

Report to: PLANNING COMMITTEE **Date of Meeting:** 1 June 2022

Subject: [DC/2022/00375](#)
[Deyes High School Deyes Lane, Maghull Liverpool L31 6DE](#)

Proposal: Development of a 'net zero carbon in operation' eight-form entry Secondary School (Class F1) for 1,200 pupils to replace the current Deyes High School buildings except for the Sixth Form, for 300 pupils, which will be retained. Development comprises the demolition of the existing school buildings, excluding the Sixth Form, and the erection of a two- and three-story new building with associated indoor and outdoor sports facilities, a part-covered six court multi-use games area (MUGA), external canopies, an energy centre and service compound, covered cycle parking, motorcycle and car parking, alterations to the site access, hard and soft landscaping, fencing, boundary treatments and signage, together with the formation of a temporary access from Deyes Lane for construction purposes and the provision of contractor facilities and associated works required during construction.

Applicant: Department for Education **Agent:** Mr. Graham Love
Smith & Love Planning Consultants
on behalf of Kier Const...

Ward: Sudell Ward **Type:** Public Infrastructure Project

Reason for Committee Determination: Chief Planning Officer Discretion

Summary

This application seeks planning permission to demolish the existing school buildings except for the 6th form building and construct a new school building and associated facilities at Deyes High School, on Deyes Lane, Maghull. During the construction phase part of the playing fields at St. Andrews Primary would be utilised. Surveys of the school buildings have revealed that some have reached the end of their life and the scheme proposes a like-for-like replacement under the Government's School Rebuilding Programme and Public Infrastructure Project.

The site lies in an area subject to Policy HC7 'Education and Care Institutions' in the Sefton Local Plan. The main issues to consider include the principle of the development, design and character, matters relating to access, transportation and highway safety, sports provision and community use, residential amenity as well as landscaping ecology, and drainage.

The proposal complies with adopted local plan policy and, subject to conditions to control various aspects and in the absence of any other material considerations, the application is recommended for approval.

Recommendation: Approve with Conditions

Case Officer Catherine Lewis

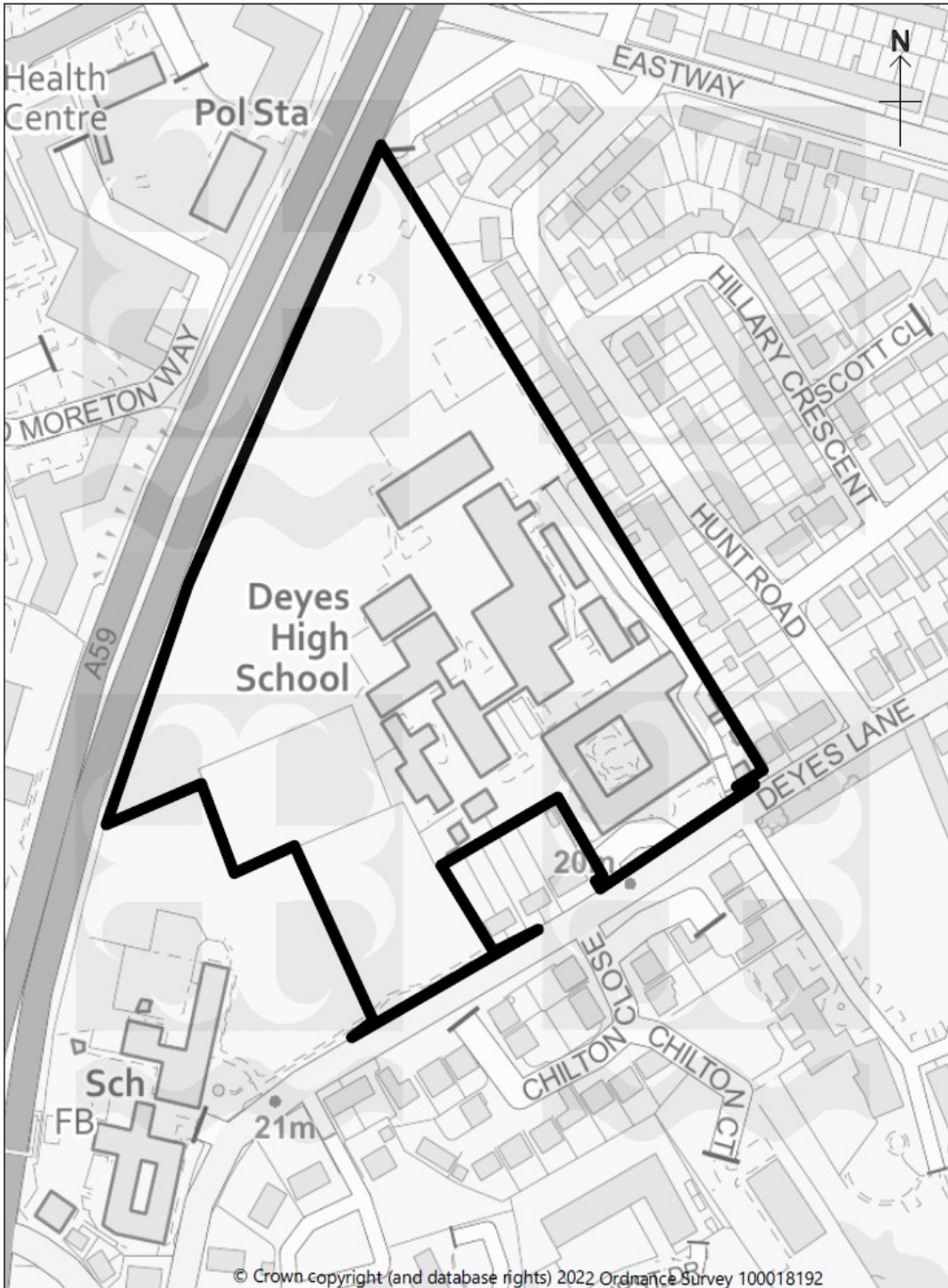
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Application documents and plans are available at:

<http://pa.sefton.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R823NENWH2L00>

Site Location Plan



Sefton Council



Reference: Map reference
Date: 17/05/2022
Scale: Scale: 1:2500
Created by: Initials

The Site

The application site is located on land to the north of Deyes Lane, Maghull, and comprises the buildings and grounds of Deyes High School and part of the playing field belonging to the adjacent St. Andrews Primary School. The site comprises 5.2 ha of land and is bounded by the A59 (Northway) to the north and west. The rear gardens of the properties on Hunt Road and Deyes Lane back on to the east and southern boundaries respectively. Deyes Lane and the edge of the St. Andrews playing field form the southeast boundary.

