

**HAMPSHIRE COUNTY COUNCIL**  
**Decision Report**

<b>Decision Maker:</b>	Regulatory Committee
<b>Date:</b>	17 March 2021
<b>Title:</b>	Development on vacant and surplus land to the east of The Samuel Cody Specialist Sports College to form a new 90 place SEMH campus with associated car park, play areas and sports facilities at Samuel Cody Specialist Sports College, Ballantyne Road, Farnborough GU14 8SN (No. 21/00013/HCC) (Site Ref: RME012)
<b>Report From:</b>	Head of Strategic Planning

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### **Recommendation**

1. That planning permission be GRANTED subject to the conditions listed in Appendix A.

### **Executive Summary**

2. The planning application is for development on vacant and surplus land to the east of The Samuel Cody Specialist Sports College to form a new two storey, 90 pupil place, Social, Emotional and Mental Health needs (SEMH) campus with associated car park, play areas and sports facilities at Samuel Cody Specialist Sports College, Ballantyne Road, Farnborough GU14 8SN.
3. This application is being considered by the Regulatory Committee as it is a major Regulation 3 development. Regulation 3 of the Town and Country Planning General Regulations 1992 (SI 1992/1492) enables the County Council to make planning applications to itself as long as the development is to be carried out by (or on behalf of) the Council and the interest in the development by the Council is significant. In this case, the County Council are both the landowner and the developer and therefore have a significant interest in the completed development.
4. Key issues raised are;
  - the principle of the development;
  - highway safety and amenity;
  - flood risk and drainage;
  - loss of playing field land;
  - contaminated land;
  - design, scale and massing of the proposed school buildings;
  - sustainability; and

- visual impact and landscape.
5. Due to COVID-19 lockdown restrictions a virtual committee site visit was carried out. This took place on 8<sup>th</sup> March 2021 in advance of the proposal being considered by the Regulatory Committee.
  6. The proposed development is not an Environmental Impact Assessment development under the [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#). Although the proposed development exceeds the threshold in Schedule 2 (as amended) it does not exceed the indicative threshold in the National Planning Policy Guidance and it is not considered that the development will have a significant impact.
  7. It is considered that the proposal would be in accordance with the relevant policies of the adopted Rushmoor Local Plan 2014-2032 (2019) as it makes provision for new educational facilities to meet the needs of the local community in accordance with Policies SS1(Presumption in Favour of Sustainable Development) and IN2 (Infrastructure and Community Facilities) of the Rushmoor Local Plan (2019) as well as Paragraph 94 of the National Planning Policy Framework (2019).
  8. The design, appearance and proposed materials are considered appropriate in accordance with Policy DE1 (Design in the Built Environment) and the incorporated landscaping will enhance both the natural and built environment and maximise the potential to improve local biodiversity in accordance with Policies NE3 (Trees and Landscaping) and NE4 (Biodiversity) of the Rushmoor Local Plan (2019).
  9. The proposal has limited opportunity to encourage walking and cycling due to the nature of the school however, opportunities are being taken where possible to encourage staff to walk or cycle and is supported by a Transport Statement. The proposal will not have a significant impact on the safety or operation of the local road network, and on-site parking provision will be provided in accordance with Policy IN2 (Transport).
  10. Appropriate sustainability features will ensure that energy loss is minimised (DE1: Design in the Built Environment) and appropriate measures will be taken to ensure surface water run-off from the development will be managed in a sustainable way and will not increase the risk of flooding off site (DE4: Sustainable Water Use). Measures to ensure there is no risk from potentially contaminated land at the site are included in accordance with Policy DE10 (Pollution) of the Rushmoor Local Plan 2014-2032 (2019).
  11. It is recommended that planning permission be granted subject to the conditions listed in Appendix A.

## **The Site**

12. Samuel Cody Specialist Sports College is an existing Sports and SEN school located in the north of Farnborough. The school building, which was originally Oak Farm Community School, was constructed circa 1974, together with the residential housing to the north of the site. Originally the land was in part used as a refuse site.
13. Samuel Cody Specialist Sports College in Farnborough is a 205-place school catering for pupils with Autism (ASD) and Moderate Learning Difficulties (MLD). The College is located on the former Oak Farm Community School site, a 772-place secondary school which closed in 2011.
14. The proposed development site for the new 90 place Social, Emotional and Mental Health (SEMH) needs campus is a 2.49-hectare area of vacant land located to the east of Samuel Cody Specialist College. It is bound by the sports grounds of Samuel Cody Sports College to the west, residential properties to the north, and sports fields to the east and south pertaining to Farnborough Rugby Club and Cove Football Club. The site is undeveloped and comprises a grassed playing field. A mature tree belt is present to the southern, eastern, and northern site boundaries.
15. The site is broadly level with a narrow linear bund to the western edge adjacent to the existing Synthetic Sports Pitch.
16. The site is in a predominantly residential area and the nearest residential properties are on Austen Road and Ballantyne Road, both of which lie to the north approximately 10 metres from the application boundary (red line).
17. The site's main vehicular access is from Ballantyne Road. The existing entrance and car park areas lie to the west of the application site and will be extended to provide access and additional parking to the proposed SEMH campus.
18. There are no nearby ecological designations.

