

Somerset County Council
Regulation Committee – 14th June 2018
Report by Service Manager - Planning Control,
Enforcement & Compliance : Philip Higginbottom

Application Number: 4/08/18/0004/OB
Date Registered: 23 January 2018
Parish: Cheddon Fitzpaine
District: Taunton Deane
Member Division: Taunton North
Local Member: Giuseppe Fraschini
Case Officer: Philip Higginbottom
Contact Details: 01823 356939
Description of Application: Construction of a 2 form entry Primary School and Nursery, including associated access arrangements, car parking, 3G sports pitch and hard and soft landscaping.
Grid Reference: 324287-126446
Applicant: Somerset County Council
Location: Nerrols Farm Primary School, Nerrols Drive, Cheddon Fitzpaine, Taunton, TA2 8QE

1. Summary of Key Issues and Recommendation(s)

The key issues for Members to consider are:-

- Whether the principle of development is acceptable
- Whether the proposal represents sustainable development
- The need for the development
- Whether the design of the development is acceptable
- Impact of the proposal on the highway network
- Impact of the proposal on residential amenity
- Impact of the proposal on biodiversity
- Impact of the proposal on flood risk
- Impact of the proposal on the existing Public Right of Way (PRoW)

It is recommended that planning permission be GRANTED subject to the imposition of the conditions in section 9 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 the Site

- 2.1 The site is a relatively flat parcel of land equal to 1.23 hectares located on Taunton's north-east urban edge. It is approximately 2.5 kms from Taunton Town Centre. A single tree is accommodated within the south east portion of the site, with the remainder being scrubby grassland. It would appear that the site is currently utilised as an informal site compound associated with the residential development currently being constructed to the north and north-east of the site.
- 2.2 The site is bounded to the north by residential development currently being constructed, to the east by an existing Public Right of Way (PRoW) reference T5/14, which is a single track land known as Nerrols Lane and which separates the site from an existing local business (dealing in farm machinery) and associated dwelling known as Crosslands Yard, and further residential development currently being constructed; to the south by a vacant site with outline planning permission for commercial uses; and to the west by Nerrols Drive public highway, with the existing residential development known as Priorswood beyond.

3. The Proposal

- 3.1 The submitted application form describes the proposed development as follows:

'Construction of a 2-form entry primary school and nursery, including associated access arrangements, car parking, 3G sports pitch and hard and soft landscaping.'

- 3.2 It is proposed that both the primary school of 420 pupils and nursery of 26 children would be accommodated within a single two storey building. To the ground floor, teaching areas for nursery, reception, and Years 1 and 2 ages would

be provided, as well as a library, the main hall, kitchens, therapy room, sleep room, and other ancillary functions associated with the proposed use. To the first floor, it is proposed that teaching areas for years 3, 4, 5 and 6 would be provided, as well as a food science /DT room, the staff room, a small hall, and ancillary functions.

- 3.3 It is proposed that the building would occupy a broadly 'L' shaped footprint within the site, with the frontage of the building measuring approximately 55 metres. The external walls to the building would be constructed from exposed brickwork and through coloured render in off-white, with the proposed flat roof to be constructed from 3 layered roofing felt over tapered insulation. Windows and doors would be constructed from powder coated aluminium, finished in grey, with red coloured panels also introduced between random windows. A covered walkway projecting approximately 3.5 metres from the building would extend the entire length of the building's frontage and wrap around its south-western corner before terminating adjacent to the secondary entrance on the southern elevation. It is proposed that lettering would be installed above the walkway reading 'Nerrols Primary School'.
- 3.4 The remainder of the site would be used to accommodate a 3G artificial grass sports pitch; hard sports area; informal soft play areas; wildlife habitat areas; nurse outdoor play area; staff car parking area comprising 30 car parking spaces; secondary parking area comprising 2 x disabled spaces, 2 x motorcycle parking, and 3 x standard spaces; 50 cycle storage spaces; and the site access.
- 3.5 The site access is located on Nerrols Drive, on the western site boundary, and would facilitate access from the public highway to the main vehicular entrance at the site's southern boundary. It is anticipated that it would serve the school, as well as the commercial area to the immediate south of the site, once it is developed. The access was granted planning permission as part of the outline planning permission reference 08/10/0024 and has now been constructed. Consequently it does not form part of this application.
- 3.6 It is proposed that the existing boundary vegetation would be retained where possible, which would be complemented by new boundary treatments and on-site hard and soft landscaping.

4. Background

- 4.1 Taunton Deane Borough Council's Core Strategy adopted 2012 sets out the Borough's strategic sites and their broad locations. In this regard, Policy SS 2 identifies Priorswood / Nerrols as a site for 'a new sustainable neighbourhood' to include among other things:
- 900 dwellings, 25% of which must be affordable, at an average of 35-40 dwellings per hectare;
 - A mixed use local centre incorporating retail; financial and professional services; restaurants and cafes; drinking establishments; live/work units; dwellings; and community facilities;
 - A new primary school;

- A country park;
- Bus rapid transit infrastructure;
- A highway link;
- An energy centre;
- Strategic SUDS infrastructure;
- A green necklace providing allotments, outdoor recreation and wildlife habitat.

- 4.2 The Core Strategy also includes a Concept Plan to accompany Policy SS 2, which identifies a broad location for a primary school. It is noted that the location is some way to the north of the application site that has come forward as the current application.
- 4.3 Taunton Deane Borough Council granted outline planning permission, with all matters reserved for future consideration except access, on 14 December 2012 for the erection of up to 630 residential dwellings, live-work units, retail space, other mixed use development and open space to include play areas and linear park, and associated landscaping at land off Nerrols Drive, Taunton. A Section 106 legal agreement accompanied the planning permission; Plan 2 of which identified the site for the new primary school as being the site that is the subject of this planning application (the 'Primary School Land'). For the avoidance of doubt; the planning permission did not grant outline planning permission for the school.
- 4.4 Taunton Deane Borough Council subsequently granted Reserved Matters planning permission on 17 March 2016 for *'approval of reserved matters following outline application 08/10/0024 in respect of appearance, landscaping, layout and scale for the erection of 260 no dwellings with associated works on land off Nerrols Drive, Taunton'*. This planning permission relates to the part of the wider development site to the immediate north and north-east of the application site. Again, the planning permission does not include the new school that is subject of this current application.
- 4.5 Subsequent to the above, the current application for the new school has been submitted by Somerset County Council for consideration.

5. The Application

5.1 Documents submitted with the application

- Location Plan
- Existing Site Plan
- Ground floor plan
- First floor plan
- Roof plan
- Elevations
- Site sections 1 of 2
- Site sections 2 of 2
- Landscape general arrangement
- Boundary treatment plan

- Planting plan
- Cover letter
- Application form
- Planning, Design and Access Statement
- Transport Assessment
- Interim Travel Plan
- Site Waste Management Plan
- Environmental Noise Report
- Arboricultural Impact Assessment and Arboricultural Method Statement
- Utility Statement;
- Revised Construction & Environmental Management Plan Rev.01, prepared by Wilmott Dixon dated 09/04/18;
- Preliminary Ecological Appraisal Update Survey
- CIL Liability form
- Flood Risk Assessment
- Geotechnical Statement
- Foul and Surface Water Drainage Strategy
- Construction & Environmental Management Plan (revised)

6. Environmental Impact Assessment (EIA)

- 6.1 An assessment of the proposed development in the context of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 has demonstrated that the proposal falls within Schedule 2, specifically project type 10(b); 'