

Somerset County Council
Planning Control, Enforcement & Compliance Service
PP B2 S4
County Hall, Taunton
Somerset, TA1 4DY

Application Number: 4/38/18/0040/OB
Date Registered: 22nd January 2018
District: Taunton Deane
Member division: Taunton North
Local Member: Cllr Guiseppe Frashini
Case Officer: Frances Gully
Contact Details: FCGully@somerset.gov.uk Tel: 01823 359168

Description of application: Erection of a secondary Special Education Needs (SEN) school and a primary SEN school; along with alterations to the access, landscaping, drainage and associated infrastructure; of which full permission is sought for the secondary SEN school (Use Class D1) with all matters to be determined, and outline permission for the primary SEN school (Use Class D1) with all matters reserved

Grid reference: 323376/125995

Applicant: Somerset County Council

Site location: Land at the former St Augustine of Canterbury School, Lyngford Road, Taunton, TA2 7EF

1. Summary of Key Issues and Recommendations

1.1. The key issues for members to consider are:

- Accordance with the development plan;
- Material Considerations;
- Playing Field provision;
- Educational need;
- General development, design and crime prevention;
- Transport and parking;
- Landscape and ecological impact.
- Flood risk, surface water design and outfalls to watercourse

1.2. This is a Regulation 3 application which requires that it be determined by Somerset County Council as Local Planning Authority.

1.3. It is recommended that planning permission be GRANTED subject to the imposition of the conditions in section 11 of this report and that authority to undertake any minor non-material editing which may be necessary to the wording of those conditions be delegated to the Service Manager - Planning Control, Enforcement & Compliance.

2. Description of site and location

2.1. This application relates to land on the former St Augustine of Canterbury School (St Augustine's), Lyngford Road, Taunton, TA2 7EF (grid Ref: 323298 - 125966) located in the north of Taunton within a residential area, between Lyngford Road (to the west), Priorswood Road (to the south) with Sky College, a specialist education provider, to the north-east.

2.2. Most of the former school has been demolished. Access to the former school library which remains on site along with the Cadet Hut is from an existing entrance, in the north of the site, off Lyngford Road and within the red line boundary.

2.3. A central production kitchen (and associated services yard) is also on the site. However, this is outside the red line boundary and is unaffected by this application.

2.4. To the south of the red line boundary, and north of Priorswood Road, is open space associated with the former school. This has a dual-culverted main watercourse (named the Kingston Stream) which travels south of the applications site's red line boundary but within land within the applicants control, then back into the east of the site where it joins with another culvert and exits under Eastwick Road. From historical records it appears that one culvert carried foul water, and that is why they were culverted in the 1950s.

2.5. The application site comprises 2.8ha in total; the secondary SEN school site (the full application) is 1.8ha of brownfield land and the land for the primary school (the outline application) is 1.0ha of greenfield land (former playing pitches).

3. Site History

3.1. St Augustine's merged with Ladymead Community School in 2010 to form the Taunton Academy. The buildings were in a bad state of repair and a detailed condition survey, carried out in 2015, demonstrated that the buildings were beyond economical repair. Buildings, identified as blocks A, B and D on site plan P17051_107_170511 of application number 4/38/17/0437/OB, were demolished in December 2017.

3.2. St Augustine's, has mostly been demolished, save a few outbuildings including the former library building which is being retained close to the entrance. The former St Augustine's secondary school catered for up to 264 pupils and closed in July 2010.

4. The Proposal

- 4.1. The proposal is for the erection of a secondary Special Education Needs (SEN) school and a primary SEN school. Full permission is sought for the secondary SEN school (use class D1) with all matters to be determined, and outline permission for the primary SEN school (use class D1) with all matters reserved. There will be alterations to the access, landscaping, drainage and associated infrastructure.
- 4.2. Phase 1 of the scheme, for the secondary school, is proposed to be operational by September 2019 and is anticipated to accommodate a maximum of 100 secondary school children with 90 FTE staff. The primary School proposed as phase 2 would be to accommodate a maximum of 80 children and approximately 90 FTE staff, to be developed if required within the planning permission timescale.
- Proposed vehicle parking for 90 full time equivalent staff, and other parking as follows;
- 45 car spaces
 - 2 visitor spaces
 - 5 mini bus space
 - 4 disability spaces
 - 28 cycle parking spaces (14 sheffield stands/cycle hoops)
- 4.3. The scheme is proposed to be served via an existing upgraded junction from Lyngford Road. The altered vehicle and public access from the public highway, would improve visibility and safety for traffic and pedestrians into the site and there would be new service/circulation roads within the site.
- 4.4. The application states that the development would incorporate areas to store and aid the collection of waste with separate storage and collection of recyclable waste. Foul sewage would be disposed of via the mains sewer and would be connected to the existing drainage system.
- 4.5. The area of the site which would have the proposed school buildings is not within an area at risk of flooding. Surface water would be disposed of via a sustainable drainage system.

4.6. Documents submitted with the application:

- 1 APP Application form;
- Ownership letters Ref: MH/GC/8695;
- Existing Site Plan AWW3900_P17059_0101 rev P02;
- Site location plan AWW3900_P17059_0100 rev P02;
- Proposed Site Block Plan AWW3900_P17059_0110 rev P02;
- Proposed Ground floor Plan AWW3900_P17059_0200 rev P02;
- Proposed First Floor Plan AWW3900_P17059_0201 rev P02;
- Hazelbrook Campus Selworthy School: Design and access statement updated version Rev 3 (February 2018);
- Statement of community involvement (contained within DAS);

- Arboriculture report (September 2017);
- Tree removal Plan AWW3900_P17059_v1_zz_DR_A_0161_P01;
- Updated Arboricultural Impact Assessment (AIA) (February 2018) report No. RT-MME-127092-02 Rev A;
- Ecological Appraisal, First Ecology ref. 1073_2017_34 (September 2017);
- Landscape Infrastructure Plan Dwg no. 890-01B;
- Landscape Strategy (Bridges Design Associates Ltd. 18th January 2018);
- Flood Risk Assessment (FRA) Wilmott Dixon Rpt no. RT-MME-127092-02 Rev A;
- FRA Hydroc ref: C-08289-C (January 2018);
- Foul & Surface Water Drainage Strategy ref: HCSS-HYD-00-ZZ-RP-C-0001_P1 (January 2018);
- Water efficiency statement – SDS Engineering consultants, Plymouth;
- Energy statement - SDS Engineering consultants, Plymouth Doc. 4191P – SDS – X0 –XX – RP – ME- 01-S3 – P0.3;
- Acoustics Report updated ref:180312-259 (20 March 2018);
- Ground conditions Desk Study report ref. HCss-HYD-XX-DS-RP-G-1000 P1(January 2018);
- Historic Environment Desk-Based Assessment Ref: 201460.01 (January 2018);
- Planning statement, MH/GC/86956 (January 2018);
- External Lighting: SDS Plymouth ref. 04191P rev P02 (15th January 2018);
- Transport assessment;
- Travel Plan Ref: B067050/TP;
- Non-motorised users report & updated version rev V03 issue dated 22 February 2018;
- P17059-AWW-ZZ-ZZ-DR-A-SK24-2a Lyngford Road_P01.pdf
- Culvert Conn Detail RevP01
- SuDS Report Hazelbrook April 2018 Rev 2.pdf

5. Environmental Impact Assessment (EIA)

5.1. An assessment of the proposed development in the context of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 has found that the proposal falls within Schedule 2, project type 10(b); 'Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas;' The thresholds and criteria relevant to this project type are:

- (i) The development includes more than 1 hectare of urban development which is not dwelling house development; or
- (ii) the development includes more than 150 dwellings; or
- (iii) the overall area of the development exceeds 5 hectares.

The site area is 2.8ha; which is in excess of applicable threshold (i).

5.2. Given that the development exceeds the site size threshold, it is necessary to screen the proposal to determine whether or not the effects on the environment associated with the development are likely to be significant. The screening

process determines whether or not the proposal represents EIA development, and therefore whether or not an Environmental Statement and EIA is required.