### **Planning History**

19. There is no direct planning history for the application area, although the proposal is directly linked to the Samuel Cody Specialist Sports College and is located within the existing school boundary. Samuel Cody was built in 1974 and offers education for 205 pupils aged 4-16 with Moderate Learning Disabilities (MLD) and Autism Spectrum Disorder (ASD) special needs.

### **The Proposal**

20. The proposed development at Samuel Cody is for the construction of a two storey, 90 pupil place, SEMH campus with associated car park, play areas and sports facilities.

21. The site occupies 2.49 hectares of vacant land to the east of The Samuel Cody Specialist Sports College within the existing school boundary. The proposal site is surrounded by residential housing to the north, east and south.
22. The site area is bisected diagonally by a significant public foul sewer which has a 14 metre wide easement zone thereby reducing the available site area for the proposed building footprint. This determined the location of the two-storey option to the north-east corner of the site.
23. The school, once fully operational, will cater for pupils aged between 10 and 16 years, with a planned start-up in the Autumn 2022. There will be a total of 52 new staff, of which 17 will be teaching staff and 35 non-teaching staff.
24. This campus would be fully self-contained with all curriculum and external facilities including parking and drop-off. It will be an expansion of Samuel Cody Specialist Sports College to 300 places which will broaden their ASD and MLD designation and offer to include SEMH needs. Pupils attending the main campus and SEMH campus would not be mixed due to their relative vulnerabilities and differing needs.
25. Due to the sensitive nature and challenging behaviour of the SEMH pupils, the focus is to create safe, secure, and flexible spaces within the classrooms. This aims to encourage focused and supported learning, with minimal distraction and disturbance from other areas internally and externally.

## Design

26. The proposed layout is linear and compact. The two-storey building has a double height entrance to create a prominent public front which leads pupils and staff to the shared spaces (main Hall, dining, admin area) at the heart of the building. It is also visually and physically connected to the rear access through a wide corridor which allows daylight to permeate into the building.
27. The primary KS2 classrooms are located at ground floor on the south side of the building. The 'Eden Room' for specialist teaching/therapy lies to the east end of the building and is accessed via a private courtyard. The LRC/library and therapy spaces are in a central location to allow for pupils to access these spaces easily and independently.
28. The secondary classrooms, library and support spaces are located at the first floor. Specialist rooms, i.e. DT workshop, Food Tech, Art and Science are concentrated to the east end of the building so that secondary pupils can access these spaces without interacting with the primary environment.
29. The exterior walls of the proposed building will be finished in solid brickwork. A ribbon windows system is proposed to create a consistent design approach between north and south elevations, maximise the amount of

natural daylight and create playful façades via coloured glazed panels and spandrels panels. All windows, doors and rooflights to be powder coated aluminium. It has been designed to be efficient in terms of operation and maintenance costs.

30. Vertical circulation consists of two staircases located at each end of the teaching block. A platform lift is near the main entrance. Its location is compliant with relevant regulations.
31. All building entrances have an adjacent staff office providing suitable supervision and overlook. The interaction between pupils and external personnel (maintenance, deliveries, waste collection) will be carefully managed and, where possible, avoided.

### Landscape

32. The landscape proposals reflect the desire to provide an external environment that suits the educational needs of school users, whilst considering the existing site and context, security and access requirements, as well as providing a functional and aesthetically pleasing appearance for staff, pupils and visitors.
33. The existing site has generous mature tree belts with extensive undergrowth to the north, east and south, and established hedges to the north. These give the site natural privacy, and an established feel. The scheme has been designed to enable retention of these trees as far as possible.
34. The existing canopy cover will be virtually unchanged or will increase over time with the addition of new planting of 35 new landscape trees.
35. Key vegetation features to be retained include:
  - a mature tree belt to the east and south boundaries of mostly Grade B or C quality; and
  - a mature hedgerow and part tree belt to the north boundary screening adjacent housing.
36. Tree planting is proposed, to provide shade, in time, to school users to the south, to provide some privacy from the remainder of Samuel Cody to the west, and to add privacy to neighbours to the north. The majority are to be native species in line with ecological and arboricultural recommendations.
37. The southern secure school zone provides a variety of external spaces. This consists of hard play and socialising spaces close to the building, with low planting to structure the space and a canopy for shade. A multi-use games area for ball skills and low-key team matches can be used all year around and booked by the local community outside school hours. A trim trail on all weather surface paths with equipment will challenge gross motor skills, and a playing field enable casual ball games in fine weather. More casual spaces within the tree belt will be used by the school for small groups learning

during lesson time. A separate patio is provided for students with more extreme needs who are unable to mix with others.

38. Shrub planting is to include a number of low hedges to help visually contain car parking. General shrub planting will be low maintenance, whilst providing seasonal interest for all school users.