Deyes High School is a mixed 8 Form Entry (8FE) academy secondary school with associated 6th form. The pupil capacity is as follows: 1200 pupils aged 11-16 (secondary school) and 300 pupils aged 16 to 18 (sixth form) making a total of 1500 pupils. The site comprises a number of buildings including a sixth form block and a Multi-Use Games Area (MUGA) which is shared with the adjacent primary school. Teaching accommodation is currently spread across 10 separate buildings with a further 5 providing a Caretaker's House and various plant /storerooms. There is a total of 130 staff full time equivalents (81 full time and 64 part time) staff and the school does provide some community facilities.

The replacement of Deyes High School is being carried out under the Government's ten year 'School Rebuilding Programme'. This was launched on 29th June 2000 to carry out major rebuilding and refurbishment projects at school and sixth form colleges in England and is prioritised to target schools with buildings most in need of replacement. A number of the buildings on site were built using Laingspan construction, a type of construction method used after the second world war. Surveys of the school building have revealed that this construction type has reached the end of its design life and the Department of Education (DfE) has prioritised its replacement and will fund the project.

History

There are number of planning applications associated with the piecemeal development of the school with 19 applications made and approved since 1991.

Consultations

Canal And River Trust

No comment to make

Conservation

No objection

Environmental Health Manager

Air Quality

Contaminated Land

Initially requested further information to address missing documentation within the submitted application details. This has now been submitted no objection is raised subject to conditions controlling contaminated land.

Noise

No objection - recommends conditions to control demolition, hours of construction, hours of use of Sports Pitches and Multi Use Games Area (MUGA), piling, lighting and height of acoustic boundary fence to the rear of properties nos 15-23 Deyes Lane

Flooding & Drainage Manager

No objection to the planning application however, further clarification is required about the storage of any exceedance routes which should be mapped and the information on calculated water depth and volumes is required to be submitted. Details can be secured by condition.

Highways Manager

Raise no objection subject to the imposition of conditions to control off site highway improvements, vehicle parking, cycle parking, a travel plan, mud on the carriage way, a Construction Management Plan, and a car park management strategy. There would be the requirement of the applicant to enter into a s278 Highways Act 1980 Legal Agreement to facilitate the works in the adopted Highway.

Local Planning Manager

The site lies within the Maghull Neighbourhood Plan area and these policies together with the Sefton Local Plan are relevant. As the proposed development would retain the existing grass youth (11 x11) football pitch and six tennis courts and additional pitches and courts will be provided the proposal is in line with Policy NH5 Protection of open space and Countryside Recreation Areas. The proposed energy and sustainability measures are acceptable in line with Policy EQ7 Energy efficient and low carbon design. The scheme meets MAG5 Green Corridors as new planting is proposed along the A59 Green Corridor. The submitted minerals Assessment should be assessed against Policy NH8 Minerals.

Merseyside Environmental Advisory Service

No objection subject to conditions securing protection measures during construction for hedgehogs, amphibians and birds. A condition for bat and bird boxes within the site is also required.

Natural England

No comments to make.

Sport England

No objection subject to the imposition of conditions.

United Utilities

No objection subject to conditions

Neighbour Representations

A total of 52 properties have been consulted with two letters of representation received. One letter objects to the destruction of the main building at Deyes High School on the grounds that the buildings are part of the identity of Maghull, and they are angry that the school and Council could allow this to happen.

The other representation relates to the side boundary of their property which abuts the school site. They are keen to ensure that this boundary protects their residential amenity.

Policy Context

The application site lies within an area designated as an Education Institution under Policy HC7 in the Sefton Local Plan which was adopted by the Council in April 2017.

The Maghull Neighbourhood Plan was 'made' (i.e., adopted) in January 2019 and carries full weight in decision making.

Assessment of the Proposal

The application is classed as a Public Infrastructure Project and the council only has 10 weeks to make the decision. The proposal is for the construction of new school buildings within the site of the existing Deyes High School off Deyes Lane. The new school buildings would be located predominantly on the site of the existing school playing field and once constructed the current school buildings would be demolished to provide for the rest of the school facilities including sports pitches. There is a total of 1,500 pupils - this includes 1,200 within the High School and 300 students as part of the sixth form.

There would be a temporary loss of part of the adjacent playing field (St Andrews Primary School) to an access road and car parking during the construction period.

The proposed replacement school building comprises a single block with an 'angled' footprint. The main part is three storeys (approx. 13.5m in height) and provides the teaching space, hall and dining areas, whilst the angled part is lower at two storeys, and contains the sports hall, changing rooms, administration space, and other non-teaching space. The scheme has been designed to enable out of hours' facilities to be available for the community if required and include a dedicated

sports wing housing a sports hall, activity studio, fitness studio and changing rooms. The existing sixth form building would remain on the site.

The main material for the construction of the new building is red brick with grey 'rock panel' rain screen cladding and curtain wall glazing, together with red accents provided by fascia's around entrance doors and signage. The school building would incorporate a green roof with elements of solar panels and plants to enhance the site's biodiversity and provide a sustainable energy source for the school. The scheme would provide for improved playing pitches in terms of size and condition. The existing Multi Use Games Area (MUGA) would be slightly relocated, resurfaced and provided with a weather shelter overhead to extend the sporting opportunities in poor weather. The canopy would provide for solar panels too.

