

Southampton City Planning & Sustainability
 Planning and Rights of Way Panel meeting 16th March 2010
 Planning Application Report of the Head of Division

Application address: Upper Shirley High School, Bellemoor Road, Southampton			
Proposed development: Redevelopment of the site with erection of a replacement school building (up to 8,350 square metres gross floor space) with relocated sports pitches, associated parking and vehicular access from two positions in Bellemoor Road following demolition of the existing buildings (Outline application: means of access for consideration			
Application number	09/01328/OUT	Application type	Outline
Case officer	Richard Plume	Application category	Q12 Majors S - other

Recommendation Summary	Delegate to Development Control Manager to grant planning permission subject to criteria listed in report (Regulation 3 application)
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Reason for Panel consideration	Application submitted on behalf of Southampton City Council
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Applicant: Southampton City Council	Agent: Capita Symonds
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Date of receipt	18.12.2009	City Ward	Shirley
Date of registration	07.01.2010	Ward members	Cllr Cooke
Publicity expiry date	11.02.2010		Cllr Dean
Date to determine by	08.04.2010 IN TIME		Cllr Matthews

Site area	33,790sq.m (3.3ha)	Usable amenity area	N/A		
Site coverage	N/A - Outline	Landscaped areas	N/A		
Density - whole site	N/A				
Residential mix	numbers	size sq.m	Other land uses	class	size sq.m
Studio / 1-bedroom	N/A	N/A	Commercial use	N/A	N/A
2-bedroom	N/A	N/A	Retail use	N/A	N/A
3-bedroom	N/A	N/A	Leisure use	N/A	N/A
other	N/A	N/A	other	D1	upto 8350sqm

accessibility zone	Low	policy parking max	1.5 spaces/classroom
parking permit zone	no	existing site parking	41 spaces
cyclist facilities	yes	car parking proposed	41 spaces
motor & bicycles	Not determined	disabled parking	2 spaces

Key submitted documents supporting application			
1	Design & Access Statement	2	Statement of Community Involvement
3	Planning Supporting Statement	4	Ecology Report
5	Contaminated Land Report	6	Biodiversity Checklist
7	Sustainability Checklist	8	Flood Risk Report
9	Tree Survey	10	Archaeology Report
11	Transport Assessment	12	Travel Plan
13	Acoustics Report		

Appendix attached			
1	Development Plan Policies	2	Planning History
3	Planning Conditions		

Recommendation in full

Grant conditional planning permission subject to conditions.

Procedural Context

Councils Own Development

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

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

Application Content

A modification of the outline planning application procedure was introduced in August 2006 by the Government. These changes require applicants to demonstrate more clearly that their proposals have been properly considered in light of the relevant development plan policies and guidance. As a minimum Circular 01/2006 (Guidance on Changes to the Development Control System) explains that outline applications should now include (as a minimum) information relating to land use, the amount of development, an indicative layout, scale parameters and indicative access points.

Background

The process leading up to the submission of this application and this project's place within the City Council's wider objective of achieving better educational attainment and attendance.

The Building Schools for the Future (BSF) project aims to rebuild or renew nearly every secondary school in England and will deliver the Government's 'Every Child Matters' agenda. As part of this agenda every BSF school will offer additional or "dual use" facilities (such as sports halls, libraries, nurseries and ICT) to the wider community. Southampton BSF was launched in Spring 2009.

The expectation of the HM Treasury and its partners is that the planning risk of each project is mitigated as far as reasonable and an initial outline planning application has been submitted to secure broad principles and give sufficient certainty to the procurement process and funding.

The detailed design and layout of the scheme is not currently known and will be pursued in due course in the event of a successful outline planning application.

Site and surrounding context

The application site is approximately 3.3ha in area and is situated on the north side of Bellemoor Road between the junctions with Wilton Road and Pentire Avenue. The existing school buildings are a mixture of single-storey, 2-storey and 3-storey of various ages and styles and are concentrated in the middle and western parts of the site. The eastern part of the site is used for sports provision with a grassed playing field and enclosed hard surfaced

tennis courts. There is currently a single vehicular access to the school which is in the south western part of the site between 46 and 60 Bellemoor Road. In the south eastern part of the site, between 80 and 82 Bellemoor Road is what is understood to be a former vehicular access. There is a lowered kerb 'crossover' to the street but the access has been closed off with an established hedge and fence with the land within the school grounds being grassed and used for sports activities. It is proposed to provide a new 'secondary' vehicular access in this position.

The immediate surroundings are predominantly residential in character with 2-storey houses adjoining in Queen's Road, Pentire Avenue and Bellemoor Road. On the north western side of the school are retail/leisure uses in large retail 'sheds' on Winchester Road. The rear of these buildings closely adjoins the school grounds. The land slopes up from south to north across the site which is situated in Flood Risk Zone 1 and therefore is at low risk of flooding.

Proposed development

The outline application is made with all matters reserved except access, which is listed for consideration. The main vehicular access and the pedestrian access would continue to be in the existing location. This access would serve the school car park which would remain unaltered in terms of the number of parking spaces. A new vehicular access would be created between 80 and 82 Bellemoor Road with a new access road running along the rear of the houses in Pentire Avenue. This access road will be for servicing and delivery access only and would have a controlled gated entrance.

All other details, including Appearance, Landscaping, Layout and Scale are indicative at this stage and are reserved for consideration at the 'reserved matters' stage. An indicative site layout is provided which shows the proposed new school building along the north-western boundary adjoining the proposed retail units in Winchester Road. The layout indicates that the existing all-weather pitch would be retained to the rear of the houses in Queens Road. Additional sports facilities would be provided in the form of a new Multi Use Games Area (MUGA) and enlarged replacement sports pitches to provide two football pitches and provision for summer sports. The indicative landscape plan shows proposed woodland buffer planting along the boundaries with the properties in Winchester Road, Pentire Avenue and Bellemoor Road. A habitat zone is indicated in the south-east corner of the site.

The Estates Appraisal has concluded that it is not economically viable, or desirable from a functional educational perspective, to repair or refurbish the existing buildings as they will not meet modern educational standards. It is therefore proposed to construct a new school building on part of the existing playing fields/open space within the school site. This would be a tandem build whereby the existing school facility will remain unaffected and pupils will continue to attend and then decant across to the new facility once it is completed.