### Sustainability

39. The design has been developed to adhere, where possible, to the best practice criteria of sustainable design.
40. The following sustainable measures are proposed:
  - BREEAM New Construction principles - target 'Very Good';
  - Water consumption – target 'Excellent';
  - Use of water saving items (i.e. ultra-low flush toilets, taps etc);
  - Insulated and air-tight building envelope;
  - Linear and compact building form;
  - Orientation to improve ventilation and daylight;
  - Use of brise-soleil to reduce overheating in classrooms and offices;
  - Photovoltaic panels (PV);
  - Sustainable Drainage Systems;
  - Energy efficient lighting and heating control;
  - Recycling and collection areas;
  - Promotion of cycling as a sustainable way for staff to go to work; and
  - Improve biodiversity around the site.
41. It is proposed that all external lighting will be directed downward to prevent light spillage and pollution and will be controllable by programmable timers. These have been included to turn selected circuits off between curfew times of 23:00 - 07:00 hrs.
42. The proposed school will have a mixed mode ventilation strategy based on localized/centralized heat exchangers to provide an efficient system as required to meet the new Approved Document Part L requirements for reducing CO2 emissions. This will have the added benefit of being able to limit the traffic noise ingress into the building.

### Parking and access

43. The existing vehicular access from Ballantyne Road into the school site will be retained and extended east to serve the new SEMH school. The extended new access road will serve the drop-off/pick-up 'loop' to the front of the new SEMH school building. The access road will also serve the staff car park and provide access for service vehicles to the kitchen and refuse compound.

44. The proposed building is located to the north of the site with good access to the drop-off/pick-up layby. Visitor parking will use part of the layby close to the main entrance. The staff car park and accessible bays are located to the western end of the building with direct level access to the front entrance.
45. A total of 41 parking bays are proposed comprising 39 standard parking bays, 2 oversized car bays for minibuses and 2 accessible parking bays close to the main entrance.
46. A generous drop-off & pick-up area has been provided in front of the school entrance area. This will create a safe facility which will avoid road congestion during the peak hours. Based on the projected transport figures the proposed drop off/pick up facility has been designed to ensure that once the layby area is full there is still sufficient length on site to cater for any queuing traffic within the school site. It has been agreed with the school that they will manage and phase the pick-up and drop off for the SEMH site both in terms of the split between the 'Eden Room' pupils and the other Secondary and KS2 pupils, as well as the coordination with vehicle movements of the existing Samuel Cody side to the West. It is understood the specifics of the drop of and pick-up management strategy will be agreed post planning and included in the School Travel Plan (STP).
47. It is anticipated that most pupils will arrive and depart by school transport vehicles. Very few pupils will be arriving on foot. A new link footpath is proposed to the north of the existing STP sports area to improve circulation across the school campus. This footpath will also serve the staff parking areas.
48. A secure covered cycle shelter/store is to be provided for staff and pupils to store up to 12 bicycles.
49. The proposed development has been assessed under [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#); 10(b) - Urban development projects, and does not require an Environmental Impact Assessment as the scale and nature of the development is such that it is not considered likely to have a significant impact on the environment.

### **Development Plan and Guidance**

50. The following plans and associated policies are considered to be relevant to the proposal:

[National Planning Policy Framework \(2019\)](#) (NPPF)

51. The following paragraphs are relevant to this proposal:
  - Paragraph 11: Presumption in favour of sustainable development;
  - Paragraph 80: Support of sustainable economic growth;

- Paragraph 94: Ensuring sufficient choice of school places is available to meet the needs of existing and new communities;
- Paragraph 96: Access to open space based on assessment;
- Paragraph 97: Existing open space, recreational buildings and land;
- Paragraph 102-103: Sustainable transport.
- Paragraph 148: Meeting the challenge of climate change, flooding and coastal change; and
- Paragraph 170: Contributions and enhancement of natural and local environment.

### [Rushmoor Local Plan 2014-2032 \(2019\) \(RLP\(2019\)\)](#)

52. The following policies are relevant to the proposal:
- Policy SS1: Presumption in Favour of Sustainable Development;
  - Policy IN1: Infrastructure and Community Facilities;
  - Policy IN2: Transport;
  - Policy DE1: Design in the Built Environment;
  - Policy DE4: Sustainable Water Use;
  - Policy DE6: Open Space, Sport and Recreation;
  - Policy DE7: Playing Fields and Ancillary Facilities;
  - Policy DE8: Indoor and Built Sport and Recreation Facilities;
  - Policy DE10: Pollution;
  - Policy NE3: Trees and Landscaping;
  - Policy NE4: Biodiversity;
  - Policy NE6: Managing Fluvial Flood Risk;
  - Policy NE7: Areas at Risk of Surface Water Flooding; and
  - Policy NE8: Sustainable Drainage Systems.