Within the school grounds the following sports facilities and external accommodation would be provided:

- Grass playing field sized and with pitch markings to accommodate under 13/14 football, 200 metre running track, 100 metre straight and high jump and long jump
- Grass playing field sized and with pitch markings to accommodate under 15/16 football, mini 5-a-side football and javelin
- Part covered six court multi use games area (MUGA) marked out for netball, tennis and 5-a-side football
- Trim trail route
- Table tennis tables
- Science garden
- Amphitheatre drama area
- Habitat area
- Year gardens / social spaces
- Covered cycle parking (74 spaces)
- Motorcycle parking (3 spaces)
- Car park (120 spaces including 6 disabled and EV charger spaces)
- Entrance gates and access routes
- Retained and improved pupil drop off area
- Outdoor covered dining areas

Most of the existing boundary treatment to perimeter of the site would remain. A 3m ball stop fence would be located around the MUGA and an internal 6m net fence would be located between the elevation of the existing sixth form building and the internal playing field. Other fencing including a 2.4metre weld mesh fence would secure internal boundaries.

Once complete the school would operate as follows:

Vehicular access would be segregated from the pedestrian approach creating a safer environment. A dedicated service compound would be located to the rear of the site adjacent to the A59. Visitors would enter the school via a secure access lobby, controlled by the reception area, which is to ensure pupil safeguarding. This reception would be dual fronted, and a dedicated community entrance has been provided, offering easy access to community sport facilities. Deliveries & maintenance access has been placed at the rear of the building, where vehicle movements are easily controlled via the secure use arrangements and avoids vehicle clashes with pedestrians.

During Construction

To minimise disruption to pupils it is proposed that all existing buildings will continue to be in use during the construction period. The new building will therefore be constructed to the rear of the site on the existing playing fields. Construction vehicles will access the site via the adjacent primary school field, so the risk of pupil/construction impacts are minimised. Once the new building has been completed pupils will move to the new build and the demolition and site works to provide the playing fields etc will progress. The applicant has advised that development will take approx. 152 weeks in total.

The main issues to consider are the principle of development, design and character, matters relating to access, transportation and highway safety, sports provision and community use, residential amenity and general environmental impacts.

Principle of Development

Land Use Designation

The application site which includes the Deyes High School and part of the playing fields used by St. Andrews Primary School is allocated in the Sefton Local Plan under Policy HC7 as an Education Institution. Therefore, the principle of a new school and associated facilities is acceptable. The north-eastern area of the site where most of the buildings are currently located is subject to Policy NH8 'Mineral Safeguarding Area'. Part of the site to the northwest, currently the playing fields and MUGA, is subject to Policy NH8 - Licence area for onshore hydrocarbon extraction.

The Maghull Neighbourhood Plan is also relevant as the site is located within the Hall Lane Residential character area and the A59 is identified as a Green Corridor under Maghull Neighbourhood Plan policy MAG5: Green Corridors. Part of the school playing field forms part of the A59 boundary. New tree planting is proposed within the site, notably along the boundary between the new building and the A59, in line with MAG5.

Design, Character, Sustainability and Low Carbon Design

Built Form

The surrounding area is predominantly residential with the main A59 forming the north-western boundary. The applicant has advised that “The distribution of existing buildings on site and requirement for the MUGA to be within close reach of St Andrews Primary School was a key driver for the new school building’s location, to the northwest of the site. Other important considerations were the school’s immediate neighbours; low density residential areas to the south and east.”

With regard to design, Policy EQ2 of the Local Plan requires new development to respond positively to the character, local distinctiveness and form of its surroundings and to provide key views of townscape including landmark and gateway buildings with important landscape features to be retained or enhanced.

The site is tightly constrained, and it is acknowledged that the construction of the new school to the northwest of the site would abut the A59. There would be approximately 15.5 metres from the rear elevation of the school to the northern boundary and therefore the proposed 2-3 storey building will be visible from the A59. However, the L shaped building with an elongated elevation includes details of windows to break up the massing. Further the flat roof construction of the three-story element together with the use of materials including brick work, feature brick detailing, glazing and some panelling with the colours to be confirmed. will improve the current outlook for existing residents and would provide a cohesive design within the site. Due to the existing trees on the northwest boundary abutting the A59 corridor some screening and softening of this elevation will be provided. A dedicated external energy centre and service compound would be located to the north west part of the site and 2.4m metres fence would screen these aspects with additional planting proposed.

The proposed location of the building provides the opportunity to provide a central external space to the south of the school with hard and soft informal and social space. This layout enables the impacts of noise and air pollution from the A59 on these external spaces to be partly shielded. Due to the incremental number of buildings and teaching spaces that have been required over the years this has led to a fragmented circulation space. The proposed layout seeks to rationalise the buildings and external spaces to address the current short fall in soft informal and PE areas prescribed by the Education regulations.

The Design and Access Statement provides details of the materials selected for the external areas which includes self-binding gravel to the Entrance Plaza, seats to student areas to be partially painted in the school logo colours with hardwood slats.

It is considered that, overall, and due to the tightly constrained nature of the site and construction requirements that the design, appearance and layout is acceptable and to accord with the aims of Policy EQ2.

Trees, Open Space and Landscaping

The application is accompanied by an up-to-date tree survey which identifies a total of 93 trees within the school site comprising 53 individual trees and 11 groups. A large belt of dense conifers also stands to the northwest of the sixth form building. A total of 43 trees must be removed of which 31 are Category C and are not classed as high quality. The better-quality trees on the eastern boundary adjacent to the rear properties on Hunt Road are to be retained. The submitted Landscape plans show a total of 65 trees would be planted throughout the site as a mix of native and ornamental species and this is supported. The scheme also incorporates additional biodiversity features including double row mixed hedgerow, wildflower grassland and the green roof which together mean the site is likely to achieve a net gain for biodiversity. The opportunity to encourage the new pond and nearby habitat to be connected is supported. Due to the tightly constrained site the loss of the trees is acceptable, and the replanting would provide appropriate replacement. This aspect of the scheme therefore complies with Policy EQ9 of the Sefton Local Plan.

Low Carbon Design

In regard to energy efficiency and low carbon design, the Design and Access Statement and the Energy and Sustainability Statement, both dated February 2022, make reference to the measures the school intend to employ with reference to Energy Hierarchy. The new school is required to be zero carbon in operation. A number of measures have been proposed which include the installation of up to 3000m² of photovoltaic panels on the roof of the school building, the canopy of the multi-use games area, and the cycle shelters too. Air source heat pumps will be used to provide clean and efficient year-round heat generation. It is considered that these measures would meet the requirements of Local Plan policy EQ7 'Energy efficient and low carbon design' and the Council's Climate Emergency aspirations

Access Transportation and Highway Safety

The application is accompanied by Transport Statement (TS) which has considered the impact of the proposal on the existing highway network and the accessibility of the site for sustainable modes of transport. The proposals will not result in any increase in the number of pupils or staff at the school and is essentially a like for like development in terms of traffic generation. There has been a degree of additional community use of the existing school grounds and facilities and the applicant has confirmed that there are no proposals, as part of this application, to increase this use. Therefore, the overall traffic generation of the site is not expected to increase.

The site is currently accessed from Deyes Lane with two vehicular accesses together with a pupil drop off layby. One of the existing vehicle accesses will be closed and all vehicles will gain access to the site via the single remaining entrance off Deyes Lane. This remaining entrance will be amended to provide a wider access that better accommodates two-way flow of vehicles within the site and the circulation of vehicles through the proposed one-way arrangement within the pupil drop-off

layby. Minor amendments to the footway and carriageway on Deyes Lane will be required to accommodate the proposed vehicle access and egress arrangements. Part of the existing adopted highway would be incorporated into the proposals and therefore a Stopping Up Order would be required. There will be pedestrian and cycle accesses into the site that will be segregated from the vehicle accesses and there will be wide paths within the site for pedestrians and cyclists.

The total number of staff is 145 and the site currently provides 94 car park spaces. Staff surveys were undertaken as part of the application which confirm that 85% of the staff travel by car which could generate a demand of 123 spaces- although not all staff would be on site at the same time.

As part of the proposed alterations to the parking facilities, there will be 120 off street car parking spaces comprising 114 standard parking bays and 6 disabled. There will be electric vehicle charging facilities within 5 bays. In addition to the car parking facilities there will be 3 motorcycle bays, 2 minibus parking bays and 74 cycle parking bays. A Travel Plan has been submitted which includes measures to promote sustainable modes of transport and sets targets to increase the number of staff and pupils to travel by bike.

Vehicle tracking plans have also been submitted which are considered acceptable.

Consideration has been given to the implications of traffic during the construction of the new school. The applicant has submitted a Construction Environmental Management Plan and Construction Traffic Management Plan that detail how the works will be managed, and any possible conflicts reduced.

The site will be operational on Monday to Friday between 8am - 6pm, and 8am - 1pm on Saturdays. No delivery vehicles will be permitted between the hours of 8 – 9.15am and 2.45 - 3.30 to ensure there will be no conflict between delivery vehicles and school traffic. All delivery vehicles will access and egress the site from Deyes Lane and Damfield Lane, with no delivery vehicles travelling along Deyes Lane to Eastway.

The applicant has further considered the potential for the proposed housing development off Deyes Lane by Redrow Homes to be constructed at a similar time. They have confirmed that dialogue between both parties would continue to ensure a consolidated approach between both sites. The Highways Manager has confirmed that this aspect can be controlled through the imposition of a condition to require the CTMP to be reviewed and a joint plan for both developments to be submitted.

The Highways Manager has confirmed that given the school is essentially like for like and that there will be improved access and parking provision, it is not expected that the proposals would result in severe harm or conditions detrimental to highway safety. Subject to the imposition of conditions the proposed development would meet the aims of Policy EQ2 Part 2 of the Sefton Local Plan.

Sports Facilities

The new school buildings will be located predominantly on the site of the existing school playing field and the replacement playing field would be located on the site of the current school buildings. The proposed scheme also requires the temporary loss of part of the adjacent playing field (St Andrews Primary School) to provide an access road and car parking facilities during the construction period. Sport England has a specific role in the planning system as a statutory consultee on planning applications for development affecting or prejudicing the use of playing fields.

Sport England's Playing Fields Policy - 'A Sporting Future for the Playing Fields of England' Policy Exception E4:states 'The playing field or playing fields, which would be lost as a result of the proposed development, would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development'.

The current and proposed sports provision is set out below:

Existing School Sports Provision

The existing playing field = 16,451m² and accommodates:

- U15/16 football pitch
- 200m running track
- 100m running straight
- Rounders pitch
- Javelin
- High Jump

There is also a 6 court games area marked out with 6no tennis courts and 4no netball courts and a sports hall.

Proposed School Sports Provision

The proposed playing field = 17,156m² which represents a gain of 705m², and will accommodate:

- a. U13/14 football pitch
- b. U15/16 football pitch
- c. 1no 5v5 pitch
- d. 200m running track
- e. 100m running straight
- f. Rounders pitch
- g. Javelin
- h. High Jump
- i. Long Jump

The current 6 court hard court games area (3,557m²) will be replaced by a slightly smaller (3,300m²) 6 court games area.

Sport England has assessed the scheme and advised that they do not wish to raise an objection as the proposed development broadly meets Exception 4 of their Policy as set out above subject to the imposition of a number of conditions and informatives.