- 5.3. An Environmental Impact Assessment (EIA) Screening Opinion has been undertaken using the EIA 2017 Screening matrix and issued. The EIA Screening Opinion is a matter for the County Council as the Local Planning Authority to determine and is not something that is publicly consulted upon. It is sent to the Borough Council to be placed on the Part 1 register and made available for public inspection for a period of two years.
- 5.4. The conclusion is that this development is not EIA development and therefore an ES is not required to be submitted with the application.

6. Consultation Responses Received

6.1. External consultees

6.1.1. Taunton Deane Borough Council (TDBC): No objections and no comments or suggested conditions from the Development Management team.

6.1.2. TDBC Policy Team: Summary

Even with phase one and two SEN schools there is the opportunity to have some playing pitches (at least junior/7v7/etc.) south and south-east of the proposed buildings with a foot access off Priorwood Rd or Lyngford Lane. Bringing former pitches back into use is an economical (cost and resources) solution to resolving pitch capacity and provision shortfall in the Borough. Renting out pitches would also generate an income for the site occupants or freeholder. It is therefore not clear why this simple and significant opportunity appears to have been discounted.

6.1.3. Environment Agency (EA)

The EA has no objection to this proposal, subject to conditions and notes to cover their interests.

Taking each point in order, as per the letter of 02 May 2018, the EA now comment as follows:

1. Whilst the additional flood mapping provided on the AWW drawing indicates that the higher flood risk areas at the site lie towards the southern boundary of the site, we still feel that the main access/egress point could be subject to some flood risk, principally from overland surface water routing along Lyngford Road. However, this is likely to be fairly shallow and infrequent from an inspection of the surface water flood maps, and something that we feel could be incorporated into a flood warning and emergency response plan for the school. Rather than condition the need for a subsequent Flood Risk Assessment revision, which could be *ultra vires* as a planning condition, we would **advocate a condition that requires the provision of a flood warning and emergency response plan to be submitted and approved prior to use of the SEN school buildings.** As part of this plan, should any additional emergency access/egress point become desirable as further analysis of flood risk is undertaken, then we

would simply expect this to be provided in the completion of phase 1 works, or delivered via any phase 2 extension.

2. Agreed already.

3. Agreed already.

4. The additional surface water drainage connection details illustrated in concept on Hydrock drawing HCSS-HYD-00-XX-DR-C-7150 Rev P01 suggests that it will be technically possible to make a viable gravity discharge point for the site attenuation system to the Kingston Stream culverts. However, it is felt that the saddle detail shown may not be acceptable to our Asset team, who favour a new manhole chamber to be formed at the proposed connection point. Any new connection to the Kingston Stream Main River culverts will be subject to a separate Flood Risk Activity Permit (FRAP) from ourselves, and we suggest that this can be discussed further at the time of application to us. In light of these comments, we would **advocate a condition that requires the submission and approval of a suitable surface water drainage connection to the Kingston Stream (Main River) culvert(s) to be made prior to any construction of the attenuation tank taking place on site.**

5. Whilst it is disappointing to curtail exploratory discussions around the re-opening of the Kingston Stream culverts at this time, we do not feel that our current objection to this application should be sustained on this point. Nevertheless, we would welcome any opportunity for future discussions should the sports pitch delivery not be required, or there are other reasons to pursue these environmental outcomes at the site. This is particularly relevant in light of the very limited sustainable drainage measures that have been incorporated into the current surface water drainage designs for the school site. This outcome is a lost opportunity for the council to be showcasing good practice and enhancing the environment of the town of Taunton, especially considering its Garden Town Status, and as it is your Council's role in promoting these via new development.

6.1.4. Sport England

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595).

Sport England has considered the application in light of:

- The National Planning Policy Framework (particularly Paragraph 74); and
- Sport England's Playing Fields Policy and Guidance (March 2018), (www.sportengland.org/playingfieldspolicy); and
- The Taunton Deane Playing Pitch Strategy (PPS) for the area. The PPS seeks to protect the site for playing pitch use across the Strategy period of 2017-2019.

As currently submitted the application does not accord with Paragraph 74 of the NPPF. Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in their playing fields policy document apply, and the applicant has not demonstrated that the exceptions apply. In addition the application does not

provide justification for the deviation from the Taunton Deane Playing Pitch Strategy (Policy F90), relating to the St. Augustine site. Therefore Sport England **Object** to the proposal as submitted.

Following a rebuttal from the applicant's agent Sport England's following comment was:

Sport England's comments dated 20 February 2018 remain valid and an **objection** has been lodged. The playing fields when in operation were quality playing surfaces. They should be protected and be brought back into community use, alternatively a replacement playing field is created in line with Exception 4 of the above Playing Fields Policy which states:

The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- **of equivalent or better quality, and**
- **of equivalent or greater quantity, and**
- **in a suitable location, and**
- **subject to equivalent or better accessibility and management arrangements.**

We would not want the Council misguided by comments related to '5 years' and the site being last used circa 2010. To be clear Sport England draws your attention to *what is a playing field*, *what is a playing pitch* and *what is meant by land last used as a playing field* (within the Playing Fields Policy & Guidance March 2018):

Conclusion

In light of the above, Sport England maintains the **objection** to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 74 of the NPPF. Sport England would suggest that the proposed layout is revised so that new buildings and car parking is located only on the brownfield element of the site. And that the playing field land is retained and opened up to community use in accordance with the Playing Pitch Strategy.

The applicant's agent provided a desk top study to show potential playing fields which could be retained.

Sport England's final response indicates that they do not consider the proposal as meeting Exception 4 of the Playing Fields Policy & guidance (March 2018).

A solution could be that the application is withdrawn and re-submitted just showing Phase 1 the SEN on brownfield land. Thus safeguarding the playing field land for future use as required by the TD Borough Playing Pitch Strategy 2016-2028 (adopted 2017). Sport England would not object to that application.

6.1.5. Wessex Water

- The site shall be served by separate systems of drainage.
- The Drainage Strategy (Hydrock, Jan 2018) proposes surface water disposal to the culverted watercourse running west to east through the site. This will be subject to agreement with the riparian owner and approval from the lead local flood authority with flood risk measures.
- Surface water connections to the public foul/ combined sewer network will not be permitted.
- For discharge of foul flows, the foul drainage strategy proposes an indirect connection to the public foul sewer, which we accept in principle.
- If there are any existing surface water connections to the existing foul drainage system these must be redirected upon re-development.
- Redundant drains and laterals should be sealed at the point of connection to the public sewer.
- Land drainage run-off shall not be permitted to discharge either directly or indirectly to the public sewerage system

5.1.5 Crime Prevention Design Advisor

Comments were provided on the following issues

- Perimeter Security
- Entrances at the Perimeter
- Vehicle Parking (incl. 2-Wheeled)
- Bin Stores
- External Lighting
- Landscaping/Planting
- Building Shell Security
- Internal Layout
- External Door sets
- Windows
- Access Control
- CCTV
- Intruder Alarm Systems
- Secured by Design(SBD) – if planning permission is granted, the applicant is advised to consult the additional comprehensive guidance available in the police approved SBD '**New Schools 2014**' design guide available on the SBD website – www.securedbydesign.com

The Applicants agent responded and provided a new drawing no. 890-01B – landscape infrastructure – A0

The crime prevention design advisors final comments are that the new information does satisfy the initial comments /concerns.

7. Internal consultees

7.1. Somerset Ecological services – Ecology

Following the submission of the ecological survey report, produced by First Ecology in September 2017 which includes bat activity and reptile surveys, the county ecologists had further discussion with the applicants, and an updated ecology report (from First Ecology) gives an additional recommendation for lighting control with regard to bat activity.

The existing field boundaries within the site should be retained and protected during development, i.e. the northeast boundary of Phase 1 and the north and eastern boundaries of Phase 2. Some beneficial habitat creation, such as wildflower meadow is shown within the landscape design for Phase 1. In order that this, and retained habitats, are managed for the benefit of bats and other wildlife the ecologist recommends that the following is conditioned:

- A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the County Planning Authority prior to the occupation of Phase 1 of the development. The content of the LEMP shall include the following:
 - a) Description and evaluation of features to be managed;
 - b) Ecological trends and constraints on site that might influence management;
 - c) Aims and objectives of management;
 - d) Appropriate management options for achieving aims and objectives;
 - e) Prescriptions for management actions;
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
 - g) Details of the body or organisation responsible for implementation of the plan; and
 - h) On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally submitted ecological scheme. The plan will be implemented in accordance with the approved details.