The proposed new school building would provide a maximum of 8,350sqm of new floorspace, compared to the existing building of 5,442sqm which is to be demolished. The building is indicated to be 3-storeys in height and would be built a minimum distance of 300m from the eastern site boundary. The capacity of the school is proposed to increase from 750 pupils to 912. At January 2009 the school had a pupil roll of some 579 students.

Following the completion of the new school and replacement sports pitches these will be provided for school and community use. Details of the arrangements for this dual use will be provided at the reserved matters stage. The applicant has confirmed that if the all weather pitch is retained in its current location the hours of use of this pitch will not change from that previously approved (0800 to 1700 hours Mondays to Fridays during school term time).

No additional car parking is proposed and 41 parking spaces will be relocated and re-provided to the western part of the site.

Relevant Planning Policy

LDF Core Strategy - Planning Southampton to 2026

Following the receipt of the Inspector's Report from the Examination into the Southampton Core Strategy Development Plan Document (13/10/09) and its consideration and adoption by the Council (20/01/10) the policies of the LDF Core Strategy, and those "saved" from the Local Plan Review, form the planning policy framework against which this application should be determined. The relevant policies are set out at **Appendix 1**.

The application site is not allocated in the current development plan, although the existing playing pitches are designated under Local Plan "saved" 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.

Local Plan Policy L1 has been superseded by LDF Core Strategy Policy CS11, which supports the development of new educational facilities on school sites and encourages wider community use of those facilities outside of school hours. The South-East Plan recognises the need to improve education and skills to strengthen the region's economy.

Sustainability Implications

Major developments are expected to meet high sustainable construction standards in accordance with the City Council's adopted and emerging policies. In accordance with adopted Local Plan "saved" Policy SDP13 and Core Strategy Policy CS20 the applicants have made a commitment to securing a building with "excellent" design credentials when assessed against the Building Research Establishment Environmental Assessment Method (BREEAM). The design team will adopt an approach that reduces carbon emissions through the provision of high levels of insulation. Low and zero carbon technologies will also be employed to offset a percentage of CO₂ emissions that each building generates through its functional operation. As the detailed design is, however, currently unknown the attached planning condition is recommended to secure delivery at the 'reserved matters' stage.

Relevant Planning History

The school has expanded on a number of occasions since it was built in the 1960's. There have been many subsequent planning decisions not all of which are relevant to the current planning application. The relevant decisions are set out at **Appendix 2** to this report

Consultation Responses and Notification Representations

Consultation took place by the school's governing body before the planning application was submitted. Parents, staff and local residents were sent a leaflet about the proposal and invited to a consultation event at the school. There were also dedicated web pages about the consultation which were viewed by 245 people. More than 20 people attended the consultation event and 49 sent in written responses. This resulted in a change to the proposed siting of the new building.

A publicity exercise in line with department procedures has been undertaken which included notifying adjoining and nearby landowners, placing a press advertisement and erecting a site notice. (10/12/09). At the time of writing this report 17 representations had been received from surrounding residents.

Summary of Representations made

Concern expressed about the siting of the proposed MUGA and its hours of use. Planning permission has been refused in the past for a MUGA directly behind the houses in Queens Road and permission only subsequently granted for an all weather pitch with strictly controlled hours of use. The existing use is relatively unobjectionable but extending the hours for the new MUGA would result in noise and disturbance to neighbours.

Response

These concerns are accepted and similar comments have been made by the Council's Environmental Health officer. A balance needs to be struck between ensuring wider community use of improved school and sports facilities as encouraged by Core Strategy Policy CS11 and safeguarding residential amenity. Full details of the proposed dual use arrangements are not currently available and the details can be secured through a planning condition. Furthermore, as this is an outline planning application with only access for consideration at this stage, the siting of the proposed MUGA and other sports facilities is not yet known. The precise location of the MUGA and necessary noise mitigation measures will be addressed at the reserved matters stage. The applicant has confirmed that in the event of the existing all weather pitch remaining in its current location the existing planning restriction on the hours of use will be maintained.

The scale of the proposed buildings and the proximity to the houses in Pentire Avenue would result in overshadowing, loss of privacy, light and noise pollution and an overwhelming impact. The proposed new building should be set as far away from the houses in Pentire Avenue as possible. The distance is indicated to be 30 metres but a larger distance would be preferable. Side elevation drawings should be provided to assess the environmental impact of the new building.

Response

As this is an outline application, with the exception of the access details, the drawings are indicative and full details to assess the impact of the building, including side elevations and window positions are not available. This impact will be assessed at the reserved matters stage although a condition could be imposed to set the parameters of the new building which could include a limitation on the proximity to the site boundaries.

The proposed new access road will result in increased noise and pollution for those living in the vicinity due to the use by lorries, vans and coaches. There is no reason why the school cannot operate successfully using a single shared pedestrian and vehicular access point. No details of lighting to the access road have been provided. If the secondary access is to be approved it should be restricted to preclude parking on the driveway and the hours of use should be restricted to between 9.00 and 6.00 only.

Response

The area between 80 and 82 Bellemoor Road is currently grassed over and is used in connection with the sport/playing field use of the school. There is some evidence that this area was the site of a former vehicular access (as there is a lowered kerb in the street). However, this access has effectively been closed up and clearly has not been used as an access for many years. There is no question that the creation of a new vehicular access between two houses and running along the rear boundary of the houses in Pentire Avenue

would have some adverse impact on the amenities of these neighbours. However, the applicants consider there to be benefits in separating the delivery access from the main entrance for pupils. Other access arrangements may reduce the area of sports pitch provision and alter the future siting of the building. No details of external lighting have been provided. Conditions can be imposed to restrict the nature of the use of this access, the hours of use and the external lighting which would limit the adverse impact on the amenities of neighbours.

The proposed secondary access will cause safety concerns due to the number of school children who use this road for the different schools. If there is to be an additional vehicular access to the school site, particularly for construction traffic, it should come through the Wickes site on Winchester Road, which would prevent problems for neighbours

Response

The Council's highways officer is satisfied that the visibility for the proposed access is acceptable in safety terms. The alternative access through third party land to the north of the site is not practical.

No additional car parking is to be provided. Bellemoor Road already suffers from overspill parking used by staff and visitors. The formation of a new access will result in existing on-street car parking spaces being removed and make the use of adjoining driveways difficult and dangerous to use.

Response

It is not proposed to increase the current amount of on-site car parking. A Travel Plan has been submitted and will be updated which aims to reduce the level of single use car trips. The creation of the new vehicular access will lead to a minor reduction in on-street car parking but the application has been amended to remove a previously proposed raised vehicle table following objections from local residents. This will mean that manoeuvring into adjoining driveways would not be materially altered.