### **Consultations**

53. **Lead Local Flood Authority:** No objection subject to condition.
54. **Public Health HCC:** Supports the proposal.
55. **Sport England:** Does not support the proposal due to the net loss of playing field land. However, Sports England are not a statutory consultee in this instance due to length of time since the playing field was last used and as such has just recommended the inclusion of a condition for ensuring community use of the MUGA.
56. **County Landscape Architect:** No objection subject to conditions.
57. **Arboriculture:** No objections subject to conditions
58. **County Archaeologist:** No objection.
59. **County Ecologist:** No objection subject to conditions.
60. **Environment Agency:** No objection subject to condition.



61. **Blackbushe Airport:** No objection.
62. **TAG Aviation UK Ltd:** Was notified.
63. **Defence Infrastructure Organisation:** No objection.
64. **Highway Authority:** No objection subject to conditions.
65. **Natural England:** No objection.
66. **Environmental Health Rushmoor:** Was notified.
67. **Councillor Chadd:** Was notified.

## **Representations**

68. Hampshire County Council's [Statement of Community Involvement \(2017\)](#) (SCI) sets out the adopted consultation and publicity procedures associated with determining planning applications.
69. In complying with the requirements of the SCI, HCC:
  - Published a notice of the application in the [Hampshire Independent](#);
  - Placed notices of the application at the application site;
  - Consulted all statutory and non-statutory consultees in accordance with [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#); and
  - Notified by letter all residential properties within 50 metres of the boundary of the site.
70. As of 17<sup>th</sup> February 2021, a total of 3 representations to the proposal have been received. They all support the principle of the development for its education use, but raise concerns related to the following areas:
  - Ecology; and
  - Highways safety.
71. The above issues will be addressed within the following commentary.

## **Climate Change**

72. Hampshire County Council declared a climate change emergency on 17 June 2019. This proposed development has been subject to consideration of Paragraph 148 of the NPPF (2019) as the proposed development reduces energy consumption through sustainable approaches to building design and layout, using low-impact materials and high energy efficiency. It also incorporates renewable or low carbon energy technologies, where appropriate.

## Commentary

### Principle of the development and need

73. Paragraph 94 of the NPPF (2019) expects the needs of existing and new communities to be met, specifically in the form of school places. LPA's are expected to meet this requirement and support development that helps widen the choice of education. LPA's are expected to:
- Give great weight to create, expand or alter schools; and
  - Work with school representatives at an early stage to resolve issues before applications are submitted.
74. Hampshire County Council has a statutory duty to provide school places for all children including those who have special educational needs and/or a disability.
75. Since 2015-16 the number of pupils in Hampshire with Education Health and Care Plans (EHCPs) has increased from 5,558 to 10,384 in November 2020 (an increase of 87%) with approximately 35% of pupils with an EHCP in a specialist placement. This has resulted in a corresponding pressure for places in special schools and resourced provision. This requires the creation of new provision where possible to meet this increased demand for places.
76. Currently, there is a need to provide support for pupils across most areas of SEND but in particular for pupils with social, emotional and mental health needs (SEMH), where there has been a 131% increase from 2015/16 – 2019/20.
77. There is therefore a clearly established need for 90 SEMH pupil places that this development would provide in the Rushmoor Borough.
78. The demand for SEN is significant and resources to meet this are very limited. It is important that pupils with identified learning difficulties are in a safe and secure environment, where they can receive the kind of care and attention they would not be able to receive at mainstream schools.
79. The site is in existing education use and therefore the principle of the development is acceptable, subject to the details of the proposal meeting all other planning policy considerations. The development is supported by Policies SS1 (Presumption in Favour of Sustainable Development) and IN1 (Infrastructure and Community Facilities) of the Rushmoor Local Plan (RLP) (2019).
80. In addition, the proposed development is intended to meet the requirement of the community's social needs for SEN across the Council area. It therefore meets the requirements of Paragraph 94 (Ensuring sufficient choice of school places is available to meet the needs of existing and new communities) in the NPPF (2019).

## Visual impact and landscape

81. The site is well screened from public viewpoints, limiting visual intrusion. The siting of the school to the north east maximises use of the available land outside of the foul sewer easement zone and minimises its impact on the surrounding landscape with the retention of existing vegetation which contributes to the enclosed nature of the site.
82. Its design considers the importance of the flexibility of the use of space to meet the complex and diverse needs of the users and the strong connection between indoor and outdoor teaching environments. Details have been submitted that ensure the materials, colours and finishes to be used are appropriate to the development and surrounding area using materials. It can be demonstrated that the proposal will create an individual place with a distinctive character, in accordance with Policy DE1 (Design in the Built Environment) of the RLP (2019).
83. New 2.4m high secure boundary fencing is to be installed as part of the works to the eastern and southern boundaries and it will be necessary to crown lift lower branches to larger trees and cut back low-level vegetation immediately adjacent to the boundary line to allow this to take place.
84. The construction of the new building, car parking and drop off areas will be planned to avoid the tree root protection areas (RPA) and the inclusion of 35 new trees are proposed to compensate for loss of any vegetation and trees.
85. Details of the proposed additional landscaping will be subject to a planning condition which will be reviewed by a qualified landscape architect who will ensure all trees and plants chosen for the school site will be safe and acceptable in public places whilst respecting existing landscape features on the site. This condition is included in integral Appendix A.
86. The County Arboricultural Officer and County Landscape Officer are satisfied with the proposal subject to the inclusion of conditions which are reflected in Appendix A. The application is therefore considered to be in accordance with Policy NE3 (Trees and Landscaping) of the RLP (2019).