Reason: in the interests of the 'Favourable Conservation Status' of populations of European protected species

In addition although the bat species recorded are fairly light tolerant it is preferable that habitat used by bats, especially with regard to the potential presence of *Myotis* species, are kept dark. Therefore, I would recommend that the following be conditioned:

Prior to occupation, a “lighting design for bats” shall be submitted to and approved in writing by the County Planning Authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the County Planning Authority.

Reason: in the interests of the ‘Favourable Conservation Status’ of populations of European protected species

When Phase 2 comes forward I would advise that the design must include at least a 10-metre buffer of the boundary hedgerows. This then should be managed as long grassland for the abundance of prey species for bats. It would also need to be kept dark.

In accordance with the updated document, the following condition in line with the report’s recommendations on potential harm to badgers is recommended as follows:

Any trenches left exposed overnight during the construction phase will have a means of escape for badgers and other animals. This will comprise a shallow sloped edge or board (of at least 30cm width) set at an angle of no more than 30°.

Reason: In the interests of a protected species.

7.2. Lead Local Flood Authority (LLFA)

This proposal includes a betterment of 40%, however, given the site will be an educational campus it is considered that an opportunity is missed to create best practice Sustainable Urban Drainage System (SuDS) through high quality above ground drainage features providing environmental (water quality and biodiversity) amenity benefit and educational opportunities.

Using EU and Somerset Rivers Authority funding the LLFA are embarking on a series of SuDS retrofit schemes across Taunton to create showcase sites. This work also complements the town’s status as a Garden Town. The Wildlife and Wetland Trust is promoting the SuDS for Schools project, working in partnership with the EA and Thames Water, to build SuDS in ten schools within a particular catchment. The officer in charge of the scheme has been contacted to see if they might have some further advice/ suggestions with regards to the approach to this school.

The LLFA have encouraged the applicant to review their proposals and consider opportunities to enhance the ecological and amenity benefits that could be achieved for this development, noting the designs will also need to carefully consider the safety of pupils. The applicant has designed a further

drainage design which better fits with the principals of sustainable drainage, but as it is considered that further design work is required they have suggested the following condition to ensure the best design is submitted prior to development.

No development shall commence until a surface water drainage strategy, based on sustainable drainage principles, is submitted to and approved in writing by the local planning authority. The scheme shall include details of gullies, connections, swales and other means of attenuation, together with details of how the scheme shall be managed and maintained for the lifetime of the development. The scheme shall subsequently be implemented in accordance with the approved details.

REASON: To prevent any increased risk of flooding to the development, to improve and protect water quality and to improve habitat and amenity.

7.3. Local Highway Authority

There is no objection in principle to the proposed school on this site, given that the previous use of the land was also for education purposes. This response therefore concentrates on the technical submission and the detail that is provided to accompany the proposal.

Transport

There will be a change to the nature of the traffic associated with this site, compared to that of the previous secondary school; however the submitted Transport Assessment has demonstrated that the impacts of traffic associated with the SEN school will not be considered 'severe' in terms of the National Planning Policy Framework. The Highway Authority has no reason to challenge this conclusion.

It is noted that the majority of students will be brought to the site by mini-bus and that as such the majority of movements will be associated with staff travel.

Travel Plan

A Travel Plan has been submitted as part of this proposal. The Travel Plan focusses on staff as the potential for mode shift, as the ability to influence how the pupils travel is very limited. This is accepted.

It is unclear however, how the Targets that have been set for short, medium and long term (covering 5 years) will be achieved. There is no explanation of how the baseline was derived to support the targets and this should be demonstrated to ensure that the targets are reasonable and achievable.

The Travel Plan includes a commitment to undertake annual surveys (section 8.3 with key questions in 8.3.2) but this survey and these questions should be undertaken now with existing staff, to help establish the baseline and inform the assumptions. This would be of use, given that a number of staff will be relocating from the existing Selworthy School to this site, should permission be granted.

There is no information regarding staff origin locations and this will be necessary to explore the possibilities of Car Share, or to achieve a shift to other modes (dependant on their home locations). A plot of staff home postcodes should indicate where this may be possible and a range of suitable measures identified.

The Travel Plan will need to contain more information on how pupil transport will be managed. Whilst a basic drop off/pick up strategy has been included, there is no explanation of how many vehicles are being used, how long they take to load/unload or how the car park will be managed. This is a key area of any SEN School and a robust strategy should be included within the Travel Plan.

A good range of measures have been considered however 'park and stride' would normally be suggested for pupils rather than staff. To encourage this as a measure for staff, a suitable parking location should be identified to prevent indiscriminate and antisocial parking in the local area, in the event that the proposed parking in conjunction with an appropriate Travel Plan is insufficient.

Other measures should be explored, once a robust baseline is established, and it is recommended that the provision of pool bikes is used for inter-site journeys.

Given the points made herein in relation to the Travel Plan, amendments to the document will be required in order to make it acceptable. It is therefore recommended that this is included as a condition.

Car & Cycle Parking

Car parking provision has been provided in line with the adopted Somerset Parking Strategy, at a level of 1 space for two Full Time Equivalent staff, plus visitors, disabled spaces and mini-bus parking.

Cycle parking is shown as slightly below the minimum requirement and this should be addressed. A secure shelter for cycles should also be provided, especially where cycling will be the primary means of transport for some staff.

Access

The existing site benefits from three points of access to the highway, however it is proposed that only one will be utilised for the new school. This access is to be modified to accommodate the proposed development and this is acceptable but will necessitate the works being undertaken by either agreement or licence (depending on the technical detail).

There is sufficient circulatory space proposed within the site, that vehicles can enter the site and find parking/turning arrangements, clear of the public highway. This is however, dependent on the access gates being left open during operational hours for the school. If a different arrangement is

anticipated, this should be discussed with the Highway Authority to ensure that highway safety is not compromised.

Conditions

- Before works commence to alter the existing access, details shall be submitted to and approved in writing from the Planning Authority. These works shall then be complete in accordance with an approved specification before the development hereby permitted is first brought into use.
- The area allocated for parking and turning on the submitted plan, shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the development hereby permitted
- Prior to the commencement of the development, the Travel Plan shall be amended, submitted to and approved in writing by the Planning Authority. The measures within the approved Travel Plan will then be implemented in accordance with a timetable which shall also be submitted for approval. The development shall not be occupied until the agreed measures have been implemented.

7.4. Acoustics advisor

There is no objection to this application in terms of the expected noise impacts arising from the use of either the secondary school or the outline Phase 2 development of the primary school.

It is suggested that the noise impacts arising during construction of both Phase 1 and Phase 2 developments require further planning agreements to define and limit any potential impacts that might affect nearby housing and Sky College.

A condition for the requirement of a Noise Control Scheme is advised.

The following points regarding assumptions made in the supporting acoustic design report require clarification:

- The school design may need to more carefully consider its natural ventilation strategy and opening window alignment if it is to avoid excessive traffic noise ingress;
- While unlikely, it has not yet been clarified that extraction systems at the BAM Kitchen will not have consequence at the school;
- It is recommended that the acoustic needs and specification of this SEN development be discussed with the hearing support specialists within the SSE Sensory Team.

Condition

Prior to the commencement of construction of permitted Phase 1 development a Noise Control Scheme shall be submitted and approved by the planning authority. This scheme shall:

- Provide description and estimated duration of significant phases of development;
- Detail the periods and intended hours of site activities and any restricted aspects of those activities or phases of development;
- Identify the major expected sources of noise during each phase of development and any control measures adopted to minimise noise impacts;
- Identify a site representative with responsibility for investigating any issues associated with noise disturbance.

REASON: To minimise the risk of noise impact arising during the construction phase.

7.5. South West Heritage – Archaeology

There are limited or no archaeological implications to this proposal and therefore no objections on archaeological grounds, with no conditions or recommendations.

