learning about and taking an interest in the subject, this seems ever more important. Officers are aware of these requirements and are seeking improvements to the current scheme with further updates at the Panel meeting.

- 6.44 At the time of writing the report there is a holding objection from both the Council's Planning Ecologist and Tree Officer. The reasons for the holding objections are set out above in section 5 above. It is however anticipated that by the date of planning panel the remaining issues will have been resolved and the objection removed.
- 6.45 Adopted Local Plan policies SDP6 (vii), SDP7(i) and SDP12 seek to ensure that major planning applications are supported by tree survey work and details of tree protection. The trees on site are protected by The Southampton (St. Marks C of E Primary School) Tree Preservation Order 2019. This makes them a material consideration in the planning process.
- 6.46 45 of the 48 trees on site (and 2 groups [making 77 trees in total]) are proposed to be felled as a consequence of the development. 56 of the trees are considered to be low quality with a maximum of 10 years life expectancy. 18 are moderate trees with a life expectancy of 20 years and there is only one tree of high quality (more than 40 years life expectancy). Compensatory planting can be provided on site to offset the impact and trees of greater future amenity potential can be added.
- 6.47 The principle of the development is not opposed by the Tree Team however the submitted Arboricultural Method Statement and Impact Assessment that accompanies the application is not of sufficient detail to allow the Tree Team to lend their support at present to the scheme. Whilst the loss of trees on site albeit of limited value is regrettable the provision of a new school and potential for replacement planting (2:1 ratio) outweighs the loss of trees from a planning perspective. Removed trees can be compensated for and an amended Arboricultural Method Statement and Impact Assessment will need to be submitted. Planning conditions can be applied to address the concerns of the Tree Team.
- 6.48 The ecological mitigation measures currently listed are deemed insufficient. However there would appear to be plenty of available space on the site to provide appropriate mitigation including tree planting and habitat creation. The details of the mitigation measures are being agreed at present with discussions taking place between the Council's Officers and the applicant's consultants.

Mitigation of direct local impacts

- 6.49 Planning obligations to mitigate against the impacts of the new larger school are recommended to be secured through an Internal Undertaking secured by condition.
- 6.50 The Internal Undertaking will ensure that the site is capable of being used outside of School hours by the wider community through the community use agreement and contributions will be secured to ensure that the School Travel Plan is updated to encourage other forms of travel instead of private cars.
- 6.51 Public realm improvements are also likely to be required securing provisions for highways improvements to assist pedestrian and cyclist safety and satisfy the site specific highway improvements for the scheme. The Undertaking will secure the final details of this proposal.

- 6.52 The Internal Undertaking will also secure the submission of a public art strategy, highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer, a Training & Employment Management Plan committing to adopting local labour and employment initiatives, and the submission, approval and implementation of a Carbon Management Plan setting out how the carbon neutrality will be achieved.

7 Summary

- 7.1 At the time of writing this report discussions are still taking place to secure the highest possible BREEAM standard and the most effective highways, ecology and tree mitigation measures and it is anticipated that improvements will be agreed above the current offer.
- 7.2 The replacement school will provide new and improved school facilities and there is a need to increase secondary school places in the Central Planning Area of Southampton by 1500 places by September 2022.
- 7.3 This project will therefore help to achieve the Council's statutory duty to provide sufficient school places as set out in s14(1) of the Education Act 1996. The St. Mark's School project forms part of this programme of secondary school expansion projects across the City and looks to provide 900 pupil places resulting in an all-through school, providing primary and secondary education for children between the ages of 4 – 16.
- 7.4 The application allows Southampton to in part achieve its obligations and the positive outcome of the development is judged to outweigh the negative impact regarding highway impact, sustainability standards and impact on trees & ecology.

8 Conclusion

- 8.1 The application is recommended favourably and delegation is needed to secure details of BREEAM and highways impact mitigation.