Improvements to boundary treatment and additional landscaping is welcomed providing this does not lead to loss of light to neighbours but there are insufficient details to comment at this stage.

Response

The details of landscaping and boundary treatment provided are indicative at this stage. Full details of hard and soft landscaping, including boundary treatment will be submitted at the reserved matters stage.

There is no information in the application detailing the use of the school facility outside school hours. This lack of information and inaccuracies in the documents mean there are insufficient details to determine the application.

Response

As originally submitted the application was not particularly clear with regard to the proposed hours of use and arrangements for dual use with community use of the new facilities. The applicant has now clarified the proposed dual use arrangements and neighbours have been notified accordingly.

Concern expressed about hours of construction given disturbance caused in the past. The previous use of the site may mean that asbestos will be on the site.

Response

These issues can be addressed through conditions regulating the construction hours and potential contamination as recommended by Environmental Health.

Following the receipt of additional information on the proposed hours of community use neighbours have been reconsulted. Any additional representations will be reported at the meeting.

Summary of Consultation comments

SCC Highways - No highway objections raised subject to planning conditions being imposed. The principle of the redevelopment is acceptable as is the use of the main and secondary access. The sight line arrangements for the secondary access are not acceptable as shown and should be modified. (Note: the visibility arrangements have subsequently been modified). Additional details will be required on cycle parking, control measures for the new access road and surveillance of the car parking area.

SCC Ecologist - No objection to the proposed development providing a biodiversity mitigation and enhancement plan is submitted at the reserved matters stage. The site consists of a number of buildings, plus extensive areas of amenity grassland and hard standing. There are also scattered trees, dense scrub, a species-poor hedgerow, an allotment, semi-improved grassland and Japanese knotweed.

An ecology report submitted with the planning application concluded that overall the site is of low overall ecological value. However, there is moderate potential for breeding birds and low potential for foraging/commuting bats. The buildings were considered to have low to negligible potential for bat roosts. These findings are accepted. The lack of detailed development proposals for the site means that the biodiversity mitigation and enhancement measures are currently just suggestions. A condition should be applied to any permission requiring the submission of a detailed biodiversity mitigation and enhancement plan. This plan should include the findings of any bat emergence surveys that have been recommended. This will ensure that potential impacts on bats have been fully considered and will enable the Local Planning Authority to discharge its duty in respect of the Habitats Regulations 1994.

SCC Sustainability – The application indicates that the scheme has been designed with the incorporation of sustainability measures. A feasibility study into sustainable energy producing technologies has not yet been undertaken although due to the scale of the site there is the potential to add such technologies. The Sustainability Checklist does commit to review the use of biomass, ground source heat pumps and solar panels. The intention to achieve BREEAM excellent standard is supported. The amount of hardstanding proposed would not be a significant increase over and above the existing. Therefore, there should not be the requirement for intensive SUDS provision.

SCC Environmental Health (Contaminated Land) - No objections raised subject to the attached planning conditions. Annex 2 of PPS23 considers the proposed land use as being sensitive to the affects of land contamination. To ensure compliance with PPS23 and Policies SDP1 and SDP22 of the City of Southampton Local Plan Review the site should be assessed for land contamination risks and, where appropriate, remediated to ensure the long term safety of the site.

SCC Environmental Health (Pollution & Safety) – Concern expressed about the positioning of the proposed MUGA and the noise objections this could cause. The acoustic report submitted is contradictory and the predicted noise levels are at some receptors above the maximum levels adopted by the applicant, take no account of the existing background noise level and will be an issue during the day time, affecting the amenity of

the area and likely to cause nuisance. The proposed MUGA either needs a much better barrier which will result in an enclosure or a building around it or for it to be relocated where the hours of use can be more relaxed.

SCC Trees - The trees on this site are under Council ownership, they are therefore considered to have the same protection as a Tree Preservation Order. They do, therefore constitute a material consideration in the planning process. The proposals would indicate the removal of 9 individual trees and 4 Groups. These include B, C and R graded trees some of which are prominent trees and provide some a visual public amenity. Although the Tree Officer is unable to support the removal of these healthy trees, the indicative drawings suggest the site will benefit from an avenue of 24 new trees from the entrance and considerable tree planting as proposed woodland around the boundaries of the site. The avenue will provide an arboricultural feature of greater value than the existing and the amount of proposed woodland will have a major environmental improvement to the area.

Sport England – The application indicates that the amount of playing field land provided when the development is completed will increase by approximately 2,700 square metres. The new playing field area will also be wider than the existing school playing field which will allow for a larger range of pitch sizes to be laid out. Taking into account the specific nature of this application and based on the understanding that the additional good quality playing field will be secured (and made available to the community), Sport England is satisfied that the proposed development meets with the principle of Sport England’s Playing Fields Policy. It is noted that the replacement and additional playing field land will not be provided prior to the commencement of development. However, in this case as approximately 2,700 sq.m. of additional playing field land will be provided once the development is completed, allowing for a better arrangement of pitches (of improved quality), it is considered that the proposed benefits outweigh this concern. Sport England therefore have no objection to the application providing conditions are imposed relating to: community use of the playing field and new sports facilities; protection of the existing playing field land during the redevelopment of the school site; and appropriate works to the proposed playing field to ensure that the pitches can accommodate both educational and community use.

Environment Agency – No objections are raised following the submission of an acceptable Flood Risk Assessment. If planning permission is to be granted a condition should be imposed relating to surface water drainage arrangements.

Hampshire Constabulary – Within the Design and Access Statement, the applicant alludes to the community use of the new school facilities. Although this will provide a valuable resource to the community, at the appropriate stage a management plan must be drawn up to determine how the security risk to the property and the likelihood of anti social behaviour will be reduced. The car parking arrangement does not appear to have good surveillance from the main school building, CCTV and appropriate lighting should be provided. Schools generally experience a greater amount of crime reporting than buildings of other uses. As the Council has a duty to consider crime and disorder, the applicant should take reasonable steps to achieve Secured by Design accreditation.

