

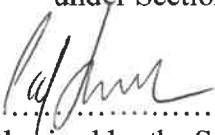
HIGH SPEED RAIL (LONDON – WEST MIDLANDS) ACT 2017

DIRECTION TO DEEM PLANNING PERMISSION TO BE GRANTED UNDER PART 3
OF THE TOWN AND COUNTRY PLANNING ACT 1990

REDEVELOPMENT FOR RELOCATION OF A SPECIAL NEEDS SCHOOL ON LAND
AT JERRINGS HALL FARM, DICKINS HEATH, TANWORTH LANE, SOLIHULL

The Secretary of State for Transport, Department for Transport, Great Minster House, 33 Horseferry Road, London, SW1P 4DR hereby directs that:-

1. Pursuant to Section 50 of the High Speed Rail (London – West Midlands) Act 2017 (“the Act”) and Part 3 of the Town and Country Planning Act 1990 (“1990 Act”) and subject to paragraphs 2 and 3 below, planning permission, so far as it is required, be deemed to be granted for the Development authorised by the Act as specified in Schedule 1 to this Direction.
2. The Development for which planning permission is deemed to be granted is development which, in respect of any works or matters, is carried out within the limits authorised by the Act and has been the subject of environmental assessment in connection with the Act for the purposes of section 50(8)(c) of the Act.
3. Planning permission for the Development as described in Schedule 1 to this Direction is deemed to be granted under Part 3 of the 1990 Act subject to the planning conditions set out in that Schedule.
4. Pursuant to section 50(4) of the Act section 20(1) of the Act does not apply to the Development as described in Schedule 1 to this Direction.
5. A set of planning drawings showing elements of the Development in further detail accompanies this Direction. A list of these drawings is set out in Schedule 2 to this Direction.
6. Pursuant to section 50(5)(b) the Development may be carried out only by [The Island Project (registered charity number 1119034)] or the nominated undertaker appointed under Section 45 of the Act.

 (Paul Stewart)
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Authorised by the Secretary of State for Transport

13 day of October 2021

SCHEDULE 1

PLANNING CONDITIONS

Definitions and Interpretation

In these conditions unless the context otherwise requires:

“Act” means the High Speed Rail (London – West Midlands) Act 2017;

“Commencement” means the date upon which the Development shall begin by the carrying out of a material operation as defined in Section 56 of the Town and Country Planning Act 1990 excluding any operations relating to ground and soil investigations, investigations or works in respect of ground contamination, archaeological investigations, geological investigations, site clearance, tree felling or removal, or the erection of fencing, hoardings or site compound buildings, and “Commence” and cognate terms shall be construed accordingly;

“Development” means the redevelopment of the Site for the relocation of a special needs school including conversion works, internal and external alterations to the listed buildings, the installation of two single storey modular buildings, construction of a car park, taxi-drop off and waiting area, infrastructure works and associated landscaping at Jerrings Farm, Dickins Heath, Tanworth Lane, Shirley Solihull;

“Environmental Statement” means the document entitled Supplementary Environmental Statement 3 and Additional Provision 4 (Supplementary Environmental Information) dated 12 October 2015;

“Local Planning Authority” means Solihull Metropolitan Borough Council and its successors as local planning authority for the area in which the Site is located;

“Occupied” means occupation for the purposes permitted by this deemed planning permission but not including occupation by personnel engaged in construction, fitting out or decoration or occupation for marketing or display or occupation in relation to security operations, and “Occupation” and cognate terms shall be construed accordingly;

“Planning Direction Drawings” means the drawings listed in Schedule 2 to this Direction; and

“Site” means the area of land shown for identification purposes only edged with a solid red line on the Location Plan with reference ‘18.1831.LOC01 Rev A’ listed in Schedule 2 to this Direction.

References in these conditions to any scheme, strategy, programme, statement, plan, details, procedure or report to be approved by the Local Planning Authority (each an “approved document”), or to doing of anything in accordance with any approved document shall be construed as

including references to such amendments, modifications or substitutions of the approved document as shall have been agreed in writing by the Local Planning Authority.

1. The Site

The construction of the Development shall take place within the Site only.

Reason: To ensure that no construction takes place beyond the boundary of the area which is the subject of this planning permission.

2. In Accordance with Planning Direction Drawings

The Development shall be carried out in accordance with the Planning Direction Drawings and any samples or details approved in accordance with the conditions attached to this planning permission, except to the extent that any modification is required or allowed by or pursuant to these conditions.

Reason: To define the scope of the planning permission and to ensure the planning permission is implemented in all respects in accordance with the submitted details.

3. Construction Method Statement

The Development shall not be Commenced until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. This should include details of:

- The control of noise and vibration emissions from construction activities including groundworks and the formation of infrastructure including arrangements to monitor noise emissions from the Site during the construction phase;
- The control of dust including arrangements to monitor dust emissions from the Site during the construction phase; and
- Measures to reduce mud deposition off site from vehicles leaving the Site.

All construction activity shall be carried out in accordance with the Statement (or any variation) so approved.

Reason – To protect the amenities of the local residents and in the interests of public and highway safety.