Local Government (Access to Information) Act 1985
Documents used in the preparation of this report Background Papers
1a-d, 2b-d, 4f, 4vv, 6a, c, d, i, 7a, 8a, 9a-b

MP for 11/02/2020 PROW Panel

PLANNING CONDITIONS*/Reason for refusal* (*Delete as necessary)

1.Full Permission Timing Condition (Performance Condition)

The development hereby permitted shall begin no 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).

2.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.

3.Internal undertaking agreement (Pre-Commencement Condition)

No development shall commence until an internal undertaking has been agreed and entered into with the Council covering the following heads of terms:

- i. Financial contributions towards 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 (as amended 2015), policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013);
- ii. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
- iii. The submission, approval and implementation of a Carbon Management Plan setting out how carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013).
- iv. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, in accordance with Policies CS24 & CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013).
- v. Submission approval and implementation of either a scheme of measures or a financial contribution towards a public art strategy for the site.
- vi. Submission and implementation within a specified timescale of a Travel Plan.

- vii. Secure a Community Use Agreement including public access to school facilities outside of school hours taking account of condition 41.
- viii. The submission, approval and implementation of a Carbon Management Plan setting out how the carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013).

Reason: Planning permission can be issued following the resolution of the Planning and Rights of Way Panel as the site is currently within Council ownership. Furthermore, as the development will create localised impacts a S.106 legal agreement is required in the interests of the proper planning of the area and to mitigate the impact of the development in accordance with Policy CS25 of the amended City of Southampton Core Strategy (2015).

4. Use Restriction [Performance Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), the buildings shall only be used for educational purposes with ancillary sporting and community uses 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 need for classroom spaces across the city, 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.

5. 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 09:30 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.

6. Details of building materials to be used (Pre External Elevations Condition)

Notwithstanding the details shown on the approved drawings no works shall commence on the construction of the external elevations of the buildings hereby approved until a schedule of materials and finishes (including samples and full details of the manufacturers, types and colours of the external materials) to be used for external walls, windows and the roof of the proposed buildings along with details of all means of enclosure/boundary treatment sand hard surface materials, have been submitted to and approved in writing by the Local Planning Authority.

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.

7. Wheel Cleaning Facilities [Pre-Use Condition]

During the period of the preparation of the site, excavation for foundations or services and the construction of the development, wheel cleaning facilities shall be available on the site and no lorry shall leave the site until its wheels are sufficiently clean to prevent mud being carried onto the highway.

Reason: In the interests of highway safety.

8. Construction Management Plan (Pre-Commencement Condition)

Before any development or demolition works are commenced details shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Plan for the development. The Construction Management Plan shall include details of:

- (a) parking of vehicles of site personnel, operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials, including cement mixing and washings, used in constructing the development;
- (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary;
- (e) measures to be used for the suppression of dust and dirt throughout the course of construction;
- (f) details of construction vehicles wheel cleaning; and,
- (g) details of how noise emanating from the site during construction will be mitigated.

The approved Construction Management Plan shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

Reason: In the interest of health and safety, protecting the amenity of local land uses, neighbouring residents, the character of the area and highway safety.

9. Access and Parking during demolition/construction [Performance Condition]

The application site shall at all times during the demolition and construction phase provide facilities for the loading/unloading/circulation of vehicles and for the parking of a maximum of 34 cars to serve the school use.

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.

10. Parking [Performance Condition]

The application site shall at all times, following the completion of the development, provide facilities for the loading/unloading/circulation of vehicles and for the parking of a maximum of 57 cars, 4 mini-buses and 274 bicycles to serve the school use as identified on the hereby approved plans. The parking and servicing areas shall thereafter be retained for parking/servicing use in association with the educational buildings and their "dual use" hereby approved only.

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.

11. Cycle Storage [Pre-Occupation Condition]

Before the building is first occupied full details and specifications of facilities to be provided for the secure storage of 274 bicycles shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage facilities shall be provided prior to the first occupation of the development hereby approved and retained thereafter whilst the site is used for education.