These conditions require details to be submitted and agreed with Sport England about the following aspects:

- the pitch specification and construction of the replacement playing field
- reinstatement conditions for the northern part of the playing fields, and for St. Andrews School playing fields
- a scheme to ensure the continuity of the existing sports use, curriculum and community use of the sports facilities (indoor and outdoor) during the construction phase for both Deyes and St. Andrews Schools, and
- details about the sports hall and changing rooms. They recommend that details for the community use agreement also be controlled via a condition.

With regard to sports provision during the construction phases, initially the applicant had advised that pupils would use facilities at Northway Primary, however the school wish to consider alternative provision on site and have agreed to accept the Sport England conditions whilst they finalise and consult with Sport England. Subject to the imposition of the conditions required by Sport England together with the recommended condition about the Community Use Agreement the application meets the aims of paragraph 99 of the NPPF which seeks to protect sports facilities including playing fields from construction and is supported.

Residential Amenity

The site adjoins the rear gardens of existing residential properties to the east on Hunt Road and Deyes Lane to the south. The new school building would be over 75 metres from the rear boundary of the properties on Hunt Road and a similar distance from the properties on Deyes Lane.

The main vehicular access currently controlled by secure gates and an intercom system is located on the western boundary of the site and adjoins the side boundary of the residential property known as no 23 Deyes Lane. The proposed layout demonstrates a similar arrangement but will become the only vehicular access point. No 23 Deyes Lane has a side window for which high sided vehicles when waiting to access the school site could create privacy issues. The school is in discussions with this property to ensure that the proposed boundary treatment protects their living conditions and is also in keeping with this open aspect of the stie when viewed in the street scene. A condition is required to control these details.

The main car park would be located to the rear of the properties on Deyes Lane and a noise assessment has been submitted that requires an acoustic fence of 2.5 metres to be constructed to protect the amenities of these properties. Currently the submitted details provide for a 2.4metre high fence and a condition is required to control this detail.

It is acknowledged that the new school buildings and circulation spaces would be located further away from most of the existing residents, however the use of the sports facilities has the ability to impact upon the living conditions of the surrounding properties. The multi-use games area (MUGA) would be replaced and extended so that the rear boundary of the MUGA would be some 30m from the rear boundary of the properties on Deyes Lane.

The Environmental Health Manager has assessed the submitted noise assessment and based upon the information has requested a condition to control the hours of use of the MUGA.

The grass pitches would be located within 9 metres of the rear gardens of nearest properties on Hunt Road. The Long Jump would be within 5 metres. The Environmental Health Manager has considered the submitted noise assessment and has advised that subject to an hours of use condition controlling the activities the development is acceptable.

If the school wish to extend the hours of use than currently proposed, they would need to make a formal planning application with the appropriate noise assessments to demonstrate that there would be no adverse impact upon the surrounding residential properties.

Environmental Matters

Air Quality Assessment

The application is accompanied by an Air Quality (AQ) Assessment which has been reviewed by the Environmental Health Manager. The AQ report has assessed the impact the existing emissions from road traffic using the A59 will have on future users of the proposed development along with the AQ impacts associated with construction and demolition activities. The report concludes that air quality across the whole site is predicted to be well within National Air Quality Standards (NAQS). It is also understood that traffic associated with the proposed development is unlikely to increase significantly compared to levels attributable to the current school and will not impact unduly on local air quality levels.

Having reviewed the dust control section of the Construction Environmental Management Plan (CEMP) which has been submitted, further detail for dust control is required in the CEMP and in this regard the measures specified in Appendix D of the AQA should form the basis of the dust control plan within the CEMP. The applicant has submitted further measures to address this aspect which are being considered and which will be controlled by condition.

Noise

As mentioned under the section on residential amenity the application is accompanied by an Acoustic Report dated February 2022. Based upon the results of the noise report, conditions to control the hours of use of both the MUGA and the grass pitches are proposed as follows: 09:00-18:00 Monday to Friday, during school term time only. This would seek to protect the residential amenity of the adjacent properties on Hunt Road and Deyes Lane.

The entrance to the new car parking area next to 23 Deyes Lane includes an access /egress barrier. To protect the living conditions of this property and the rear garden of the properties that adjoin the car park, as set out in the noise report a condition to control the details for a 2.4m acoustic barrier boundary fence is recommended.

Conditions to control noise from plant and equipment is also recommended together with a lighting condition to control external lighting.

Ground Conditions and Contamination and Land Stability

The application is accompanied by a number of reports including a Ground Investigation Report. Undertaken in 2021, this recommended further targeted investigation and ground gas assessment to be undertaken once the final layout is confirmed. A further report entitled “E3P Phase II Geo environmental Site Assessment report (reference: 15-414-R1, dated April 2022)” has been received which has been assessed and the Contamination Land manager is satisfied with the information subject to appropriate conditions

Drainage and Flood Risk

The application site is in Flood Zone 1, an area of low flood risk as defined by the Environment Agency. However, a site-specific Flood Risk Assessment has been submitted as the site is larger than 1 hectare. The surface water drainage strategy would restrict run off and seek to provide ‘betterment’ prior to discharge into the United Utilities surface water sewer on Deyes Lane. To support the attenuation of the water on site, oversized pipes and a geo cellular storage tank located under the MUGA form part of the design solution. The information has been reviewed by the Flooding and Drainage Manager and in principle is supported subject to further clarification about the mapping and calculation of the external exceedance rates. United Utilities has raised no objection and subject to the imposition of conditions the proposed development would meet the aims of Policy EQ8 ‘Flood Risk and Surface Water’ of the Sefton Local plan.