4. Construction Hours

Construction work shall only take place during the following hours:

Monday – Friday 07:30 – 18:00

Saturday 08:30 – 13:00

No construction work shall take place on Sundays and Public Holidays.

Reason: To ensure that local residents are not subjected to significant increased and adverse levels of noise generated by the Development.

5. Lighting Scheme

All external lighting on the Site shall be installed, maintained and operated in accordance with the Luminaire Schedule carrying reference 2161-B20-ZZ-XX-SH-E-0000 in the locations shown on Proposed Site Plan (Dwg. no. 1831-CMS-SP-00-DR-A-0002 Rev B) and External Services Layout (Dwg No. 2161-B20-ZZ-ST-DR-E-70800 (or any variation of the details approved in writing by the Local Planning Authority). No further illumination of any external area of the site shall take place except with the prior written consent of the Local Planning Authority and in accordance with details submitted to and approved by them.

Reason: To ensure appropriate measures are taken in relation to protected species.

6. Surface and Foul Water Drainage Schemes

The drainage strategy set out in the Flood Risk Assessment and Drainage Strategy prepared by Clive Onions Ltd dated 23 April 2020 shall be implemented prior to first Occupation of the Development.

Reason: In order to ensure that the Site is served by an adequate surface water and foul water disposal system and to ensure the Development does not result in excessive surface water from the Site adversely affecting other properties within the locality.

7. Archaeological Investigation

No intrusive ground works shall take place on the Site unless an archaeologist (the identity of whom has been notified to the Local Planning Authority prior to the implementation of such works and who shall in all circumstances be a Member of the Chartered Institute for Archaeologists) is present. In the event that any archaeological remains or artefacts are uncovered in the course of the works the local planning authority shall be notified in writing and the attending archaeologist shall date, characterise and record the remains prior to any action being taken to cover them.

Reason: In order to ensure the adequate investigation and recording of archaeological remains in accordance with paragraph 141 of the National Planning Policy Framework.

8. Construction Environment Management Plan

The Development shall not be commenced (to include any demolition) until a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall be informed by the Ecological Survey undertaken by Clarkson & Woods dated September 2019, updated September 2020 and include:

- a. A strategy setting out how retained habitats and associated species will be protected during construction, including but not limited to bats and reptiles;
- b. Information on key habitat features requiring protection during construction;
- c. Measures that will be employed on site on a daily basis to ensure accidental damage and pollution events are avoided wherever possible;
- d. The identification of a buffer (minimum of 5m but less than this between the existing building and hedgerow boundary to the north due to restricted space in that location) between any construction activities and the adjacent Dickens Heath Marsh LWS;
- e. Measures to protect hedgerows, trees and the existing pond;
- f. Details on the locations of compound and parking areas, pollution avoidance strategies and incident responses;
- g. The appointment of an Ecological Clerk of Works;
- h. A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as the bird nesting season).

All construction activities shall be implemented in accordance with the approved details and timing of the plan unless otherwise approved in writing by the Local Planning Authority.

Reason: In order to comply with statutory wildlife protection legislation and to protect features of recognised nature conservation plus protected and important species.

9. Biodiversity

The mitigation measures set out in the Ecological Survey undertaken by Clarkson & Woods dated September 2019, updated September 2020 shall be implemented in full (unless any variation thereto is agreed in writing by the Local Planning Authority). No works of construction shall commence until a bat licence has been obtained from Natural England and evidence of the same provided to the Local Planning Authority.

Reason: To safeguard the presence and population of protected species and to preserve and enhance local biodiversity in accordance with relevant legislation and Policy P10 of the Solihull Local Plan 2013.

10. Landscaping and Retention of Trees

All hard and soft landscape works shall be carried out in accordance with the detail set out in plan reference edp5137_d0009 and shall be implemented in the first planting season following completion of the Development. If within a period of 5 years from the date of planting of any tree, that tree or any tree planted in replacement for it, is removed, uprooted, destroyed, dies or becomes seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place within the next planting season

(October-March), unless the Local Planning Authority gives its written consent to any variation.

Reason: To minimise the effect and enhance the character of the development in accordance with Policy P10 and P15 of the Solihull Local Plan 2013, to improve the amenities of the local area, to minimise the impact of the loss of trees on the Site and to ensure that there is no net loss of biodiversity on-site.

11. Landscape Management Plan

A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved by the Local Planning Authority prior to the first Occupation of the Development. The landscape management plan shall be carried out as approved.

Reason: To minimise the effect and enhance the character of the development in accordance with Policy P10 and P15 of the Solihull Local Plan 2013.

12. Arboricultural Mitigation

The mitigation measures set out in the Arboricultural Impact Assessment carrying reference 200604-1.2-JFH-AIA-MW prepared by Treework Environmental Practice and dated 4 June 2020 shall be implemented in full during the construction of the Development

Reason: To enhance the character of the development.

13. Parking and service areas

The relocated school shall not be Occupied until the cycle parking, car parking and taxi drop off point have been fully laid out and provided using 'Grasscrete' or similar grass infill permeable system, in accordance with the details shown in plan 1831-CMSa-SP-00-DR-A-0002 Rev B and access areas have been provided in accordance with the details shown in plan 528-0003-SK04-Rev 2.