## Design and sustainability

87. The design of the new school is of high quality as required by Policy DE1 (Design in the Built Environment) of the RLP (2019) and reflects the requirement for the school to respond to its surroundings. It relates well to the scale of the existing Sports College and surrounding residential development.
88. The proposed two storey building has been designed to create massing that is sensitive to the existing site topography and looks to establish a dialogue with the context of existing residential units to the north. Although there are residential properties along the northern boundary, the building is located

away from the boundary to avoid any overlooking issues. Appropriate screen planting to this boundary will also be provided to reinforce privacy where required.

89. The design of the school incorporates a number of sustainability measures detailed in the Proposal section of this report.
90. In accordance with Policy DE1 (Design in the Built Environment) the proposal is targeting BREEAM "Very Good" and a condition is attached to ensure that the site wide target rating of "very good" is achieved as a minimum. These elements will ensure there is minimal energy loss and consumption, with a proportion of energy requirements being met on site.
91. No objections have been received in relation to the proposal on design or landscape grounds. The proposal is therefore considered to be in accordance with Policy DE1 (Design in the Built Environment) of the RLP (2019).

#### Ecology

92. The Preliminary Ecological Appraisal (dated November 2020) that was submitted with the application concluded that the site is of low ecological value overall.
93. The appraisal has set out recommendations to avoid impacts to nesting birds, reptiles and amphibians and has suggested mitigation for planting which reflects the landscaping plan. The landscape plans show that there will be trees and grassland planted along the western boundary and around the development itself. In addition, a hedgehog box has been recommended and enhancements that include bird and bat boxes.
94. The County Ecologist is satisfied that as long as the above measures are implemented by way of a condition, the development is acceptable. The condition has been included in Appendix A and it is therefore seen to be in accordance with Policy NE4 (Biodiversity) of the RLP (2019).

#### Impact on amenity and health

95. The site is already well screened on all sides from public viewpoints, limiting visual intrusion of the new development. The proposal also includes the planting of 35 new trees, 11 of which will be placed on in the north west corner of the site closest to the nearest residential properties.
96. External lighting will provide safe access and emergency escape routes to the emergency assembly point(s) during hours of darkness. Lighting will be provided to the extended car park and connecting paths and will be designed to be directed downward to prevent light pollution and nuisance to neighbouring properties. It will be controllable with programmable timers. These have been included to turn selected circuits off between curfew times

of 23:00 - 07:00 hrs. Consequently, there will be no significant adverse impacts from increased levels of light pollution on the environment or residential amenity due to the proposed development.

97. It is acknowledged that there may be some noise and dust impacts to neighbouring properties during the construction phase of the new school building. However due to the temporary and small-scale nature of these, as well as the conditioned requirement for a Construction Environmental Management Plan to help limit and mitigate any potential impacts, the proposal is considered to be in accordance with Policy DE1 (Design in the Built Environment) of the RLP (2019).

### Sport England

98. Due to the proposed SEMH campus, there will be a net loss of 1.15 hectares of 'playing field' land. It is worth noting that the proposed area is not actually designated as "open space" on the RLP (2019) Policies Map.
99. Paragraph 97 of the NPPF (2019) states "playing fields should not be built on" unless the land is deemed surplus to requirements, the loss would be replaced by equivalent or better provision in terms of quantity and quality, or the development is for alternative sport and recreational provision, the needs for which clearly outweigh the loss.
100. The site forms part of, or constitutes land last used as playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). As such, the application needs to be considered against Sport England's *Playing Fields Policy & Guidance* document. The applicant therefore engaged in pre-application discussions with Sport England and produced evidence to address their Playing Fields Policy.
101. Sport England will oppose any development which results in the loss of playing field unless one or more of 5 policy exceptions are met. The applicant sought to demonstrate that the proposal complied with Exception 1 (a robust and up to date assessment demonstrates there is a surplus of provision in the catchment) – i.e. that the playing field that will be lost is surplus to requirements.
102. The applicants have stated that the current site has not been used for over 10 years, which after a review of historical photographs Sport England has accepted to be the case. However, the policy continues to apply to any land in use as playing field or last used as playing field and which remains undeveloped, irrespective of whether that use ceased more than five years ago, as lack of use should not be seen as necessarily indicating an absence of need in the locality.
103. The Rushmoor Playing Pitch Strategy (PPS) 2014-2020 (2014) was referred to by the applicant, but Sport England do not consider this to be up to date

(as required by Exception 1 of their policy) and is not considered to be a material planning consideration due to the age of when it was produced. However, it is worth noting that it appears to conclude that there is sufficient capacity within the Rushmoor Borough for the 2014-2020 plan period. It also highlights the need to improve the quality and drainage of playing fields as a priority and the trend for improved all weather surfaces to support current and future demand.