8. Public representations

8.1. 1 letter of objection has been received raising the following issues:

One objector raised the following points:

- The parking provision on the site is not enough for the amount of staff and visitors leading to the road being used as a car park;
- The amount of traffic using the single entrance will be considerably more than the previous school as there were two other entrances for the former school;
- There is no apparent bus parking;
- There is insufficient parent parking leading to obstructing the road at drop off and pick up times;
- Combined with the cadet parking three times per week in the afternoon this will increase parking issues;
- Lyngford Road is used as a cut through therefore there are higher pressures on this road than previously, and the further housing in the area will cause more traffic to use Lyngford road;
- The 20mph signs are not a reflection of the speed of traffic along the road, speed humps would help;
- A comprehensive calming plan should be developed (such as with Parkfield Road Primary School, Galmington) to ensure health and safety.
- The Objector understands that problems of this sort should be dealt with in the early stages of planning to prevent having a serious impact on Police time and resources, and for parking enforcement officers. The objector does not agree that the measures, including parking enforcement officers which could be employed when parking problems start, is the correct way to address issues.

- The existing entrance was not used on a regular basis as the old school entrance was a lot further down the road at a wider point. This is known as the objector's children went to the old St Augustine's School.
- There are gaps in the zig-zag lines where parking will happen and as there are no zig-zag lines on the opposite side of the road therefore parking will happen; which will obscure the view for residents when driving from their driveways.
- The amount of larger vehicles needed to transport the students to school and private cars (staff and parents and visitors to the school) will be significantly higher due to the number of students and ratio of staff for them.
- Due to the students Special Educational Needs the drop-off and pick-ups will be considerably slower which will cause possible tail backs to the entrance.

9. Comments of the Service Manager - Planning Control, Enforcement & Compliance

The key issues for members to consider are:

- Accordance with the development plan;
- Material Considerations;
- Playing Field provision;
- Educational need;
- General development, design and crime prevention;
- Transport and parking;
- Landscape and ecological impact.
- Flood risk, surface water design and connections to watercourse

9.1. The Development Plan

Regard is to be had to the development plan for the purpose of the determination of this planning application, which must be made in accordance with the Plan unless material considerations indicate otherwise. In this case the Development Plan documents consist of:

- Taunton Deane Core Strategy 2011–2028,
- Taunton Deane Site Allocations and Development Management Plan (SADMP) December 2016;

9.1.1. This proposal for development is considered to be in accordance with the Taunton Deane Core Strategy. Specifically in the following policies;

- **Policy SP1: Sustainable development locations**, as the strategic focus for growth in Taunton Deane as the district's largest and most diverse and multi-functional settlement, Taunton is its principal settlement, and therefore the focus for development.

- **Policy CP1: Climate Change**, aims to ensure development proposals should result in a sustainable environment, and that proposals demonstrate that the issue of climate change have been addressed.
- **Policy CP5: Inclusive communities**, provides the policy basis for the provision of land for educational use, with an assessment of the likely effects of implementing the proposal on young and disabled people. It states that ‘ Development proposals will make provision for (among other things):
 - Services, Community and Social facilities – providing a range of education, health, indoor sports, retail and meeting spaces as well as access to sustainable transport and high speed broadband; and
 - Recreational Space – improving health and interaction through provision of formal and informal green space such as play spaces, allotments, playing pitches, sports facilities as well as promoting walking and cycling
- **Policy CP6: Transport and accessibility**, aims to ensure development should contribute to reducing the need to travel, improve accessibility to jobs, services and community facilities, and mitigate and adapt to climate change

9.1.2. This proposal is in accordance with the above Core Strategy policies as it would provide a high quality SEND school development, incorporating many measures to ensure it is resilient to climate change which are incorporated in its design. It would ensure young and disabled people in Somerset can achieve their best by providing a specialist education facility, with community use in the main hall on site. The site is in a sustainable location for transport. The location of the site will improve accessibility by public transport, cycling and walking for students and staff to the facility. The robust evidence base in the Travel Plan and Transport Assessment ensures the development meets transport requirements. The proposal also retains space for playing fields and/or sports pitches to meet future demand for recreational space.

9.1.3. The proposal is in accordance with the SADMP relating to the following policies;

- **Policy C1: Reserved land for educational purposes**, in the SADMP details the application site as ‘**A. St Augustine School, Taunton**’; and overall will be a key development to help deliver the district’s housing requirements, and associated community infrastructure.
- The proposal (within the redline boundary) only relates to part of the overall site which point A. relates to as St Augustine’s school, Taunton, which is the former school boundary. However the whole proposal of phase 1 and 2 are for educational purposes and therefore accord with the policy.
- **Policy C3: Protection of recreational open space**, in the SADMP relates to this site as;

‘Proposals involving the loss of recreational open space facilities as shown on the policies Map will not be permitted unless: in the following points;

‘D. In the case of a school or college playing field only; the land is needed for the development of educational buildings and /or associated facilities, and adequate playing fields to meet statutory requirements would be retained or provided, and E. it is not required for other recreational uses.’

Phase 2 of the development does impact on an area of former playing fields, however in accordance with the above **policy point D**, the land is needed for educational buildings in phase 2, and adequate playing fields are retained on the other areas (within the application site and adjacent land within the landowners control). There are no statutory requirements to provide **‘other recreational uses’** for this type of SEN school development, as in **point E**. The playing fields could be available by agreement with the landowners outside the constraints of this planning application.

Sport England have a current objection regarding siting of the phase 2 development due to the loss of playing field space. However the site is in accordance with the ‘Taunton Deane SADMP policy C3’ as stated above in para 9.1.3, and Para 74 in the NPPF as stated below in para 9.3.2-9.3.3. Therefore, providing playing field areas are retained for future use and the siting of the phase 2 building is in accordance with Policy C3, as that piece of the land is required for educational use, the application is in accordance with the above planning policy.

9.1.4. This proposal is in accordance with Policies C1 and C3 of the SADMP, as the proposal is for much needed educational purposes on the allocated site of St Augustine. Land on the site used to be a playing field, and a small proportion is required for educational buildings. The land is not required for other recreational uses for the school and there is no statutory requirement to provide playing fields for SEND schools. Adequate playing fields will still be retained for other users which enables the proposal to be in accordance with material considerations as set out below.

9.2. Material considerations and other relevant policy for the proposal:

- National Planning Policy Framework (NPPF);
- Policy Statement: Planning for Schools Development (15th August 2011);
- Sport England’s Playing Fields Policy and Guidance (March 2018);
- Taunton Deane Borough Playing Pitch Strategy (2016-2028) Adopted 2017 (policy F90);
- Somerset Children and Young Peoples Plan April 2016- March 2019 (SCC) -2016 May 11 Item 5 Paper A, Appendix 1.

9.3. Playing Field Provision

9.3.1. Paragraph 74 of the NPPF states that:

‘Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements;
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location;
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.’

9.3.2. The Playing Fields Policy and Guidance indicates that Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- All or any part of a playing field, or
- Land which has been used as a playing field and remains undeveloped, or land allocated for use as a playing field,

Unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.

Exception 4 states: the area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- Of equivalent or better quality, and
- Of equivalent or greater quantity, and
- In a suitable location, and
- Subject to equivalent or better accessibility and management arrangements

9.3.3. The Taunton Deane Borough Playing pitch Strategy (PPS) 2016-2019 (adopted 2017) provides spatial strategy with a vision to secure the protection and enhancement of future and current provision of good quality outdoor sports. It provides an audit of the quality, quantity and accessibility of playing pitches, establishes demand and protects forward demand. It provides recommendations of which there is one action for the St Augustine site as follows:

- *St Augustine School – Local authority and NGB to work with pitch owner to find solutions to bring back into use or replace provision on alternative site. Would require opening up or creation of changing facilities on-site. Until resolution, protect the pitch for potential future use during the strategy period to accommodate future demand. Consider options to use playing field for other sports use (for example baseball)*

This recommendation is in italics in the strategy (pg31) which represents playing fields [which require further discussion with regards to their

deliverability], which indicates that the strategy acknowledges that these playing fields may never be deliverable and therefore, this site is not included in quality enhancements to be undertaken. Presumably due to the pitches always being in private use and not in use over the last 10 years.