Planning Consideration Key Issues

The key issues for consideration in the determination of this planning application are:

- i. Principle of development;
- ii. Sports pitch re-provision and phasing;
- iii. Design;
- iv. Residential amenity; and
- v. Highways and parking;

Principle of Development

The site is currently in educational use (Use Class D1) and the redevelopment proposals for a larger school are considered appropriate given the recent decision for the school to become co-educational. A maximum increase of approximately 2,900sqm. floorspace is proposed which will increase the capacity of the school from 750 to 912 pupils, although it should be noted that for the last four years the school roll has been less than 600 pupils. The new building will provide improved facilities meeting corporate as well as planning policy aims of the Development Plan for Southampton, principally Policy CS11 (An Educated City) from the adopted LDF Core Strategy (2010). The proposed redevelopment of the site is therefore acceptable in principle.

Sports Pitch Re-Provision & Phasing

As part of this outline application for the replacement school, and as well as demonstrating that the quantum of development can be accommodated, the applicant needs to satisfy the Local Planning Authority that the redevelopment can be undertaken without compromising the school's ability to provide continuous education provision, including access to external play space to serve the needs of the pupils. LDF Core Strategy Policy CS21 (Protecting and Enhancing Open Space) seeks to retain the quantity, and improve the quality, of existing open space provision. There is a presumption against developing existing school playing pitches unless alternative provision of equal (if not better) space is provided.

In this case the amount of open space for sports provision would be enlarged by approximately 2,700sqm. The current sports pitch provision is limited by the size and shape of the playing field. The proposed new facilities would allow better pitches to be provided allowing for a greater range of sports provision. The application is supported by Sport England subject to conditions being imposed.

Design

The adopted LDF Core Strategy Policy CS13 continues the Council's commitment to securing high quality design. The application is in outline with Appearance, Siting, Scale and Landscaping reserved for later consideration. No further details are currently available as the proposed site plan is indicative at this stage. A condition can be imposed which define the parameters of the building for the future design phase. Additional buffer landscaping will be secured at the reserved matters stage.

Residential Amenity

The proposed development will result in a material change to the character, appearance and scale of the existing school. The potential capacity of the school once rebuilt would significantly exceed the current school roll. There would also be greater community use of the new facilities. These improvements offer considerable public benefits. However, near neighbours will be affected by these changes in terms of additional vehicle movements with a new vehicular access and increased use outside school hours. Whilst the proposed site plan is indicative at this stage the Council needs to be satisfied that a school of 8,350sqm with its requirements for external sports pitches can be accommodated on this site before issuing outline planning permission. The submission indicates that the building will not exceed 3-storeys in height and a minimum 30m distance has also been identified from the boundary with neighbouring properties. At the detailed design stage the Local Planning Authority will be able to give full consideration to the impact of the building on its neighbours and can encourage a design solution that removes development from the most sensitive boundaries of the site.

Previous planning applications for a MUGA on this site have been contentious and the current application includes a new MUGA in addition to the existing all weather pitch which is at the rear of the properties in Queens Road. The location of the proposed new MUGA is indicative at this stage and an appropriate suitably enclosed location will need to be pursued at the reserved matters stage. The applicants have confirmed that, in the event of the existing all weather pitch remaining in the current location, the same hours of use previously permitted will be maintained.

The main objection to the current proposals concern the proposed secondary access road from Bellemoor Road and its impact on highway safety and residential amenity. The introduction of the new access will clearly impact on the existing residential amenity of residents directly adjoining in Bellemoor Road and Pentire Avenue. It is proposed that this access will be used by service vehicles and coaches and will not be the principal access to the school. Conditions can be imposed to restrict the future use of this access and additional landscaping and new improved boundary treatment can be secured at the detailed design stage. No objections to the proposed access have been received from either the Council's Environmental Health or Highways Officers. Subject to the imposition of conditions to mitigate the impact of the use of this access it is considered that residential amenity would not be so adversely affected as to justify withholding permission in this case.

Highways, Access & Parking

A Transport Assessment (TA) and proposed travel plan have been submitted to support the application. From surveys undertaken in September 2007 it is estimated that 38% of students walk the entire journey to school with 56% of students walking at least part of the journey, approximately 20% travel by car, and approximately 12% cycle. Based on this modal split it is estimated that following redevelopment a maximum of 44 additional vehicles are forecast to use Bellemoor Road during the morning peak period with 30 additional vehicles arriving during the afternoon peak. This increase in traffic will not have an adverse impact on the transport network. Furthermore, the modal split may change favourably as part of the ongoing implementation of the school's Travel Plan.

It makes sense to intensify educational use on this large site that is at the heart of its local community, encouraging healthier lifestyles by walking and cycling to the site as well as cutting down cross-town traffic that might have otherwise occurred should students have to attend schools elsewhere. The ongoing implementation of the Travel Plan will discourage parents from entering the school site for collection and drop off and will encourage the use of non-car modes and car sharing.

In terms of car parking there is no increase in on-site provision proposed. 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 Council's adopted maximum standards for schools is 1.5 spaces per classroom. The number of classrooms will not be finalised until the detailed design stage however it is considered appropriate to discourage use of the private car by continued implementation of a travel plan, which could be regularly monitored.

Summary

At this "outline" stage there is sufficient information, as detailed by the indicative siting plan, to conclude that redevelopment with a replacement school (of up to 8,350sq.m of floorspace) and improved sports pitch provision can be accommodated without significant detriment to the character of the area, the amenities of neighbours or highway safety. The proposed phasing allows for continuous education to take place on site, with the retention

of direct access for pupils to a good quality sports provision throughout (and after) the construction phase. Detailed matters relating to design, landscape and means of enclosure with security measures can be secured at the reserved matters stage.

Conclusion

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

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1(a), 1(b), 1(c), 1 (d), 2 (a), 2 (c), 2 (d), 3(a), 4 (c), 4 (e), 4 (g), 5 (e), 6(a), 6(c), 6(e), 6(k), 7(a), 7(g), 7 (i), 7(k), 7 (n), 7 (o), 7(u), 7 (v),7 (w), 7 (x), 8(a), 9(a), 9(b), Draft South East Plan, City Plan Review (Adopted Version) as saved by the adopted Core Strategy (2010)
RP for 16.03.10 PROW Panel

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

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

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

SDP1	General Principles
SDP2	Integrating transport and Development
SDP3	Travel Demands
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Context
SDP8	Urban form and public space
SDP9	Scale, Massing and Appearance
SDP10	Safety and Security
SDP11	Accessibility and Movement
SDP12	Landscape and biodiversity
SDP13	Resource conservation
SDP14	Renewable Energy
SDP15	Air quality
SDP16	Noise
SDP17	Lighting
SDP20	Flood Risk
SDP21	Water Quality and Drainage
SDP22	Contaminated land
NE4	Protected Species
L1	School development
IMP1	Infrastructure