Reason: In the interests of visual amenity, the amenities of future occupiers of the development and the amenities of occupiers of nearby properties

12. Refuse & Recycling [Pre-Occupation Condition]

Before the building is first occupied details (and amended plans) of facilities to be provided for the storage, removal and recycling of refuse from the premises shall be submitted to the

Local Planning Authority and approved in writing. Such facilities as approved shall provide for a level approach and be permanently maintained and retained for that purpose.

Reason: In the interests of visual amenity, the amenities of future occupiers of the development and the occupiers of nearby properties and in the interests of highway safety.

13. Internal Lighting (Pre-Occupation Condition)

A written lighting scheme to demonstrate how the internal rooms of the building shall be illuminated outside of daylight so that lights are turned off in rooms when they are not required and methods of ensuring that neighbours do not experience significant light intrusion (in particular occupants of 255 Shirley Road), shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the hereby approved development.

Reason: To respond to neighbouring concerns/in the interests of neighbouring amenity and sustainability.

14. External Lighting [Pre-Occupation Condition]

A written lighting scheme to demonstrate how the parking areas and access routes across the site shall be illuminated outside of daylight hours, to include a light scatter diagram with relevant contours, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the hereby approved development. The installation must be maintained in accordance with the agreed written 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.

Reason: In the interest of safety and security and to prevent harm to local wildlife (in particular bats); and to protect neighbouring amenity.

15. 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.

16. Archaeological damage-assessment [Pre-Commencement Condition]

No development shall take place within the site until the type and dimensions of all proposed groundworks have been submitted to and agreed by the Local planning Authority. The developer will restrict groundworks accordingly unless a variation is agreed in writing by the Local Planning Authority.

Reason: To inform and update the assessment of the threat to the archaeological deposits.

17. Archaeological evaluation 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.

18. Archaeological evaluation 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.

19. Archaeological investigation (further works) [Performance Condition]

The Developer will secure the implementation of a programme of archaeological works in accordance with a written scheme of investigation which will be submitted to and approved by the Local Planning Authority.

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

20. Archaeological work programme (further works) [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.

21. Archaeological structure-recording [Pre-Commencement Condition]

No development shall take place within the site until the implementation of a programme of recording 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 recording of a significant structure is initiated at an appropriate point in development procedure.

22. Sustainable Drainage (Performance Condition)

No building hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the submitted Sustainable urban Drainage Systems are provided as required by government policy and Policy CS20 of the Southampton Core Strategy (Amended 2015).

23. Sustainable Drainage (Pre-Commencement Condition).

No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority (in consultation with Sothorn Water). Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the non-statutory technical standards for SuDS published by Defra (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To seek suitable information on Sustainable urban Drainage Systems as required by government policy and Policy CS20 of the Southampton Core Strategy (Amended 2015).

24. BREEAM Standards (Pre-Above Ground Works Condition)

With the exception of site clearance, demolition and preparation works, no development works shall be carried out until written documentary evidence demonstrating that the development will achieve at minimum Excellent against the BREEAM Standard, in the form of a design stage report, is submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

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).

25. BREEAM Standards [Performance Condition]

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum Excellent against the BREEAM Standard, in the form of post construction assessment and certificate as issued by a legitimate BREEAM certification body shall be submitted to the Local Planning Authority for its approval.

Reason: To ensure the development has minimised 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).

26. Zero or Low Carbon Energy Sources (Pre-Commencement Condition)

Confirmation of the energy strategy, including zero or low carbon energy technologies that will achieve a reduction in CO₂ emissions of at least 15% must be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development hereby granted consent. 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 ensure the development has minimised 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).

27. Noise Report - [Pre Occupation Condition]

Unless otherwise agreed in writing with the Local Planning Authority prior to the occupation of the hereby approved school the mitigation measures listed in the acoustic report and referenced below shall be fully implemented and thereafter permanently retained whilst the development is occupied for education purposes.

Acoustic report: ASSESSMENT OF NOISE FROM PROPOSED AGP & MUGA FACILITIES
Ian Sharland, 18 January 2020, Ref: M4328-TS-01.