- 9.3.4. The above PPS written for Taunton Deane could be considered to be an assessment which shows the open space, or land surplus to requirements as required by Para 74 of the NPPF and Exception 1 of the Playing Fields Policy & Guidance. However, as the Strategy has not been produced by the applicant, I have not relied on this to ensure the proposal meets with planning policy and material considerations.
- 9.3.5. The small loss of playing field area, resulting from the proposed indicative foot print of phase 2 of the development, would be replaced by better provision of playing fields in terms of the area having the ability to be available for community use, subject to agreement with the landowners and school. Therefore as the land would be open to community use, compared to the previous school, in the same suitable location, of similar quantity and equal quality, this is alternative recreational provision which clearly outweighs the loss of playing fields, which were not available previously to the public, or at all for the last 10 years (and possibly surplus to requirements as the Taunton Deane PPS suggests they may not be deliverable). Therefore providing further pitch space and playing fields to Taunton Deane Borough increasing provision for community use.
- 9.3.6. In response to Sport England's (SE) objection the applicant has discussed the site with the Estates team in Somerset County Council and they have agreed that it is possible to retain the open space in and outside the redline boundary of the application where former playing pitches were located. This land will be kept free from development apart from the indicative footprint of the phase 2 primary school. And any desire of TDBC and SE or community groups and sports clubs or schools to use this area for playing fields and sports pitches are welcomed subject to discussion and arrangement with SCC Estates team.
- 9.3.7. The SEN Schools do not have a statutory requirement to provide playing fields. Therefore the playing field areas to the East of phase 2 and the south of the redline boundary will be retained in accordance with NPPF policy 74, the Sport England playing fields policy and guidance, the Taunton Deane Borough PPS and policy C3, point D in the SADMP..
- 9.3.8. SE continue to object to the proposal as they believe that the application still does not accord with the NPPF para 74, Exception 4 of the Playing Fields policy and Guidance and TDBC Playing Pitch Strategy policy F90. Although the Playing pitch strategy indicates that this site has not been included as a deliverable option therefore any retained space would be providing capacity to reduce the need for additional new pitches in Taunton.

9.3.9. To ensure the loss is fully and appropriately replaced a condition in section 11 of this report relating to Phase 2 of the development for the reserved matters is imposed to ensure compensatory provision (in a suitable location) is to be approved and implemented prior to development of phase 2.

9.4. Educational need

9.4.1. Paragraph 72 of the NPPF (regarding promoting healthy communities) states that:

‘The government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- give great weight to the need to create, expand or alter schools
- work with schools promoters to identify and resolve key planning issues before applications are submitted.’

9.4.2. The ‘Policy Statement: Planning for Schools Development’ sets out the government’s commitment to support the development of state-funded schools and their delivery through the planning system.

9.4.3. There are 94 pupils currently on roll at Selworthy School in buildings suitable for around 70 pupils. As a result, post 16 provision is delivered off site in a number of venues, increasing costs for the school but still leaving the school over capacity.

9.4.4. There is a need to separate the primary and secondary aged pupils into purpose built modern facilities in line with government guidance. The proposal will enable the secondary aged children from Selworthy (who are currently offsite in different venues) to move into this purpose built development, and the Selworthy school will remain for the primary aged children only, until phase 2 of the development is completed.

9.4.5. Taunton has become one of the main areas for housing expansion in Somerset. The new schools at this site would deliver school spaces for children from Taunton and surrounding areas. This is in accordance with the Somerset Children and Young Peoples Plan 2016-2019 which states the following:

‘An SCC aim for 2018-19 is to enable most Somerset children and young people with SEND to be educated in appropriate local education provision.’ (Section 4. Pg 27).

‘Every child in Somerset will achieve well above expectations and not be held back by their social and personal backgrounds, special educational needs or disabilities (SEND).’(pg 13 table & pg 25)

9.4.6. The above quotes support the need for the development of a SEND secondary and SEND primary for the future in Taunton.

9.4.7. The Local Authority have produced a number of themed work streams to improve the SEND offer across Somerset.

9.4.8. Theme 3 deals with SEND infrastructure and one workstream was to develop capacity to meet future demand. Taunton, with a single generic special school (Selworthy) and a rapidly growing population, is under-provisioned in terms of special school places. The expansion would deliver an additional 80-100 places and meet projected demand for the next 10-15 years.

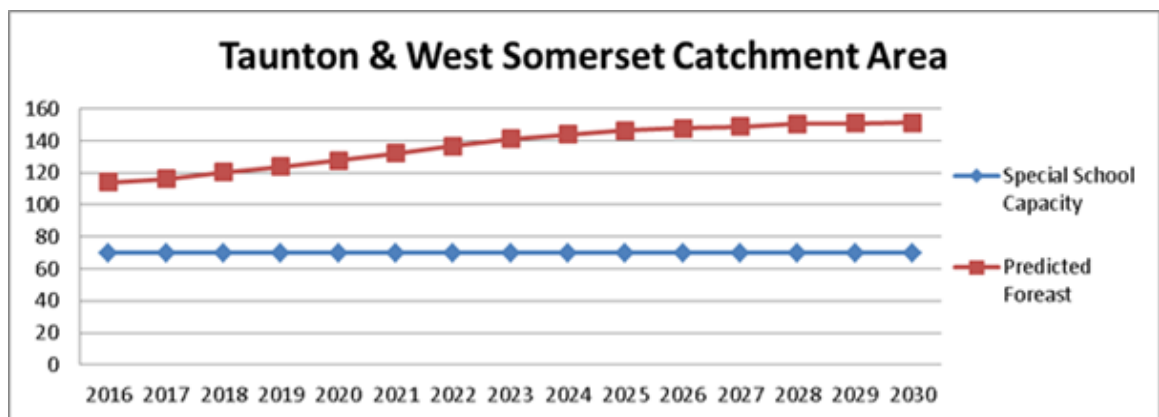
9.4.9. The current pupil numbers 2017/2018:

*Years 0-6: 42 pupils
Years 7-11: 37 pupils
Post-16: 15 pupils*

9.4.10. All of the pupils at the school have a learning difficulty or disability and will have been issued a Statement of Educational Need (Statement) or an Education, Health & Care Plan (EHCP). Placements of children currently in the schools will not be immediately affected although once the proposed school is open, pupils in years 7-11 and post-16 provision would move to the new site.

9.4.11. Pupils in Selworthy School's virtual catchment area are already being educated at other special schools, with 18 attending Penrose School and Elmwood School in Bridgwater. This then has the knock-on effect of displacing children in Sedgemoor, who have to be transported to Brookside Academy or Avalon School in Street.

9.4.12. The drive for expansion is fuelled by projection data which shows a significant increase in demand over the next 13 years:



Projection data: source – SCC Service Manager; Specialist Provision & School Transport

9.4.13. This proposal is in accordance with Para 72 of the NPPF and the Policy statement in para 8.4.2. above. The development of this secondary

SEND school, is a much needed facility to address issues of displaced pupils across Somerset and provide a separate secondary facility which would be specifically designed to address the needs of the pupils. This would therefore widen the choice in education provision, providing sufficient spaces to meet the identified need. Phase 2 of the development would ensure a high quality primary facility for future use to address the increased need of SEND school places in Somerset.

9.5. General development, design and crime prevention

9.5.1. The TDBC Core Strategy has the following Development Management policies to guide development design which relate to this proposal:

- Policy DM1 - General requirements
- Policy DM5 - Use of resources and sustainable design
Taunton Deane SADMP
- Policy D8 - Safety

Paragraphs 56-68 of the NPPF also aim to promote good design.

9.5.2. The design of the school building in phase 1 has been a result of stakeholder engagement including the school senior management team, governors, neighbours and the local community.

9.5.3. There are no objections or comments on the application regarding the overall siting, massing, scale and appearance of the proposed building for phase one. The outside design of the landscaping and play areas are considered to be well thought out and would be interesting, educational and fun areas for the pupils to be in.

9.5.4. Paragraphs 56-68 of the NPPF set a clear national policy framework for promoting good design as a key element to achieving sustainable development and emphasises the indivisible link between good design and good planning.