South East Plan (Regional Spatial Strategy)

SP1	Growth and regeneration in sub-regions
SP2	Support for development which increases use of public transport
SP3	Urban focus and urban renaissance
SP4	Regeneration and social inclusion
CC1	Sustainable development
CC2	Climate change
CC3	Resource use
CC4	Sustainable design and construction
CC6	Sustainable communities and character of the environment
CC7	Infrastructure and implementation
RE1	Contributing to the UK's long term competitiveness
RE2	Supporting regionally important sectors and clusters
RE5	Smart growth

RE6	Competitiveness and addressing structural economic weakness
T1	Manage and invest
T2	Mobility management
T4	Parking
T5	Travel plans and advice
NRM1	Sustainable water resources and groundwater quality
NRM2	Water quality
NRM5	Conservation and improvement of biodiversity
NRM9	Air quality
NRM10	Noise
NRM11	Development design for energy efficient and renewable energy
BE1	Management for an urban renaissance
BE2	Sub-urban intensification
BE3	Sub-urban renewal
S3	Education and skills
S4	Higher and further education
S5	Cultural and sporting activity
S6	Community infrastructure
SH1	Core policy for regeneration of South Hampshire
SH7	Sub-regional transport strategy

Saved policies of the Hampshire County Structure Plan Review (27.9.2007)

T5	Transportation requirements in relation to development
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Other guidance

PPS1	Delivering sustainable development
PPS9	Biodiversity and geological conservation
PPG13	Transport

In particular paragraph 38 states:-

'Higher and further education establishments, schools and hospitals are major generators of travel and should be located so as to maximise their accessibility by public transport, walking and cycling. Similarly, proposals to develop, expand or redevelop existing sites should improve access by public transport, walking and cycling.'

Paragraph 49 states:-

'Reducing the amount of parking in new development (and in the expansion and change of use in existing development) is essential, as part of a package of planning and transport measures, to promote sustainable travel choices. At the same time, the amount of good quality cycle parking in developments should be increased to promote more cycle use.'

And paragraph 51 states:-

'...in developing and implementing policies on parking, local authorities should ensure that, as part of a package of planning and transport measures, levels of parking provided in association with development will promote sustainable travel choices; and, not require developers to provide more spaces than they themselves wish, other than in exceptional circumstances which might include for example where there are significant implications for road safety which cannot be resolved through the introduction or enforcement of on-street parking controls.'

PPG17	Planning for Open Space, Sport and Recreation
PPS23	Planning and pollution control
PPG24	Planning and Noise
PPS25	Development and Flood Risk

RELEVANT SITE HISTORY

1992 – P.P. granted for erection of a 2.4 m high metal palisade fence to north boundary (92/11183/R4CC)

1995 – P.P. granted for erection of double temporary classroom near main building (95/11001/R3CC)

1998 – P.P. granted for siting of two temporary classroom units (98/10967/R3CFL)

1998 – P.P. granted for construction of 3.6m high chain link perimeter fence to new play courts (condition imposed that no lighting to be installed without prior written approval – 98/10968/R3CFL)

2000 – P.P. granted for installation of a CCTV pole (00/00038/R3CFL)

2000 – P.P. granted for alterations to path lighting and new columns and street lighting (00/00916/R3CFL)

2001 – P.P. granted for single-storey extension to main hall (00/00755/R3CFL)

2002 – P.P. granted for provision of 7 additional car parking spaces (02/00066/R3CFL)

2003 – P.P. granted for construction of a sports hall and changing rooms (03/00703/R3OL)

2008 – P.P. granted for siting of three temporary classrooms (07/01809/R3CFL)

2008 – P.P. refused for installation of a Multi-Use Games Area (MUGA) to include synthetic turfed sports play area enclosed with 4m high perimeter fence (08/00203/FUL – reason for refusal relates to hours of use and impact on the amenities of neighbours)

2008 – P.P. granted for a new hardsurfaced playground area to the south west of the school (08/01096/R3CFL)

2009 – P.P. granted for erection of 4m high fencing to sports pitch (09/00104/R3CFL)

RECOMMENDATION: CAP

CONDITIONS for 09/01328/OUT

01. APPROVAL CONDITION - Commencement

The development hereby permitted shall be begun before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last reserved matter to be approved, whichever is the later.

REASON:

To comply with S.92 of the Town and Country Planning Act 1990 (as amended).

02. APPROVAL CONDITION - Submission of Reserved Matters

The details of the proposed ACCESS are hereby approved and shall be implemented in accordance with the approved plans. Further application(s) for the approval of the following reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission:

- a) LAYOUT, namely the way in which buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development;
- b) SCALE, namely the height, width and length of each building proposed in relation to its surroundings;
- c) EXTERNAL APPEARANCE, namely the aspects of a building or place which determine the visual impression it makes;
- d) LANDSCAPING, namely the treatment of private and public space to enhance or protect the site's amenity through hard and soft measures, for example, through planting of trees or hedges or screening by fences or walls.

REASON:

To comply with S.92 of the Town and Country Planning Act 1990 (as amended), Circular 01/06 and in order to secure a high quality form of development having regard to the character of the area and the amenity of existing residents

03. APPROVAL CONDITION - Access and Parking

The application site shall at all times (both during and after the construction phase) provide facilities for the loading/unloading/circulation of vehicles and for the parking of a maximum of 41 cars to serve the school (to include a minimum of 2 disabled spaces). The car parking shall thereafter be retained for use in association with the educational buildings and their "dual use" hereby approved.

REASON:

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

04. APPROVAL CONDITION - Bicycle parking

A minimum of 238 covered and secure cycle parking spaces, including the provision of secure lockers, changing rooms and showering facilities shall be provided as part of the replacement school prior to the first occupation of the new building(s), in accordance with elevational and layout details to be submitted to and approved by the local planning authority in writing at the Reserved Matters Stage. Once provided, those facilities shall be retained for that purpose at all times thereafter.

REASON:

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

05. APPROVAL CONDITION - Construction Access and Routeing (Pre-Commencement Condition)
No development shall commence until a scheme of details of the means of access for construction vehicles has been submitted to and approved in writing by the Local Planning Authority. The details shall include a routeing agreement for vehicles. The access for demolition and construction works shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON:

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

06. APPROVAL CONDITION - Travel Plan

Notwithstanding the submitted Travel Plan a revised Travel plan shall be submitted and agreed in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. These details shall include scope for ongoing monitoring and shall be implemented in accordance with the agreed details.