- Acoustic barrier added to the outside of the all-weather playing pitches.
- Acoustic barriers built outside the perimeter fence, so they are protected from being hit by balls generating impact noise;
- All fencing must be securely clamped with resilient fixings to prevent vibrations;
- No signage shall be added to the fencing around playing pitches which might otherwise generate vibration and noise if the fence is struck by balls etc.
- Lightweight plastic shelters should be located away from the playing surface, preferably in recesses;
- All access routes should be located away from the adjacent housing, so far as is practical;
- Facilities shall be managed to avoid antisocial behaviour and unnecessarily raised noise levels; and

- Pitches used for hockey - solid backboards shall be lined with foam pads, to absorb impact energy.
- The use of the plant equipment shall not exceed the noise limits set out under Section 2.4.2 of the submitted noise report (ASSESSMENT OF NOISE FROM PROPOSED AGP & MUGA FACILITIES Ian Sharland, 18 January 2020, Ref: M4328-TS-01) which states: 'The Local Authority will seek to ensure that noise from new mechanical services are limited to a level which is at least 10 dB below the existing level of background noise. Based on a survey of external noise conducted in March 2019, the following limits will be applied:
- Table 18 – External Noise Limits for New Building Services Plant Period Maximum Acceptable Noise Level from New Building Services Plant, LAeq, t dB(A):
 - 0700 – 1900 27 LAeq, t dB(A)
 - 1900 – 2300 25 LAeq, t dB(A)
 - 2300 – 0700 22 LAeq, t dB(A)

It should be noted that the levels are to be assessed at the facade of any adjacent noise sensitive property. Furthermore, if the noise under consideration is considered to be tonal, intermittent or otherwise of a noticeable character, the corrections set out in British Standard 4142 are to be applied

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

28. Land Contamination investigation and remediation (Pre-Commencement & Occupation)
Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved by the Local Planning Authority. That scheme shall include all of the following phases, unless identified as unnecessary by the preceding phase and approved in writing by the Local Planning Authority:

1. A desk top study including;
 - historical and current sources of land contamination
 - results of a walk-over survey identifying any evidence of land contamination
 - identification of the potential contaminants associated with the above
 - an initial conceptual site model of the site indicating sources, pathways and receptors
 - a qualitative assessment of the likely risks
 - any requirements for exploratory investigations.
2. A report of the findings of an exploratory site investigation, characterising the site and allowing for potential risks (as identified in phase 1) to be assessed.
3. A scheme of remediation detailing the remedial actions to be taken and how they will be implemented.

On completion of the works set out in (3) a verification report shall be submitted to the Local Planning Authority confirming the remediation actions that have been undertaken in accordance with the approved scheme of remediation and setting out any measures for maintenance, further monitoring, reporting and arrangements for contingency action. The verification report shall be approved by the Local Planning Authority prior to the occupation or operational use of any stage of the development. Any changes to these agreed elements require the express consent of the local planning authority.

Reason: To ensure land contamination risks associated with the site are appropriately investigated and assessed with respect to human health and the wider environment and where required remediation of the site is to an appropriate standard.

29. 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.

30. 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. The development shall proceed in accordance with the agreed details unless otherwise agreed in writing by 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.

31. 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.

32. 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:

- o Induction and personnel awareness of arboricultural matters.
- o Identification of individual responsibilities and key personnel.
- o Statement of delegated powers.
- o Timing and methods of site visiting and record keeping, including updates.
- o 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.

33. Landscaping, Lighting & Means of Enclosure Detailed Plan [Pre-Occupation Condition]
Notwithstanding the submitted details before the occupation of the development hereby approved 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 tree pit design, 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 and agreed in advance);
- 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.

34. Window specification limitations [Performance Condition]

All windows shall have a reveal of at least 100mm from the finished facade.

Reason: In the interests of amenity by endeavouring to achieve a building of visual quality.