9.5.5. Noise has been assessed by the SCC's Acoustics Advisor, and it is concluded that there would be no adverse impacts of noise to the users of the site or to the surrounding residents and the neighbouring Sky College subject to the recommended conditions in section 11 of this report.

9.5.6. The proposal meets the good design required by the NPPF and the criteria of DM1 in terms of effective and efficient use of land, the proposal not leading to any harm or negative impacts to the environment from noise, pollution or appearance and character or health and safety. The site will also be served by necessary utility services.

9.5.7. The applicants have submitted an energy statement in relation to policy DM5 to ensure that appropriate design criteria for energy and water efficiency has been incorporated into the building. The recommendation in the report considers that photovoltaic panels are considered viable and preferable as a cost-effective means to achieve compliance with policy DM5. Therefore the proposal meets the requirements of that policy.

- 9.5.8. Taunton Deane SADMP Policy D8: Safety indicates how sites can be designed to ensure safe environments. The crime prevention officer has provided comprehensive advice to the applicants on improving the crime prevention for the site. The applicant has taken this advice into account and changed the location of some aspects of the design and altered others as detailed in the letter dated 15th March 2018 including confirming the safety standards of windows and doors, cctv and fence height and type. The changes have been incorporated into the Landscape plan update dwg. No. 890-01B-Landscape Infrastructure-A0. Therefore the proposal is in accordance with Taunton Deane SADMP policy D8: Safety.
- 9.5.9. Boundary treatment was commented on by the Crime Prevention Design Advisor and a member of the public who's garden abuts the school boundary. A new plan of the boundary treatment has been submitted showing the retention of the existing fence, and the repositioning of the proposed fence further back from the boundary to allow for maintenance between the two fences to overcome all those concerns. This is detailed in dwg no. P17059-AWW-ZZ-ZZ-DR-A-SK24-P01.

9.6. Transport and parking

- 9.6.1. Sustainable transport and parking are discussed in the NPPF, and specifically relating to developments in para 32-40, requiring a Transport Assessment, a Travel Plan and appropriate parking standards.
- 9.6.2. The Taunton Deane SADMP has the following policies regarding transport and parking;
- Policy A1 - Parking standards (in Appendix E.)
 - Policy A2 - Travel Planning
 - Policy A3 - Cycle network
- 9.6.3. The parking standards for secondary schools, in Appendix E of the SADMP, are 1 space per 2 FTE employees plus 2 visitor spaces. This is exactly what is proposed, as stated in para 4.2 above.
- 9.6.4. There is a transport assessment submitted with the application which demonstrates that the impacts of the proposal will not be considered 'severe' in terms of the NPPF. The majority of movement will be associated with staff as the children will mostly arrive in mini buses as they do at present.
- 9.6.5. The travel plan submitted with the application is required to have further clarity on the following:
- Baseline information on travel planning to ensure reasonable and achievable targets
 - Plot of staff home postcodes and suitable measures of mode shift to e.g. car-share opportunities
 - Management of pupil transport strategy i.e. how many vehicles in drop off/pick up, load/unload timescale

- Pool bikes for inter-site journeys
- 9.6.6. The applicant has confirmed in an email dated 29 May 2018 that *'the Travel Plan prepared to support the new Hazelbrook Campus is a Framework Travel Plan (FTP). Framework Travel Plans set out the framework for a full Travel Plan to be prepared, once a development has been completed and fully occupied'*
- There are expected to be 16 FTE staff members who will transfer from the Selworthy School to the Hazelbrook campus
 - A total of 74 new staff members are anticipated to be employed at the new Hazelbrook campus. The travel patterns of these new staff are not yet known
 - Future annual travel surveys would be carried out at the school, once fully occupied, to establish the ongoing modal split of the site
 - Drop-off existing modal split for pupils is estimated at five mini bus trips (assuming 8 pupils per minibus). The proposal provides 5 minibus spaces. It is estimated that proposed loading and unloading times will be unrestricted.
 - The applicant is prepared to explore the provision of pool bikes further, following all the new staff members being surveyed
- 9.6.7. The Local Highway Authority has no objection in principle to the development, subject to conditions for amendments to the travel plan to include points above in 9.6.5, further detail on the access improvements and to ensure parking and turning area is not obstructed. Subject to these conditions, in section 11 of this report, there are no issues relating to traffic and transport which require further information.
- 9.6.8. There are still some remaining concerns from an objector regarding the following:
- Lack of parking provision
 - The single entrance being insufficient for the level of traffic
 - Potential obstruction of Lyngford road due to parking, and obscuring residents view out of driveways
 - Need for a comprehensive traffic calming plan
 - Risk of tailbacks out of entrance due to drop/off pick up timescales
- 9.6.9. As described in the highways authority comments above the traffic into the site will have different impacts compared to the previous secondary school which closed, as most of the traffic movements will be staff rather than students as the students will predominantly arrive in mini-buses.
- 9.6.10. Secure cycle parking is proposed within the site which is in accordance with TDBC SADMP A3: Cycle network, and where relevant should provide for point C. of the policy 'Convenient and secure cycle parking facilities'.
- 9.6.11. The applicant notes that no pupils are anticipated to cycle and the existing modal split suggests 'that the new Hazelbrook Campus would

only be associated with approximately three cycle trips. Cycle parking and the number of cycle trips made to the school will be monitored as part of the Travel Plan and ongoing travel surveys. The need for additional cycle parking would be reviewed as a result.'

- 9.6.12. In conclusion the proposal, subject to condition in section 11 of this report meets all planning policy relating to transport and parking.

9.7. Ecological Impact

- 9.7.1. The National Planning Policy Framework is clear that pursuing sustainable development includes moving from a net loss of biodiversity to achieving net gains for nature, and that a core principle for planning is that it should contribute to conserving and enhancing the natural environment and reducing pollution.
- 9.7.2. Taunton Deane SADMP, Policy ENV 1: protection of trees, woodland orchards and hedgerows seeks to minimise impact on trees, hedgerows or wildlife and provide a net gain where possible.
- 9.7.3. Policy ENV 2: Tree planting within new developments requires development to provide a broad mix of native and non-native trees, with proper management of the resource.
- 9.7.4. The application has made a high quality proposal, in terms of the landscaping and planting scheme. There are areas of beneficial habitat creation, such as the pond area in phase 1, and high quality play space for the children including a bike track, a variety of planting creating different areas and spaces for quiet play or sensory education. There are suggested conditions in section 11 of this report to enable a clear landscape management plan and bat protection (light) to ensure no negative impacts on ecology, and to enhance the landscape and ecological benefits as much as possible.
- 9.7.5. The proposal is in accordance with the NPPF and the Taunton Deane SADMP in terms of effective planting of trees, protection of hedgerows and existing trees, and the implementation of new habitat areas and other planting. The conditions imposed will ensure protection of wildlife and management of the ecological benefits presented in the landscape scheme.

9.8. Flood risk, surface water design and outfalls to main watercourse.

- 8.8.1. The NPPF sets strict tests to protect people and property from flooding, the tests are designed to ensure that if there are better sites in terms of flood risk, or a proposed development cannot be made safe, it should not be permitted.

- 8.8.2. The Taunton Deane SADMP, policy I4: water infrastructure ensures that new proposals have adequate surface water and foul water drainage designs, and that surface water drainage is designed as a sustainable drainage system.
- 8.8.3. A flood risk assessment was submitted with the application and following discussion, the Environment Agency (EA) have no objections to the proposed development, The EA state that the operation (regarding the connection of surface water to the culvert) will require an Environmental permit, and they have other guidance which is in section 12 of this report.
- 8.8.4. The LLFA have discussed the surface water design with the applicants and are now satisfied that a sustainable drainage system is able to be incorporated. They still require some improvements to the scheme to ensure that flood water attenuation, water quality protection and ecological enhancement are all provided within the design. The imposition of the condition in Section 11 of this report which shall be submitted and approved prior to development commencing will ensure the design is appropriate, and meets policy I4 and the wider aims of the NPPF.
- 8.8.5. This proposal, subject to conditions does meet the requirements of the NPPF and the Taunton Deane SADMP, the EA and the LLFA have no objections to the development. Wessex water are also clear that a suitable foul water design would be developed.