REASON:

In the interests of promoting green travel and to reduce congestion around the school at peak times

07. APPROVAL CONDITION - Limitation of Development

The development shall be limited to a maximum floorspace of 8,350sq.m within Class D1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and shall only exhibit the following maximum dimensions as specified in the submitted parameters for development given below:-

College building maximum dimensions -

- (a) width - 60 metres;
- (b) length - 110 metres;
- (c) height - up to 10.2 metres and 3 storeys above ground level.

No buildings shall be sited closer than 30 metres to any boundary with a residential property surrounding the site.

REASON:

To define the permission having regard to the existing school provision and the capacity of the site and to allow the local planning authority to control the scale of development in terms of protecting the character and amenity of the surrounding area.

08. APPROVAL CONDITION - Use Restriction

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

REASON:

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

09. APPROVAL CONDITION - Operation restriction

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

REASON:

To safeguard the amenities of occupiers of adjoining residential properties.

10. APPROVAL CONDITION - Ecological Mitigation Statement

Prior to development commencing, including site clearance, the developer shall submit a programme of habitat and species mitigation and enhancement measures, [the principles of which shall have been submitted and agreed in writing with the Local Planning Authority at the Reserved Matters stage] which unless otherwise agreed in writing by the Local Planning Authority shall be implemented in accordance with the agreed programme.

REASON:

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

11. APPROVAL CONDITION - No Amplified System

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

REASON:

To protect the residential amenities of adjacent residents.

12. APPROVAL CONDITION - BREEAM Standards (commercial development)

In accordance with the submitted Design and Access Statement written documentary evidence demonstrating that the development will achieve at minimum a rating of "Excellent" against the BREEAM standard (or equivalent ratings using an alternative recognised assessment method), shall be submitted to the Local Planning Authority at the detailed Reserved Matters stage and verified in writing prior to the first occupation of the development hereby granted permission.

REASON:

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy SDP13 of the City of Southampton Local Plan (2006) as supported by adopted LDF Core Strategy Policy CS20.

13. APPROVAL CONDITION - Renewable Energy - Micro-Renewables

An assessment of the development's total energy demand and a feasibility study for the inclusion of renewable energy technologies on the site, that will achieve a reduction in CO2 emissions of at least 15%, shall be conducted. Plans for the incorporation of renewable energy technologies to the scale that is demonstrated to be feasible by the study, and that will reduce the CO2 emissions of the development by at least 15% shall be submitted and approved in writing by the Local Planning Authority at the Reserved Matters stage. Renewable technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of the development hereby granted consent and retained and maintained thereafter.

REASON:

To reduce the impact of the development on climate change and finite energy resources and to comply with policy SDP13 (vi) of the City of Southampton Local Plan (2006) should be undertaken as supported by adopted LDF Core Strategy Policy CS20.

14. APPROVAL CONDITION - Noise - plant and machinery

Notwithstanding the submitted details the uses hereby approved shall not commence until an acoustic report and written scheme to minimise noise from external playspaces, plant and machinery associated with the proposed development, including details of location, orientation and acoustic enclosure, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

REASON:

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

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

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

REASON:

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

16. APPROVAL CONDITION - Landscaping detailed plan

A detailed landscaping scheme and implementation timetable, which clearly indicates the numbers, planting densities, types, planting size and species of trees and shrubs to be planted, means of enclosure and treatment of hard surfaced areas, shall be submitted to and approved in writing by the Local Planning Authority as part of the approval process for the LANDSCAPING reserved matter. These details shall relate to the external spaces and the green roof as hereby approved.

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

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

The approved scheme shall be carried out 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

17. APPROVAL CONDITION – Sustainable measures [Pre-Commencement Condition]

No development shall take place until the applicant has provided to the Local Planning Authority for approval in writing a report assessing the feasibility of incorporating the following sustainable design measures into the development:

- Green Roofs

The report shall include an action plan detailing how these measures will be integrated into the development. The approved scheme shall then be provided in accordance with these details prior to the first occupation of the development hereby granted consent.

Reason

To ensure the development minimises overall demand for resources and is compliant with the adopted City of Southampton Local Plan Review (March 2006) policies SDP13 and SDP6; and CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

18. APPROVAL CONDITION – Boundary fence [Pre-Occupation Condition]

Prior to the commencement of the development hereby approved, details of the design and specifications of the boundary treatment of the site and the MUGA - to include heights, design and means of fixing - shall be submitted to and approved in writing by the Local Planning Authority. The agreed boundary enclosure details shall be subsequently erected prior to the occupation of any of the building(s) or the first use of the MUGA provided under this, permission and such boundary treatment shall thereafter be retained and maintained as agreed.

REASON:

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

19. APPROVAL CONDITION – Lighting [Pre-Commencement Condition]

A written lighting scheme – relating to the MUGA, car parking, access road and any other external areas - including light scatter diagram with relevant contours shall be submitted to and approved in writing by the Local Planning Authority prior to implementation of any external lighting to support the development hereby approved. The scheme must demonstrate compliance with table 1 “Obtrusive Light Limitations for Exterior Lighting Installations”, by the Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light 2005. The installation must be maintained in accordance with the agreed written scheme.

REASON:

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

20. APPROVAL CONDITION - Floodlighting System

No external floodlights shall be installed on the site (including the approved Multi Use Games Area, sports pitches and/or car parking) unless otherwise agreed in writing by the Local Planning Authority following the submission of a planning application.

REASON:

In the interest of protecting residential amenity and safeguarding highway safety.

21. APPROVAL CONDITION - Tree Retention and Safeguarding

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

REASON:

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

22. APPROVAL CONDITION - no storage under tree canopy

No storage of goods including building materials, machinery and soil, shall take place underneath the crown spread of the trees to be retained on the site. There will be no change in soil levels or routing of services through tree protection zones or within canopy spreads, whichever is greater. There will be no fires on site. There will be no discharge of chemical substances including petrol, diesel and cement mixings within the tree protection zones or within canopy spreads, whichever is greater.

REASON:

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

23. APPROVAL CONDITION - Overhanging tree loss [Performance Condition]

For the duration of works on the site no trees on or overhanging the site shall be pruned/cut, felled or uprooted otherwise than shall be agreed in writing by the Local Planning Authority. Any tree removed or significantly damaged, other than shall be agreed, shall be replaced before a specified date by the site owners /site developers with two trees of a size, species, type, and at a location to be determined by the Local Planning Authority.

REASON:

To secure a satisfactory setting for the proposed development and to ensure the retention, or if necessary replacement, of trees which make an important contribution to the character of the area.

24. APPROVAL CONDITION - replacement trees [Performance Condition]

Any trees to be felled pursuant to this decision notice will be replaced with species of trees to be agreed in writing with the Local Planning Authority at a ratio of two replacement trees for every single tree removed. The trees will be planted within the site or at a place agreed in writing with the

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

REASON:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990.

25. APPROVAL CONDITION - Arboricultural Method Statement

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

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

REASON:

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

26. APPROVAL CONDITION - Arboricultural Protection Measures

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

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

REASON:

To provide continued protection of trees, in accordance with Local Plan Policy SDP12 and British Standard BS5837:2005, 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.

27. APPROVAL CONDITION- Land Contamination Investigation

Notwithstanding the information submitted to date 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.

28. APPROVAL CONDITION - Use of uncontaminated soils and fill

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.

29. APPROVAL CONDITION- Unsuspected Contamination

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority. Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority. Any changes to the agreed remediation actions will require the express written consent of the Local Planning Authority.

REASON:

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

30. APPROVAL CONDITION – Construction & Demolition Method Statement

Before development commences a statement setting out the management of demolition and construction operations shall be submitted to and approved by the Local Planning Authority. The statement shall include detailed plans specifying (i) the areas to be used for contractor's vehicle parking and plant; (ii) storage of building materials, and any excavated material, huts and all working areas (including cement mixing and washings) required for the construction of the development hereby permitted; (iii) areas for the parking of vehicles of site personnel, operatives and visitors; (iv) areas for the loading and unloading of plant and materials; (v) the treatment of all relevant pedestrian routes and highways within and around the site throughout the course of demolition and construction and their reinstatement where necessary; (vi) a scheme for the erection and maintenance of security hoardings including decorative displays and facilities for public

viewing; (vii) a scheme for recycling waste resulting from the construction programme (viii) measures to be used for the suppression of dust and dirt throughout the course of construction (including wheel cleaning); (ix) a "hotline" telephone number shall be provided for the use of residents in the case of problems being experienced from demolition and construction works on the site. The phone line will be provided, managed and problems dealt with by a person or persons to be nominated by the developer and shall operate throughout the entire development period. The demolition and development works shall be implemented in accordance with the agreed statement.

REASON:

To safeguard pupils of adjoining schools and to protect the amenities of neighbours and the wider environment.

31. APPROVAL CONDITION - Hours of Work for Demolition/Construction

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

Monday to Friday 08:00 hours to 18:00 hours (8.00am to 6.00pm)

Saturdays 09:00 hours to 13:00 hours (9.00am to 1.00pm)

And at no time on Sundays and recognised public holidays.

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

Mondays to Fridays 08.30 to 09.15 hours and 14.30 to 15.30 hours

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

REASON:

To safeguard pupils of adjoining schools and to protect the amenities of neighbours and the wider environment.

32. APPROVAL CONDITION - Demolition and Phasing

The existing school buildings shall be demolished in accordance with a phasing programme to be agreed in writing with the local planning authority prior to the commencement of building works associated with the replacement school. This phasing strategy shall explain how continued education upon the site will be achieved during the construction phase and shall include access to external sports pitches that are convenient and fit for purpose.

All resultant materials from the demolition phase shall be removed from the site before the development hereby approved is first brought into use, unless otherwise agreed in writing by the Local Planning Authority.

REASON:

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

33. APPROVAL CONDITION - Site clearance restriction

Any clearance of trees and scrub shall avoid the bird breeding season 1st March to 31st August inclusive, unless otherwise agreed in correspondence with the Local Planning Authority.

REASON:

In the interests of biodiversity and nature conservation.

34. APPROVAL CONDITION – Secured By Design

The applicant shall submit as part of any reserved matters application further details of how the proposed school and its site has been designed to achieve a "Secured By Design" accreditation. The development shall be carried out in accordance with the agreed details.

REASON:

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

35. APPROVAL CONDITION - CCTV system [pre-commencement condition]

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

REASON:

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

36. APPROVAL CONDITION - MUGA security

The MUGA hereby approved shall be locked shut to prevent unauthorised vehicular/pedestrian access 30 minutes after the closure of the main college building as specified in the hours of use in this planning permission, and thereafter remain locked shut until 20 minutes before the opening times of the main building the next day.

REASON:

In the interests of crime prevention.

37. APPROVAL CONDITION – Community Use Agreement (Pre-Commencement Condition)

Prior to the commencement of the use/development a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development.

Reason: To secure well managed safe community access to the playing field, to ensure sufficient benefit to the development of sport and to accord with Core Strategy Policy CS11.

38. APPROVAL CONDITION – Playing Field Condition (Pre-Commencement Condition)

Prior to commencement of the development/use hereby permitted:

- i. A detailed **assessment of ground conditions** of the existing playing field land at Upper Shirley High School shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and
- ii. Based on the results of this assessment to be carried out pursuant to (i) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality to accommodate both school and community use shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.

The approved scheme shall be complied with in full prior to commencement/use of the remainder of the permitted development.

Reason: To ensure that site surveys are undertaken for new or replacement playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field and to accord with Core Strategy Policy CS11.

39. APPROVAL CONDITION – Playing Field Improvements (Pre-Commencement Condition)

Prior to commencement of the development/use hereby permitted, a scheme for the improvement and maintenance of playing field drainage, based upon an assessment of the existing playing field quality and including an improvement and maintenance implementation programme, shall be submitted to and approved in writing by the Local Planning Authority. The information provided shall demonstrate that the design and quality of the playing field area, having regard to the nature and intensity of use envisaged, is fit for use and accords with the relevant British Standards for soils and sports turf and with the Sport England Design Guidance Note Natural Turf for Sport.

Reason: To ensure that the restored land will be of an appropriate quality and fit for purpose for use as playing fields.

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

40. APPROVAL CONDITION – Fencing Details (Pre-Commencement Condition)

No development shall commence until details of protective fencing to be erected around the existing playing field, to include location, height, type and materials shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be erected in accordance with the approved details before the development is commenced and shall be maintained for the duration of the works hereby permitted.

Reason: To ensure the safe and efficient use of the existing playing fields.

41 APPROVAL CONDITION – Limitation on Use (Performance Condition)

The playing field shall be used for Outdoor Sport and for no other purpose (including without limitation any other purpose in Class D2 Use Classes Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To protect the playing field from loss and/or damage, to maintain the quality of and secure the safe use of sports pitches.