Ecology

Section 40 of the Natural Environment and Rural Communities Act (NERC) 2006 places a duty to conserve biodiversity on public authorities in England whilst they exercise their decision-making functions. The applicant has submitted an Extended Phase One Habitat Survey and Daytime Bat Survey report dated February 2022. Merseyside Environmental Advisory Service, the Council’s ecology consultants, have advised that the report is considered acceptable. The report concludes that there is no evidence of bat use or presence on the site. During the construction process conditions can protect the existing pond on the site together with measures to protect hedgehogs

and breeding birds. Bat and bird nesting boxes should be provided on site and, subject to the imposition of a condition controlling this, the proposed development would meet the aims of Local Plan Policy NH2, NPPF paragraph 180 and the biodiversity duty as set out in the Natural Environment and Rural Communities Act (NERC) 2006.

Archaeology

The applicant has submitted a preliminary archaeology and heritage constraints report in support of the application. This correctly states that the Merseyside Historic Environment Record does not record any non-designated heritage assets within the Site boundary.

Minerals Safeguarding.

The site falls within a Minerals Safeguarding Area and an assessment has been submitted as required by Policy NH8 of the Local Plan. The report indicates that the granular deposits are likely to be shallow and as there is a need for the existing school to continue in educational operation it is argued that this aspect overrides the need for the mineral. Therefore, the application details meet the aims of Policy NH8 of the Local Plan.

Consultation

The applicant has provided a Statement of Community Involvement which outlines the community consultation which took place prior to submission of the application. A virtual community exhibition in February 2022 has been undertaken where local residents, community groups and interested parties were invited to comment on the proposal. The applicant advises that a total of 22 comments were received from neighbours and local residents in response to the online public exhibition which ran for two weeks between 1st and 15 February 2022.

To date no formal amendments to the scheme have been submitted. Additional information has been requested by the statutory consultees to help inform their deliberations and responses. The Fire and Rescue Service has advised the applicant that they are required to store water on the site in case of a fire which may require a 3m cylinder tank. The tank is likely to be located within the Service Yard to the rear of the site. However, these details have not been finalised as they require further consultation with the Fire Department.

Planning Balance and Conclusion

The above assessment sets out how the scheme complies with the Sefton Local Plan and the Maghull Neighbourhood Plan. The scheme proposes a replacement of Deyes High School, being carried out on a like-for-like basis under the Government's School Rebuilding Programme.

The applicant has demonstrated a need for a replacement school due to the failing construction methods associated with some of the post war buildings. The site is tightly constrained and due to

the requirement to retain the pupils on site during the construction period, there are few options for the location of the new building.

The principle of the development is acceptable. In terms of access and transport, as there would be no increase in pupil numbers the revised access arrangements and increased level of parking is supported. Conditions to control the car park arrangements, cycle provision, and electric vehicular charging points are required to provide a safe access, protect residential amenity and address climate change. Ecological aspects can be controlled by condition to ensure that opportunities for biodiversity are provided. Drainage and environmental protection conditions will ensure that the development is acceptable for both the school and the surrounding residential properties. There are no outstanding objections from any statutory consultees and appropriate conditions can address the issues raised by Sport England.

The opportunity to provide a net carbon zero school, high quality development that has the potential to provide well planned community facilities is strongly supported. Subject to the imposition of conditions the development is acceptable and accords with the policies in both the Local Plan and the Maghull Neighbourhood Plan made in January 2019.

Recommendation - Approve with Conditions

Time Limit for Commencement

1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

2) The development shall be carried out in accordance with the following approved plans and documents:

1017-DEP-00-ZZ-DR-L-0003-2.4	Location plan
21/K009/001A	Topographic survey
21/K009/002A	Topographic survey
21/K009/003A	Topographic survey
GM11640-002A	Topographic survey
1017-DEP-00-ZZ-DR-L-0004-2.2	Existing site layout plan
1017-DEP-00-ZZ-DR-L-0008-2.1	Existing outdoor sports provision plan
1017-DEP-00-ZZ-DR-L-0005-2.1	Proposed building demolition plan
1017-DEP-00-ZZ-DR-L-0002-2.4	Proposed site layout plan
1017-POZ-01-ZZ-DR-A-1350-A	Proposed elevations
1017-POZ-01-00-DR-A-1200-A	Proposed ground floor plan

1017-POZ-01-01-DR-A-1201-A	Proposed first floor plan
1017-POZ-01-02-DR-A-1202-A	Proposed second floor plan
1017-POZ-01-03-DR-A-1203-A	Proposed roof plan
1017-POZ-01-XX-VI-A-1700-A	Proposed 3D views - front
1017-POZ-01-XX-VI-A-1701-A	Proposed 3D views - side and rear
1017-POZ-01-XX-VI-A-1710-A	Proposed context views
1017-POZ-ZZ-00-DR-A-1210-A	Proposed MUGA canopy
1017-DEP-00-ZZ-DR-L-0009-2.1	Proposed outdoor sports provision
1017-DEP-00-ZZ-DR-L-0001-2.8	Proposed landscape layout
1017-DEP-00-ZZ-DR-L-1001-2.4	Proposed landscape sections 1 of 2
1017-DEP-00-ZZ-DR-L-1002-2.4	Proposed landscape sections 2 of 2
1017-DEP-00-ZZ-DR-L-0006-2.1	Proposed external access and circulation plan
1017-DEP-00-ZZ-DR-L-0007-2.1	Proposed fencing and boundaries plan
1017-FCL-XX-XX-DR-D-0003	Proposed temporary construction access plan

E3P Phase II Geoenvironmental Site Assessment report (reference: 15-414-R1, dated April 2022)

Reason: For the avoidance of doubt.

Before the Development is Commenced

3) No development shall commence, including any works of demolition, until details of all wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall include provision for the wheel washing of every vehicle directly engaged in construction/demolition activity prior to it leaving the site and shall be implemented during the course of the entire demolition/construction period.

Reason: These details are required prior to the commencement of development in order to ensure that the phases of development are managed properly and in order to safeguard the living conditions of the surrounding occupiers.