9.9. Conclusion

- 9.9.1. I have considered the development plan and the potential impacts from the proposal. The principle of a school development in this location is set by Policy C1 in the Taunton Deane SADMP, and the proposal of a specifically designed school to address the needs of SEND children in the Taunton Dean Area and beyond will meet the requirements of the Policy statement for Planning for Schools development 2011, and paragraph 72 of the NPPF.
- 9.9.2. The secondary school building in phase 1 would be predominantly a one storey building, with some 2nd storey elements for staff and offices. The school development would be acceptably designed and sympathetically landscaped to address the needs of the users. Ecological habitats will be created and incorporated in the landscaping and surface water drainage. The development would be respectful of the District Council's policy on use of resources and sustainable design DM5 in the core strategy by including photovoltaic panels on the roof providing onsite electricity.
- 9.9.3. The development would be sensitive to the residential amenities of the area, particularly those of existing properties along Lyngford road, and the boundary of the school to the north. An appropriate level of transport infrastructure is existing as it was present for the previous school, with

some changes to the entrance to the school and an appropriate level of off street car parking in line with the published 'Somerset Parking Standards'. Management measures would be deployed to acceptably serve the development and not cause unacceptable transport impact.

- 9.9.4. The primary school outline proposal in Phase 2 is also addressed in Policy C1 of the SADMP because the whole site of the previous St Augustine school is allocated for school development although the proposal (phase 1 and phase 2) only accounts for approx. two thirds of the allocated St Augustine site. Therefore the principal of the SEN Primary school is also acceptable under policy C1 of the TDBC SADMP, subject to the recommended outline conditions.
- 9.9.5. The remaining objection from Sport England relates to the phase 2 area of the application, as that land was used for playing fields for the previous secondary school 10 years ago, and the indicative primary school building encroaches on that open area. The rest of the area which were former playing fields is outside the red line boundary of this application site. Playing pitches and fields are not a requirement for SEND schools, however the NPPF, the Playing fields policy and guidance and the TDB Playing pitch strategy all seek to retain these assets. The applicant has therefore discussed with the landowner (SCC) the ability to retain playing field space in the phase 2 area and outside the redline boundary to the South. This space will be retained and because it is not required for the proposed development it can therefore be available for community use or schools and sports organisations subject to agreement. This therefore meets the requirements of the above planning policy and guidance and strategy.
- 9.9.6. I conclude that the proposal is in accordance with the development plan and in accordance with other relevant material considerations. The decision should be made in accordance with the development plan, and I recommend approval of the application subject to conditions for the full application and for the outline application as submitted.

10. Recommendation

- 10.1. **It is recommended that planning permission be GRANTED subject to the imposition of the following conditions and that authority to undertake any minor non-material editing which may be necessary to the wording of those conditions be delegated to the Service Manager - Planning Control, Enforcement & Compliance.**

11. Conditions

1 Time Limit (3 years implementation)

The development hereby permitted in Phase 1 (Dwg no. P17059-AWW-ZZ-ZZ-DR-A-0111 rev P03) shall be commenced within three years of the date of this permission.

Reason: Pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).

2 Completion in accordance with the approved details

The development hereby permitted shall be carried out in strict accordance with the approved plans and specifications:-

- Existing Site Plan AWW3900_P17059_0101 rev P02;
- Site location plan AWW3900_P17059_0100 rev P02;
- Proposed Site Block Plan AWW3900_P17059_0110 rev P02;
- Proposed phasing plan P17059-AWW-ZZ-ZZ-DR-A-0111 rev P03
- Proposed Ground floor Plan AWW3900_P17059_0200 rev P02;
- Proposed First Floor Plan AWW3900_P17059_0201 rev P02;
- Hazelbrook Campus Selworthy School: Design and Access statement updated version Rev 3 (February 2018);
- Statement of community involvement (contained within DAS);
- Arboriculture report (September 2017);
- Tree removal Plan AWW3900_P17059_v1_zz_DR_A_0161_P01;
- Updated Arboricultural Impact Assessment(AIA) (February 2018) report No. RT-MME-127092-02 Rev A;
- Ecological Appraisal, First Ecology ref. 1073_2017_34 (September 2017);
- Landscape Infrastructure Plan Dwg no. 890-01;
- Landscape Strategy (Bridges Design Associates Ltd. 18th January 2018);
- Flood Risk Assessment (FRA)Wilmott Dixon Rpt no. RT-MME-127092-02 Rev A;
- FRA Hydroc ref: C-08289-C (January 2018);
- Foul & Surface Water Drainage Strategy ref: HCSS-HYD-00-ZZ-RP-C-0001_P1 (January 2018);
- Water efficiency statement – SDS Engineering consultants, Plymouth;
- Energy statement - SDS Engineering consultants, Plymouth Doc. 4191P – SDS – X0 –XX – RP – ME- 01-S3 – P0.3;
- Acoustics Report updated ref:180312-259 (20 March 2018);
- Ground conditions Desk Study report ref. HCss-HYD-XX-DS-RP-G-1000 P1(January 2018);
- Historic Environment Desk-Based Assessment Ref: 201460.01 (January 2018);
- Planning statement, MH/GC/86956 (January 2018);
- External Lighting: SDS Plymouth ref. 04191P rev P02 (15th January 2018);
- Transport assessment;
- Travel Plan Ref: B067050/TP;
- Non-Motorised Users report & updated version rev V03 issue dated 22 February 2018;
- P17059-AWW-ZZ-ZZ-DR-A-SK24-2a Lyngford Road_P01.pdf

and with any scheme, working programme or other details submitted to and approved in writing by the County Planning Authority in pursuance of any condition attached to this permission.

Reason: To enable the County Planning Authority to deal promptly with any development not in accordance with the approved plans.

3 Noise Control Statement

Before the commencement of development hereby permitted a construction Noise Control Scheme shall be submitted and approved by the planning authority. This scheme shall:

- Provide description and estimated duration of significant phases of development;
- Detail the periods and intended hours of site activities and any restricted aspects of those activities or phases of development;
- Identify the major expected sources of noise during each phase of development and any control measures adopted to minimise noise impacts;
- Identify a site representative with responsibility for investigating any issues associated with noise disturbance.

REASON: To minimise the risk of noise impact arising during the construction phase.

4 Construction Environmental Management Plan

Before the commencement of the development hereby permitted a Construction Environmental Management Plan shall be submitted to and approved in writing by the County Planning Authority. The plan shall include:

- *Construction vehicle movements;*
- *Construction operation hours;*
- *Construction vehicular routes to and from site;*
- *Construction delivery hours;*
- *Expected number of construction vehicles per day;*
- *Car parking for contractors;*
- *Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice, notably dust, noise and vibration;*
- *A scheme to encourage the use of Public Transport amongst contractors; and*
- *Measures to avoid traffic congestion impacting upon the Strategic Road Network;*
- *Arrangements for the immediate removal of the consented stand alone route once the S.106 road works have been completed.*

The development hereby permitted shall be carried out in strict accordance with the approved details for the duration of its construction phase.

Reason: In the interests of the residential amenities of the area.

5 Landscape and ecological Management Plan

A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the County Planning Authority prior to the occupation of the secondary SEND (Phase 1) of the development, hereby permitted. The content of the LEMP shall include the following:

- a. Description and evaluation of features to be managed;
- b. Ecological trends and constraints on site that might influence management;
- c. Aims and objectives of management;
- d. Appropriate management options for achieving aims and objectives;
- e. Prescriptions for management actions;
- f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g. Details of the body or organisation responsible for implementation of the plan; and
- h. On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally submitted ecological scheme. The plan will be implemented in accordance with the approved details.

Reason: in the interests of the 'Favourable Conservation Status' of populations of European protected species

6 Lighting

Before the development hereby permitted is first brought into use, a "lighting design for bats" shall be submitted to and approved in writing by the County Planning Authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the County Planning Authority.

Reason: in the interests of the 'Favourable Conservation Status' of populations of European protected species

7 Site Access

Before commencement of the development, hereby permitted, details to alter the existing access, shall be submitted to and approved in writing by the County Planning Authority. These works shall be completed in accordance with an approved specification before the development hereby permitted is first brought into use and shall thereafter be maintained as such for the duration of the development hereby permitted.