42 APPROVAL CONDITION – Access Road Limitation (Performance Condition)

The secondary access road (between 80 and 82 Bellemoor Road) hereby approved shall only be used by delivery and service vehicles to the school, including coaches, between 0730 and 1900 hours Mondays to Fridays. Details of the means of controlling access arrangements to accord with these hours of use shall be submitted to and approved in writing by the Local Planning Authority before the vehicular access is first used. The access shall operate in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of neighbouring residential occupiers.

43. APPROVAL CONDITION – All weather pitch (Performance Condition)

In the event that the all weather pitch is located in the part of the site shown on Drawing Number 910-001, this pitch shall not be used other than in school term times between the hours of 0800 and 1700 hours Mondays to Fridays.

Reason: To protect the amenities of neighbouring residential occupiers.

00. Reason for Granting Outline Planning Permission

The development is acceptable taking into account the policies and proposals of the Development Plan and other guidance as set on the attached sheet. Other material considerations do not have sufficient weight to justify a refusal of the application. Where appropriate planning conditions have been imposed to mitigate any harm identified. Overall, the exceptional educational need and positive regenerative opportunities associated with the development are considered to outweigh the disadvantages. The proposed new vehicular access has been considered by highways officers as acceptable and any impact on local residents can be mitigated as explained in the report to the Planning and Rights of Way Panel on 16th March 2010. In accordance with Section 38 (6) of the Planning & Compulsory Purchase Act 2004, Outline Planning Permission should therefore be granted having account of the following planning policies:

LDF Core Strategy – Adopted January 2010

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

Local Plan Review (2006) – Saved Policies

SDP1, SDP2, SDP3, SDP4, SDP5, SDP6, SDP7, SDP8, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP15, SDP16, SDP17, SDP19, SDP20, SDP22, NE4, HE6, L1 and RE17

Notes to Applicant

Public Sewer Informative

A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Atkins Ltd, Anglo, St James House, 39A Southgate Street, Winchester, SO23 9EH (tel 01962 858688), or www.southernwater.co.uk.

Southern Water Informative

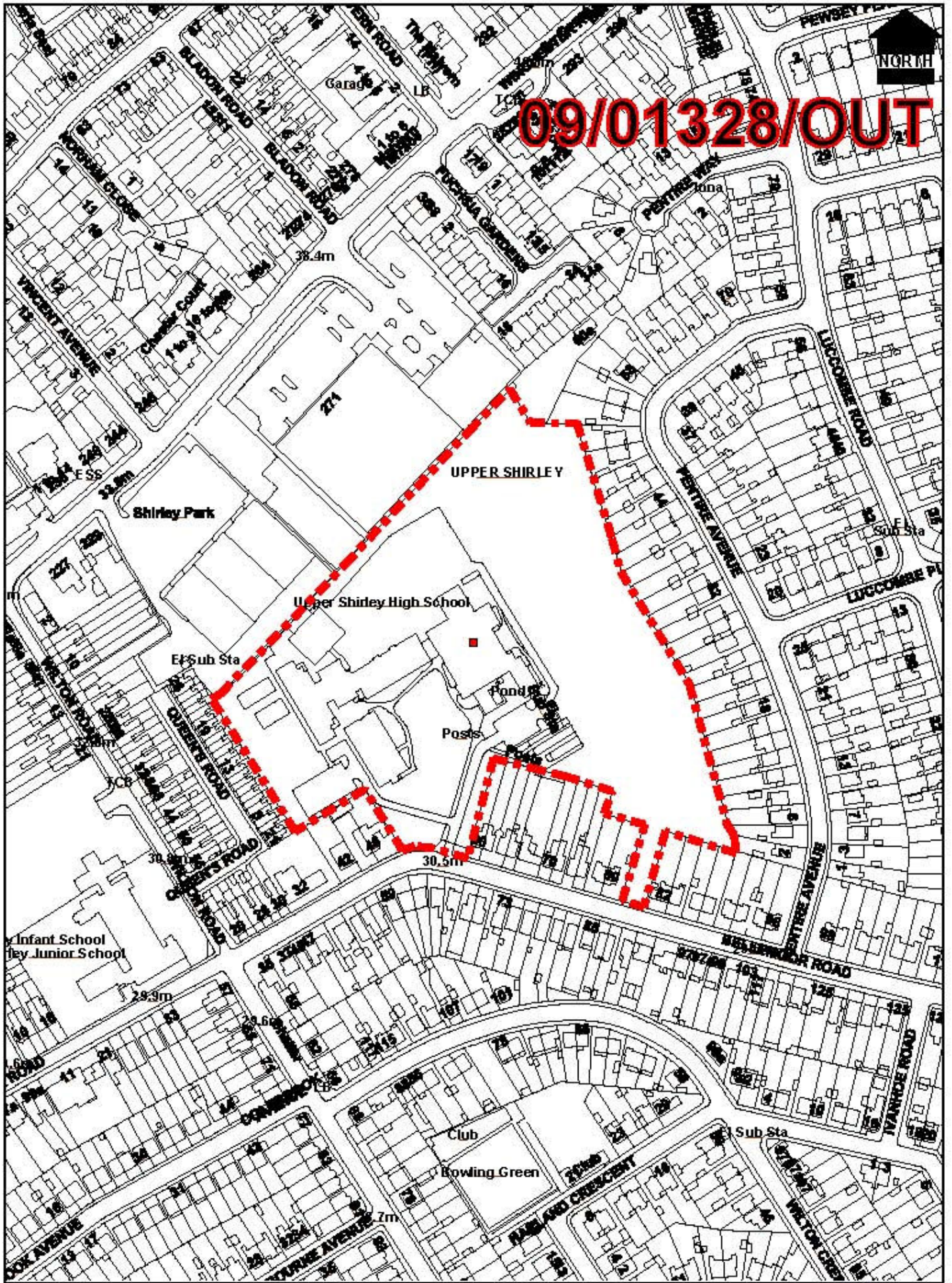
The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Atkins Ltd, Anglo, St James House, 39A Southgate Street, Winchester, SO23 9EH (tel 01962 858688), or www.southernwater.co.uk.

Pre-Commencement Conditions Informative

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

Performance Conditions Informative

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



09/01328/OUT

UPPER SHIRLEY

Upper Shirley High School

Shirley Park

EP Sub Sta

Post

Club

Bowling Green

Sub Sta

Scale : 1:2500

Date : 03 March 2010

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