4) No development shall commence, including any demolition, site clearance or ground works, until a scheme setting out arrangements on the procedures to be adopted during the commencement of the proposed demolition has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: These details are required prior to the commencement of development in order to ensure that the phases of development are managed properly and in order to safeguard the living conditions of the surrounding occupiers.

5) No development shall take place, including any works of demolition, until a construction and site waste management plan, setting out arrangements for the handling of excavation, demolition and construction waste arising from the development, and to make provision for the recovery and

re-use of salvaged materials wherever possible, has first been submitted to the Local Planning Authority in writing to be agreed. The development shall be carried out in accordance with the approved plan or any amendment or variation to it as may be agreed in writing by the local planning authority.

Reason: To safeguard the living conditions of neighbouring/adjacent occupiers and land users during both the demolition and construction phase of the development.

6) Prior to development on the existing playing field a scheme to ensure the continuity of the existing sports use, curriculum and community use, of the sports facilities (indoor and outdoor) has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The Scheme shall apply to the main school construction and the temporary car park and access road on St Andrews Primary School. The Scheme must set out details of the size, location, type and make-up of the facilities or temporary off-site replacement facilities (as appropriate) together with arrangements for access. The scheme must include a timetable for the provision of the facilities or temporary off-site replacement facilities (as appropriate). The approved scheme shall be implemented and complied with in full throughout the carrying out of the development.

Reason: To protect sports facilities from damage, loss or availability of use during the construction of the development and to accord with Development Plan Policy EQ1 and paragraph 99(b) of the NPPF.

7) No development of the sports hall shall commence until details of the design and layout of the sports hall and changing rooms have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The details shall include scale plans of the layout and dimensions of the courts with run off areas, and height of the sports hall. Internal features of the sports hall and changing rooms should comply with Sport England's Sports Hall design guidance. The sports hall shall not be constructed other than in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy EQ1 and paragraph 99(b) of the NPPF.

During Building Works

8) The Document entitled Construction, Safety, Health and Environmental Management Plan Version 7 in conjunction with the Traffic Management Plan dated April 2022 (CTMP) shall be adhered to during the demolition and construction period.

Reason: These details are required prior to the commencement of development in order to ensure that the phases of development are managed properly and in order to safeguard the living conditions of the surrounding occupiers.

9) Site arrival shall be restricted to the following times:

Monday to Friday -07:30 to 18:00

Saturday - 0800 to 1300.

Site construction shall be restricted to the following times:

Monday to Friday 0800 to 1800

Saturday - 0800 to 1300.

During term time at this site construction arrivals or departures shall not take place during the following hours:

0800 to 0915 and 1445 to 1530

No work on site should be carried out on Sundays or Bank Holidays

Should there be any need to deviate from the hours of work proposed, written notice should be given to the Council, and agreed, prior to this work taking place.

Reason To safeguard the living conditions of neighbouring occupiers and land users.

10) During the Construction Phase the following Reasonable Avoidance Measures (RAM) for common amphibians shall be implemented.

- Draw down of the existing pond to be completed outside of the amphibian breeding season (drawn down between July and February inclusive).
- Existing vegetation in the vicinity of the science pond to be gradually cut and removed under ecological supervision to encourage any amphibians present to move away from the affected areas.
- The working area near to the pond, together with any storage areas, will be kept clear of debris, and any stored materials will be kept off the ground on pallets so as to prevent amphibians from seeking shelter or protection within them; and
- Any open excavations in the vicinity of the pond (e.g., foundations / footings / service trenches etc) will be covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets will be covered with a thick layer of topsoil or similar) to prevent amphibians from seeking shelter beneath them. Any excavation must be in-filled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to amphibians.

Reason: The details are required prior to the commencement of development to safeguard conservation of species/habitats.

11) During the Construction Phase the following Reasonable Avoidance Measures (RAM) for hedgehogs shall be implemented:

- All trenches and excavations should have a means of escape (e.g., a ramp).
- Any exposed open pipe systems should be capped to prevent mammals gaining access; and
- Appropriate storage of materials to ensure that mammals do not use them.

Reason: The details are required prior to the commencement of development to safeguard conservation of species/habitats.

12) No tree felling, scrub clearance, hedgerow removal or vegetation management, is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then affected trees, scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

Reason: To protect birds during their breeding season.

13) No development shall commence above slab level until details of the materials to be used in the construction of the external surfaces of the building are submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an acceptable visual appearance to the development.

14) No equipment, machinery or materials shall be brought onto the site for the purposes of the development until details of all fencing for the protection of trees, hedges and other landscape features, including its location and type have been submitted to and approved in writing by the local planning authority. The fencing shall be erected in accordance with the approved details, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made at any time.

Reason: These details are necessary prior to the commencement of development to safeguard all existing trees on site.

15) A scheme of noise control for any proposed plant and equipment to be installed on site shall be submitted to and approved in writing by the Local Planning Authority before its use becomes operational and retained thereafter.

Reason: To safeguard the living conditions of neighbouring/adjacent occupiers and land users.

16) Within three months of the demolition of the school buildings the following documents shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:

- (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality; and
- (ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme with pitch specification to address any such constraints. The scheme shall include a written specification and plans of the proposed soil's structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation and maintenance.

The approved scheme shall be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Development Plan Policy EQ2 and paragraph 99(b) of the NPPF.

17) Prior to reinstatement of the Northern part of the playing field shown on drawing number 10/ 7-DEP-00-ZZ-DR-L-0002 Rev 2.4 (Annotated Site Plan) Legend No.1, a scheme for the removal of conifers, bunds and gravel car park and the reinstatement of the affected playing field has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The scheme must be in accordance with Sport England guidance "Natural Turf for Sport" (2011) to ensure a uniform surface across the playing field and provide a timetable for implementation.

In the first planting season following the removal of the conifers, bunds and gravel car park the affected playing field must be reinstated in accordance with the approved scheme.