35. Plant Equipment Screen (Pre-Commencement Condition).

Notwithstanding the details shown on the approved drawings no works shall commence on the construction of the external elevations of the buildings hereby approved until a scheme is submitted to and approved in writing by the Local Planning Authority showing how the plant equipment at roof top level is to be screened. Once approved the plant equipment screen shall be installed prior to the occupation of the building and shall be retained in perpetuity.

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

36. Floodlit Multi Use Games Technical details. (Pre-Occupation Condition).

The floodlit Multi Use Games Area hereby permitted shall not be constructed other than substantially in accordance with Sport England's technical design guidance: Artificial Surfaces for Outdoor Sport (2013): <https://www.sportengland.org/facilities-and-planning/design-and-cost-guidance/artificial-sports-surfaces/>.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy CS21.

37. Artificial Grass Pitch (Pre-Occupation Condition).

Use of the Artificial Grass Pitch shall not commence until:

(a) certification that the Artificial Grass Pitch (AGP) hereby permitted has met FIFA Quality Concept for Football Turf – FIFA Quality or equivalent International Artificial Turf Standard (IMS) and

(b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is fit for purpose and sustainable, provides sporting benefits and to accord with Development Plan Policy CS21.

38. Artificial Grass Pitch management and maintenance (Pre-Occupation Condition).

Before the Artificial Grass Pitch (AGP) is brought into use, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. This should include measures to ensure the replacement of the Artificial Grass Pitch within a specified period. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the Artificial Grass Pitch.

Reason: To ensure that new facilities are capable of being managed and maintained to deliver facilities which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport and to accord with Development Plan Policy 21.

39. Playing field drainage (Pre-Occupation Condition).

No drainage works/improvements to the playing field shall commence until a scheme for the management and maintenance of playing field drainage, including a management and maintenance implementation programme, shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The playing fields shall thereafter be managed and maintained in accordance with the approved scheme.

Reason: To ensure the quality of playing field/pitches is satisfactory.

40. Flood Lighting (Performance Condition)

The development shall be carried out in accordance with floodlighting drawing Lighting Project: Horizontal and vertical illuminance levels, St Marks School, UKS17076-3A, 18/07/2019

Reason: In the interest of residential amenity/to minimise the impact on protected species.

41. Sports pitches hours of use (Performance Condition)

The outside sport pitches and flood lighting approved shall not operate for the purposes of community use outside the following hours:

5pm to 8.30pm Monday to Friday; and

9am – 7pm Saturday and Sunday

School use of the flood lighting and outside playing pitches shall also not operate outside the following hours

8am to 8.30pm Monday to Friday; and

9am – 7pm Saturday and Sunday

The sports pitches shall not be used for community use during daytime school hours within term times. The flood lighting shall be switched off when there are no evening bookings during the above operating hours.

Reason: To protect the amenities of the occupiers of existing nearby residential properties. Hours of use beyond 6pm in the evening would result in noise disturbance to neighbouring residential properties, contrary to policies SDP1(i) and SDP16(i) of the City of Southampton Local Plan Review (2015).

42. Obscured window specification [Performance Condition]

The windows in the north west flank elevation, facing the neighbouring property 255 Shirley Road, of the main school building which fronts onto Shirley Road at ground, first and second floor level [serving the classrooms and stair wells] must be obscured and shall only have a top light opening above a height of 1.7m above the floor level of the room to which it serves unless (at ground floor) it can be demonstrated prior to occupation that the boundary treatment defining the site is sufficient to prevent harmful overlooking.

Reason: To protect the privacy enjoyed by the occupiers of the adjoining property.

43. Staggered start and finishing times (Pre Occupation Condition)

The development hereby approved shall not be occupied until the start and end of the school day for primary and secondary year groups are agreed in writing by the local planning authority. The primary schools start and finishing times shall be staggered from the secondary year groups start and finish times. Once agreed the development shall be carried out in accordance with the agreed details.

Reason: To limit the impact of the development on the highways network during peak drop off and pick up times and the start and end of the school day.