104. The applicant has also shown that the historic use of the playing field land by the former Oak Farm Secondary School only allowed a single 9 v 9 pitch area due to poor ground and drainage conditions. This development proposes to improve the playing field surface by aerating the area, topdressing using a 50/50 sand/soil mix 15mm thick, and over-seeding as necessary. These operations will help get water off the surface of the area, which should extend the playing season. The proposed pitch area retained, combined with the new MUGA, provides sufficient and equivalent playing pitch area for the new SEMH campus and community, and reflects better provision in terms of quantity and quality in accordance with Paragraphs 96 and 97 of the NPPF (2019).
105. The assessment produced by the applicant which references the Rushmoor PPS is stated by Sport England to be very detailed and “in other circumstances could have been a material consideration”. This suggests that were the PPS up to date, the land could be considered to be surplus to requirements of the borough and Exception 1 in the Sport England Policy would be met. Sport England also conclude that ‘the proposed scheme has a lot of merit despite the net loss of playing field’.
106. Based on the information submitted by the applicant, and the detailed and balanced response from Sport England, it is concluded that the playing field land is surplus to requirements and therefore does not constitute an unacceptable ‘loss’ of playing field. Indeed, as it has currently remained unused for a period of over 10 years, the addition of a new MUGA and 9 v 9 football pitch that will be made available for community use actually represents an increase in sports provision within Rushmoor Borough which otherwise would not have been available without the proposed development.
107. The provision is considered to be appropriate to the school educational need with suitable access and capacity to meet the community within the catchment area.
108. It is also considered that the need to provide 90 SEMH pupil places within the area is a significant priority and, in this case, overrides the potential ‘loss’ of playing field land.
109. Notwithstanding their conclusion that proposal does not meet the exceptions within their Playing Fields Policy, Sport England has recommended the inclusion of a condition to secure a Community Use Agreement for the proposed new MUGA should the Local Planning Authority be minded to

grant permission. This has been included in the recommendation below. Sport England also confirmed that as they are not a statutory consultee in this case (as the land has not been in use as playing fields for over 5 years), the Council are able to reach a positive decision on this proposal without the need to refer the matter to the National Planning Casework Unit.

110. Considering all of the above, the development is considered to be in accordance with Paragraph 97 of the NPPF (2019) and Policies DE6 (Open Space, Sport and Recreation), DE7 (Playing Fields and Ancillary Facilities) and DE8 (Indoor and Built Sport and Recreation Facilities) of the Rushmoor Local Plan (2019).

### Flooding

111. A combination of underground storage and pipe systems are proposed for this development which will be pumped to the adjacent surface water sewer. While this is not ideal, infiltration is not viable, there are no nearby watercourses and it has not been possible to provide a gravity system. Therefore this is considered acceptable.
112. Flow rates will be limited to the greenfield runoff rate and therefore flood risk would not be increased. Calculations are provided and although there is some flooding shown at the 1:100 + 40% climate change storm, this is minimal and contained within suitable areas of the site.
113. The Lead Local Flood Authority are satisfied with the proposal subject to a condition requiring the submission of a surface water drainage scheme for the site. This has been included in Appendix A and the development is therefore considered to be in compliance with Policies NE6 (Managing Fluvial Flood Risk), NE7 (Areas at Risk of Surface Water Flooding) and NE8 (Sustainable Drainage Systems) of the RLP (2019).

### Contaminated land

114. A Feasibility Study was undertaken in July 2020 to gather desktop information on the site history, geology, and Hydrology/Hydrogeology. This identified the previous use to part of the site for refuse/landfill.
115. The previous use of the proposed development site as a former landfill presents a high risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a secondary aquifer.
116. The Environment Agency initially stated that the application's site investigation report demonstrated that it would be possible to manage the risks posed to controlled waters by this development, but recommended inclusion of a condition for the submission of a remediation strategy.

117. The applicant has since provided a 'Ground Investigation Report' that demonstrates groundwater quality has not been adversely affected by possible landfilling activities on the site and so does not indicate that remedial solutions are required. The Environment Agency are satisfied with the provided information but have still recommended a condition to ensure remediation measures are put in place if contamination is found to be present on the site. This has been included in Appendix A and as such the development is seen to be in accordance with Policy DE10 (Pollution) of the RLP (2019).

#### Highways impact/ Parking and access

118. The Local Highway Authority is satisfied that the proposed levels of on-site staff and visitor car parking, and covered storage for cycles, are in line with the requirements of Hampshire's On-site School Parking Guidelines (April 2013) and are therefore in accordance with Policy IN2 (Transport) of the RLP (2019).

119. The Framework Travel Plan that has been included with the application is of a good standard. It is stated that a full travel plan for the whole College site will be produced and implemented to national Modeshift accreditation standards once the new campus is operational. This has been conditioned in Appendix A.