Reason: To ensure the site is restored to a condition fit for purpose and to accord with Development Plan Policy EQ2 and paragraph 99(b) of the NPPF.

18) Prior to removal of the temporary car parking as shown in the 'Construction Safety, Health and Environment Management Plan' a scheme for the removal of the car parking and access road from St Andrews Primary School and the reinstatement of the affected playing field has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The scheme must be in accordance with Sport England guidance "Natural Turf for Sport" (2011) to ensure a uniform surface across the playing field and provide a timetable for implementation.

In the first planting season following the removal of the car parking and access road the affected playing field must be reinstated in accordance with the approved scheme.

Reason: To ensure the site is restored to a condition fit for purpose and to accord with Development Plan Policy Development Plan Policy EQ2 and paragraph 99(b) of the NPPF.

19) In the event that previously unidentified contamination is found at any time when carrying out the approved development, immediate contact must be made with the Local Planning Authority and works must cease in that area. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of the remedial works identified in the approved remediation strategy, a verification report that demonstrates compliance with the agreed remediation objectives and criteria will be required, which is subject to the approval in writing of the Local Planning Authority.

REASON To safeguard the living conditions of neighbouring occupiers and land users.

20) No piling shall take place until a scheme of piling methodology, which provides justification for the method chosen and details noise and vibration suppression methods proposed, has first been submitted to the Local Planning Authority in writing to be agreed. should be submitted for prior approval. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason To safeguard the living conditions of neighbouring occupiers and land users.

Before the Development is Brought in to use

21), The new school building shall be not occupied until a 2.4 metre acoustic sound barrier shall be provided, to run alongside number 23 Deyes Lane and encompass the rear garden areas of 15-23 Deyes Lane, in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme also shall include details for a 1.5m fence and 300 metre to part of the side boundary of no 23 Deyes Lane.

Reason: To protect the living conditions of the residents and to ensure an acceptable visual appearance to the development

22) The new school building shall be not occupied until a scheme detailing any proposed external lighting to be installed on the completed site shall be submitted to and approved in writing by the local planning authority. All external lighting shall be installed and maintained in accordance with the agreed scheme.

Reason To safeguard the living conditions of neighbouring occupiers and land users.

23) The development hereby permitted by this planning permission, including all components of the sustainable drainage system, shall be carried out in accordance with the approved Sustainable Drainage Strategy (25.02.2022 / DEYES HIGH SCHOOL FLOOD RISK ASSESSMENT & DRAINAGE

STRATEGY REPORT DEPARTMENT FOR EDUCATION / Ridge and Partners LLP) and submitted Sustainable Drainage Pro-forma.

The approved scheme shall be fully constructed prior to final occupation in accordance with the approved details, phasing and timetable embodied within the approved Sustainable Drainage Strategy, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority.

Reason: To promote sustainable development, in order to secure proper drainage and to manage risk of flooding and pollution.

24) Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

25) The new school building shall be not occupied until a scheme and appropriate scaled plan identifying suitable locations on the site for the erection of bird nesting boxes and bat boxes together with a timetable for implementation has been submitted to and approved in writing by the local planning authority. The approved scheme of nesting and bat boxes shall be installed in accordance with the approved details and timetable.

Reason: To safeguard conservation of species/habitats

26) Use of the development shall not commence until a Community Use Agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to all sports facilities managed by the school, or their management company, 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 for the duration of the development.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy EQ2 and paragraph 99(b) of the NPPF.

27) The school building shall not be occupied until a detailed scheme of highway works together with a programme for their completion has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Existing vehicle access to be closed, with kerbing and footway extended through crossing to create continuous footway.
- Existing Vehicle Accesses widened from 3m to 4m width at drop off gyratory/layby, including reconstructed junction bellmouths and dropped kerbs and tactile paving either side of each access.

No part of the development shall be brought into use until the required highway works have been constructed in accordance with the approved details.

Reason: These details are required to ensure that acceptable access to the development is achieved and to ensure the safety of highway users.

28) Prior to final occupation of the development space laid out for parking shall be provided within the site in accordance with drawing no drawing no 1017-DEP-00-ZZ-DR-L-0002-2.3 Proposed site layout plan for 120 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear and that space shall thereafter be kept available for the parking of vehicles / such purposes in perpetuity thereafter.

Reason: To ensure that enough car parking is provided for the development and to ensure the safety of highway users.

29) Facilities for the secure storage of cycles shall be provided in accordance with details to be submitted to and approved in writing by the local planning authority. The facilities shall be provided on site prior to final occupation of the development, and they shall be retained in perpetuity thereafter.

Reason: To ensure that enough cycle parking is provided for the development in the interest of promoting non-car based modes of travel.

30) Prior to final occupation of the development, a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use shall be prepared, submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets.

Reason: In order to meet sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling.

31) Prior to final occupation of development, a Full Car Park Management Strategy shall be submitted to, and approved in writing by, the local planning authority. The approved Full Car Park Management Strategy shall then be implemented, monitored and reviewed in accordance with the agreed Strategies Measures.

Reason: These details are required to ensure that enough car parking is provided for the end users.

32) Final occupation of the development shall not occur until a minimum of 5 electric vehicle charging points have been installed and are made available for use within the development as permitted. The approved infrastructure shall be permanently retained thereafter.

Reason: In order to meet sustainable transport objectives

Ongoing conditions

33) The use of the outdoor sports fields and Multi Use Games Area (MUGA) shall only take place between the hours of 09:00-18:00 Monday to Friday, during school term time only.

Reason: To safeguard the living conditions of neighbouring/adjacent occupiers and land users.

34) Within the first planting/seeding season following completion of the development, all planting, seeding or turfing associated with the soft landscaping areas comprised in the approved details of landscaping shall be carried out; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure an acceptable visual appearance to the development.