Reason: To ensure that the development is served by acceptable car parking and servicing areas

Informatives

The Development must be begun not later than the end of ten (10) years from 23 February 2017 in accordance with the time limit applied by Section 50(7) of the Act.

SCHEDULE 2

PLANNING DRAWINGS AND DOCUMENTS

Site Plans

1. Site Location Plan (Dwg. No. 18.1831.LOC01 Rev A)
2. Existing Site Plan (Dwg. No. 1831-CMS- SP - 00 -DR-A-0001)
3. Proposed Site Plan (Dwg No. 1831-CMS- SP - 00 -DR-A-0002 Rev B)

Structure Plans

Modular Buildings

4. Proposed Elevations Modular Building (Dwg. No. SK29)
5. Proposed Modular Bld Plan (Dwg. No. SK30)
6. Proposed Modular Bld 2 Plan (Dwg. No. SK31)

Main Building

7. Main Building - Existing Ground Floor Plan and Elevation (Dwg. No. 0010)
8. Main Building - Existing First & Second Floor Plans and Elevation (Dwg. No. 0011)
9. Main Building - Existing Elevations (Dwg. No. 0012)
10. Main Building - Proposed Ground Floor Plan (Dwg. No. 0013 Rev PO1)
11. Main Building - Proposed First Floor Plan (Dwg. No. 0014 Rev PO1)
12. Main Building - Proposed Second Floor Plan (Dwg. No. 0015 Rev PO1)
13. Main Building - Proposed Elevations (Dwg. No. 0016)
14. Main Building - Proposed Elevations (Dwg. No. 0017)
15. Main Building - Ground Floor Demolition Plan (Dwg. No. 0018)
16. Main Building - First Floor Demolition Plan (Dwg. No. 0019 Rev PO1)
17. Main Building - Second Floor Demolition Plan (Dwg. No. 0020)

Leisure Building

18. Leisure Building - Existing Floor Plans (Dwg. No. 0030)
19. Leisure Building - Existing Elevations (Dwg. No. 0031)
20. Leisure Building - Proposed Floor Plans (Dwg. No. 0032 Rev PO1)
21. Leisure Building - Proposed Elevations (Dwg. No. 0033)
22. Leisure Building - Demolition Plans (Dwg. No. 0034)

Annex Building

23. Annex Building - Existing Floor Plans and Elevations (Dwg. No. 0050)
24. Annex Building - Existing Elevations and Sections (Dwg. No. 0051)
25. Annex Building - Proposed Floor Plans (Dwg. No. 0052 PO1)
26. Annex Building - Proposed Elevations (Dwg. No. 0053)
27. Annex Building - Proposed Demolition Plans (Dwg. No. 0054)

Design Plans

28. Technical Design - Modular Building (rectangle) (Dwg. No. 0070)
29. Technical Design - Modular Building (L) (Dwg. No. 0071)
30. Technical Design - Modular Building – Details (Dwg. No. 0072)
31. Modular 1 Building Door Schedule (Dwg. No. 4003)
32. Modular 2 Building Door Schedule (Dwg. No. 4004)

33. Finishes Schedule - Modular 1 Building (Dwg. No. 4020)
34. Finishes Schedule - Modular 2 Building (Dwg. No. 4021)
35. Sanitary Schedule - Modular Buildings (Dwg. No. 4032)
36. Fittings Schedule - Modular Buildings (Dwg. No. 4033)

Infrastructure Plans

37. Proposed Levels Plan (prepared by Condon Drew Associates)
38. Drainage Layout
39. Surface Water Drainage Long Sections
40. Foul Water Drainage Long Sections
41. Drainage Details Sheet 1
42. Drainage Details Sheet 2
43. Twin Effluent Pump Chamber Sales Drawing
44. BF Bio disc General Dimensions
45. Visibility Splays (Dwg. No. 528-0003-SK03-Rev 0)
46. Site Access Improvements and Swept Path Analysis (Dwg. No. 528-0003-SK04-Rev 0)
47. Detailed Landscape Design Proposals (Dwg. No. edp5137_d009)
48. External Services Layout (Dwg. No. 2161-B20-ZZ-ST-DR-E-70800)

Supporting Assessments/Details

49. Arboricultural Impact Assessment (prepared by Treework Environmental Practice)
50. Archaeological Assessment (prepared by Environmental Dimension Partnership)
51. Ecological Survey (prepared by Clarkson & Woods Ecological Consultants)
52. Flood Risk Assessment and Drainage Strategy (prepared by Clive Onions Consulting Civil Engineer)
53. Geotechnical Report (prepared by Integrale Limited)
54. Landscape and Visual Appraisal (prepared by Environmental Dimension Partnership)
55. Luminaire Schedule (prepared by Box Twenty Consulting Engineers)
56. Planning, Design and Access Statement (prepared by Sanderson Weatherall LLP)
57. Transport Statement (prepared by Calibro Consultants Ltd)
58. Works Method Statement for Alterations to Jerrings Hall Farm (prepared by LM)
59. Grasscrete Brochure
60. Grasscrete CAD Parking Details