120. Due to the specialist needs of the pupils attending the new SEMH campus it is anticipated that very few pupils will walk or cycle to school with most pupils being transported by school transport vehicles. A new footpath is proposed to the north of the existing sports area to improve circulation across the school campus and to serve the staff parking areas. A secure, covered cycle shelter will be provided for staff and pupils to accommodate up to 12 bicycles.

121. As the drop off loop would be a one-way system the queue should remain moving and any potential queue on the highway should only be for a very short period of time at the beginning and end of the school day. This together with the proposed level of staff car and cycle parking and the use of the drop off loop for public transport will all help to mitigate the increase in traffic to the school site and on local residential roads. It has also been agreed with the school that they will manage and phase the pick up and drop off times for the SEMH site. The development is therefore not considered to represent a significant impact on the safety or operation of the local road network.

122. Overall the local Highway Authority considers this anticipated level of traffic can be accommodated on the roads without compromising network capacity and raises no objection to the proposed development subject to the submission of a School Travel Plan and the provision of a Construction Traffic Management Plan. These have both been conditioned and the



development is considered to be in accordance with Policy IN2 (Transport) of the RLP (2019).

### Conclusions

123. It is considered that the proposal would be in accordance with the relevant policies of the adopted Rushmoor Borough Local Plan 2014-2032 (2019). It will provide educational facilities for the identified need of 90 SEMH pupil places helping to meet the needs of the local communities within its catchment area. The design is appropriate and sustainability features will ensure that energy loss is minimised (DE1: Design in the Built Environment) and appropriate measures will be taken to ensure surface water run-off from the development will be managed in a sustainable way and will not increase the risk of flooding off site (DE4: Sustainable Water Use). The parking and access provision are acceptable in accordance with Policy IN2 (Transport). Measures to ensure there is no risk from potentially contaminated land at the site are included in accordance with Policy DE10 (Pollution) of the Rushmoor Local Plan 2014-2032 (2019).

### **Recommendation**

124. That planning permission be GRANTED subject to conditions listed in Appendix A.

Appendices:

Appendix A – Conditions

Appendix B – Committee Plan

Appendix C – Proposed Site Plan

Other documents relating to this application:

<https://planning.hants.gov.uk/ApplicationDetails.aspx?RecNo=21622>

**REQUIRED CORPORATE AND LEGAL INFORMATION:**

**Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	No
<b>People in Hampshire live safe, healthy and independent lives:</b>	No
<b>People in Hampshire enjoy a rich and diverse environment:</b>	No
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	No
<b>OR</b>	
<b>This proposal does not link to the Strategic Plan but, nevertheless, requires a decision because:</b> the proposal is an application for planning permission and requires determination by the County Council in its statutory role as the minerals and waste or local planning authority.	

**Section 100 D - Local Government Act 1972 - background documents**

**The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)**

Document

Location

21/00013/HCC  
RME012

Hampshire County Council

Samuel Cody Specialist Sports College,  
Ballantyne Road, Farnborough GU14 8SN  
(Development on vacant and surplus land  
to the east of The Samuel Cody Specialist  
Sports College to form a new 90 place  
SEMH campus with associated car park,  
play areas and sports facilities

## **EQUALITIES IMPACT ASSESSMENTS:**

- **Equality Duty**

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Officers considered the information provided by the applicant, together with the response from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

## **CONDITIONS**

### **Time limits**

1. The development hereby permitted shall be begun before the expiration of three years from the date on which this planning permission was granted.

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

### **Hours of working**

2. No work relating to the construction of the development hereby permitted, (including works of preparation prior to operations, the delivery of construction materials, skips or machinery, nor the removal of waste materials) shall take place before 0800 or after 2100 Monday to Friday inclusive, before 0800 or after 1400 on Saturday and not at all on Sunday or recognised Public Holidays.

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

### **Highways**

3. No development hereby permitted shall commence until a Construction Traffic Management Plan (that will include details of provision to be made on site for contractor's parking, construction traffic access, the turning of delivery vehicles and lorry routeing as well as provisions for removing mud from vehicles and a programme of works) has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development hereby permitted is commenced and retained for the duration of construction.

Reason: In the interests of highway safety in accordance with Policy IN2 (Transport) of the Rushmoor Local Plan (2019). This is a pre-commencement condition as the details of construction traffic management need to be approved prior to construction of the development and is of fundamental importance to the planning permission.

4. A School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority within one year of occupation. The approved measures shall be implemented thereafter.

Reason: To support sustainable transport policy in accordance with Policy IN2 (Transport) of the Rushmoor Local Plan and Paragraphs 102 and 103 of the NPPF (2019).

## **Landscape**

5. Prior to construction commencing on the shell of the new school building, full details of all the hard and soft landscaped areas, including the proposed car park, have been submitted to and approved by the Local Planning Authority. This Landscape Strategy Plan should include:
- Planting plans and specifications with details of proposed species, nursery stock size, numbers, mix and density; and
  - A Landscape and Biodiversity Management Plan covering a five-year establishment maintenance period and ongoing management, allowing for the replacement of any failed or diseased stock within 5 years

All hard and soft landscape works shall be carried out in accordance with the approved plans.