Reason: In the interest of safety

8 Parking and Turning

The area allocated for parking and turning on the approved plan, shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with and for the duration of the development hereby permitted.

Reason: In the interests of safety

9 Cycle parking

A plan with the location of a secure parking shelter for cycles shall be submitted to and approved in writing by the County Planning Authority.

Reason: To ensure the design meets with the requirements of the Somerset Parking Strategy

10 Travel Plan

Before the development hereby permitted is brought into use a revised Travel Plan shall be submitted to and approved in writing by the County Planning Authority. The measures within the approved Travel Plan shall include;

- A dedicated travel plan co-ordinator
- Pick-up/drop off strategy
- Implementation and monitoring strategies
- A commitment to undertake staff travel surveys six months after occupation and annually thereafter

These details shall then be implemented in accordance with a timetable which shall have been included within the Travel Plan submitted for approval.

Reason: To ensure appropriate sustainable travel patterns for site users (e.g. car share and pool bikes) and to determine and review modal shift targets

11 Community Use

The community facilities provided and illustrated on plan 'Proposed Ground floor Plan AWW3900_P17059_0200 rev P02' shall be made available for use by the community within 28 days of the development hereby permitted first being brought into use, in line with details regarding the operation of the community facilities that shall have been submitted to and approved in writing by the County Planning Authority. Once approved, the community facilities shall be managed in accordance with those details for the duration of the development hereby permitted.

Reason: In the interests of community cohesion and health and well-being.

12 Species protection

Any trenches left exposed overnight during the construction phase will have a means of escape for badgers and other animals. This will comprise a shallow sloped edge or board (of at least 30cm width) set at an angle of no more than 30°.

Reason: In the interests of a protected species

13 Surface water design and connection

Before the commencement of the development hereby permitted a surface water drainage strategy, based on sustainable drainage principles, shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include details of gullies, connections to the Kingston Stream (Main

River) culvert(s), swales and other means of attenuation, together with details of how the scheme shall be managed and maintained for the lifetime of the development. The scheme shall subsequently be implemented in accordance with the approved details and maintained as such for the duration of the development hereby permitted.

REASON: To prevent any increased risk of flooding to the development, to improve and protect water quality and to improve habitat and amenity.

14 Flood warning and emergency response plan

A flood warning and emergency response plan shall be submitted to and approved in writing by the County Planning Authority prior to the first use of the Secondary SEN school buildings (phase1).

Reason: to ensure the safety of the pupils and staff in the event of high flood risk.

15 OUTLINE APPLICATION CONDITION FOR PHASE 2

“The development hereby approved in outline (known as ‘Phase 2’) shall not be commenced unless and until written approval of the details of the means of access, siting, scale and external appearance of buildings, and the landscaping of the site (hereinafter called "the reserved matters") have been submitted to and approved by the County Planning Authority for the entire development that is subject to the outline element of the development hereby permitted.

Application(s) for approval of the matters reserved by this planning permission must be made not later than the expiration of 5 years from the date of this decision notice; and development must be begun not later than the expiration of 2 years from the final approval of reserved matters for ‘Phase 2’.

Reason: The application was submitted in part as an outline application in accordance with the provisions of Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015. In accordance with the provisions of Section 92 of the Town and Country Planning Act, 1990 (As amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

16 Compensatory Playing Field provision

The development hereby approved in outline (known as ‘Phase 2’) shall not be commenced unless and until written approval of the details of the area of playing field to be lost as a result of the proposed development will be replaced and implemented, prior to the commencement of development, by a new area of playing field:

- Of equivalent or better quality, and
- Of equivalent or greater quantity, and
- In a suitable location, and
- Subject to equivalent or better accessibility and management arrangements.

Reason: to ensure appropriate playing field provision is retained in Taunton Deane Borough Council

12. Informatives

1 *Pollution Prevention During Construction*

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to our archived Pollution Prevention Guidelines, which can be found at: <https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>.

2 *Hedgerow Buffer*

When Phase 2 comes forward I would advise that the design must include at least a 10-metre buffer of the boundary hedgerows. This then should be managed as long grassland for the abundance of prey species for bats. It would also need to be kept dark.

13. Policy Analysis

Subject to a resolution to permit the development, the following is a summary of the reasons for the County Council's decision to **GRANT** planning permission.

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, and section 70(2) of the Town and Country Planning Act 1990, this decision has been taken with due regard to the Development Plan unless material considerations indicate otherwise. The decision has been taken having regard to the policies and proposals in:

- Taunton Deane Borough Council Adopted Core Strategy (2011-2028); and
- Taunton Deane Borough Council Site Allocations and Development Management Plan (SADMP) 2016.

The proposal is in accordance with the Development Plan and in particular the following policies:

Taunton Deane Borough Council Adopted Core Strategy (2011-2028)

Policy CP1	Climate Change	This development is in an allocated site in Taunton so therefore a sustainable location reducing the need to travel. The design of the building meets current design standards in terms of energy efficiency, and following improved SW design, water conservation and recycling measures the proposal protects water quality and water resources. The landscaping scheme and improved SuDs scheme also enhances biodiversity on site and suitable conditions will ensure appropriate design.
Policy CP5	Inclusive communities	This development would provide services, community and social facilities through the educational facility as parts of it are to be for community use. The SEN school is for the disabled and the outline permission for a regular primary therefore the proposal does support and promote personal well-being and accessibility to education for these groups.
Policy CP6	Transport and Accessibility	An adequate TA and TP and associated information has been submitted with the application which the highways team has approved in accordance with the Travel plan SPD and in accordance with suitable conditions.

Policy SP1	Sustainable Development Locations	Taunton is the strategic focus for growth, and this development is proposed in the most accessible and sustainable location.
Policy DM1	General requirements	The site makes effective and efficient use of the land for the schools is in a sustainable location, the road traffic
Policy DM5	Use of resources and sustainable design	In accordance as the proposed buildings minimise the use of energy, using sustainable materials. Independent assessment of standard of build demonstrating compliance with new technical standards.

Taunton Deane Borough Council Site Allocations and Development Management Plan (SADMP) 2016

Policy C1	Reserved land for educational purposes	A: St Augustine's school, Taunton is reserved by this policy for educational purposes, which this proposal is in accordance with. It also supports policy CP5 of the Core Strategy as above which provides the policy basis for the provision of land for educational use.
Policy C2	Provision of recreational open space	The increased demand for recreational open space due to the new residential housing in the Priorswood and Nerrols area have appropriate levels of recreational space planned for, therefore no further land is required to be brought forward by this development for this purpose.
Policy C3	Protection of recreational open space	Proposals involving the loss of recreational open space facilities as shown on the policies map will not be permitted unless D. in the case of a school or college playing field only; the land is needed for the development of educational buildings and/or associated facilities, and adequate playing fields to meet statutory requirements would be retained or provided,... therefore the proposal is in accordance as the educational buildings are required and adequate playing areas are retained for the purpose of the SEN school, with addition provision for community use (following agreement) outside the redline boundary, and one pitch in the phase 2 area of the application.
Policy A1	Parking standards	Parking provision proposed is in accordance with Appendix E of the SADMP

Policy A2	Travel Planning	The submitted Travel Plan is in accordance with the requirements of this policy, subject to a suitable condition
Policy A3	Cycle network	This proposal is in accordance with this policy as demonstrated through the NMU submitted document
Policy D8	Safety	The design of this development does incorporate measures to reduce the likelihood of crime, and is in accordance with, parts C-E of the policy.
Policy I4	Water Infrastructure	The foul water system is adequate for Wessex waters purposes, and the surface water drainage will be appropriately designed to meet the requirements of the LLFA, subject to a suitable condition.
Policy ENV1	Protection of Trees, woodland, orchards and hedgerows	An appropriate landscape and arboriculture report has been submitted to SCC to meet the requirements of this policy, and an appropriate condition to enable the proposal to be in accordance.
Policy ENV2	Tree Planting within new development	Appropriate planting is demonstrated within the proposal boundary.