Reason: In the interests of landscape character and visual amenity, and to ensure the scheme is established and maintained in accordance with Policy NE3 (Trees and Landscaping) of the Rushmoor Local Plan (2019).

## **Arboriculture**

6. The development hereby permitted shall be implemented in full accordance with the approved recommendations contained within the Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement.

Reason: To ensure there is adequate provision for the preservation of trees (as required by S197 of the Town and Country Planning Act 1990).

7. Prior to construction commencing on the shell of the new school building, and in addition to the already provided 'young tree management programme', a full tree planting plan shall be submitted to and approved in writing by the Local Planning Authority. This should include details of proposed species, stock type, planting locations and planting method.

Any plants or trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works or within five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure there is adequate provision for the planting of trees (as required by S197 of the Town and Country Planning Act 1990) and in accordance with Policy NE3 (Trees and landscaping) of the Rushmoor Local Plan (2019).

## **Sustainability**

8. Within three months of occupation of the building hereby permitted, a copy of a post-construction completion certificate, verifying that the building has achieved a BREEAM “very good” rating or above, shall be submitted to the Local Planning Authority.

Reason: To ensure the development achieves the lowest level of carbon emissions and water consumption in accordance with Policy DE1 (Design in the Built Environment) of the Rushmoor Local Plan 2014-2032 (2019).

## **Environmental Control**

9. Prior to the construction of development, with the exception of site clearance and setting out, a site-specific Construction Environmental Management Plan has been submitted to and been approved in writing by the LPA. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- Arrangements for liaison with the Council’s Environmental Protection Team;
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 0730 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays;
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours;
- Control measures for dust and other air-borne pollutants; and
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: To protect the amenities of the occupiers of nearby properties during the construction period and in accordance with Policy DE1 (Design of the Built Environment) of the Rushmoor Local Plan (2016).

## **Contamination**

10. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: Potential landfill could have occurred here which might adversely impact groundwater quality in a secondary aquifer. In accordance with Policy DE10 (Pollution) of the Rushmoor Local Plan (2019).

## **Ecology**

11. Development shall proceed in accordance with the measures set out in Section 6 of the Preliminary Ecological Appraisal by Hampshire County Council (November 2020).

Reason: To avoid impacts to protected and notable species and avoid loss of biodiversity in accordance with Policy NE4 of the Rushmoor Local Plan 2014-2032 (2019).

## **Flood and Water Management**

12. Prior to the construction of the new school building, a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:
  - I. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
  - II. Maintenance schedules detailing the requirements for each drainage feature type.

Reason: To ensure that the drainage system, quantum of development and layout sought is deliverable, whilst ensuring that flood risk will not be increased on or off site in accordance with the National Planning Policy Framework (2019) as well as Policies NE6 (Managing Fluvial Flood Risk), NE7 (Areas at Risk of Surface Water Flooding) and NE8 (Sustainable Drainage Systems) of the Rushmoor Borough Local Plan (2019), and the Non Statutory technical standards for sustainable drainage systems

## Playing Field

13. Within 12 months of work commencing on site, a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to Multi Use Games Area, 9v9 playing pitch and car parking and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facilities, to ensure sufficient benefit to the development of sport and to accord with Policies DE6, DE7 and DE8 of the Rushmoor Local Plan 2014-2032 (2019).

## Plans

14. The development hereby permitted shall be carried out in accordance with the following approved plans: **P12411\_HCC\_NB\_XX\_A\_1000\_SP\_P1, P12411-HCC-DR-L-700RevP1, P12411-HCC-DR-L-701RevP7, P12411\_HCC\_L\_702RevP5, P12411-HCC-DR-L-704RevP1, P12411-HCC-DR-L-706RevP2, P12411\_HCC\_NB\_XX\_A\_1100\_SP\_P4, P12411-HCC-DR-A-2200RevP9, P12411-HCC-DR-L-706RevP2, P12411\_HCC\_NB\_XX\_A\_1100\_SP\_P4, P12411-HCC-DR-A-2200RevP9, P12411-HCC-DR-A-2210RevP9, P12411\_HCC\_NB\_XX\_A\_1800\_SP\_P1, P12411-ECH-XX-XX-DR-C-7102SUITS2RevP01, P12411-HCC-PS-00-DR-E-80RevP1, DES20040\_1Rev 1, P12411\_HCC\_NB\_XX\_L\_740\_SP\_P2, P12411\_HCC\_NB\_XX\_L\_741\_SP\_P2, P12411-HCC-ZZ-XX-DR-A-3100 P6Rev00, P12411-HCC-ZZ-XX-DR-A-3110 P3Rev00, P12411-HCC-XX-XX-DR-A-3210P3Rev00, P12411-HCC-XX-XX-DR-A-3200 P3Rev 00**

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

## Notes to Applicants

1. In determining this planning application, the Local Planning Authority has worked with the applicant in a positive and proactive manner in accordance with the requirement in the National Planning Policy Framework (2019), as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, orders or Regulations made under such acts.



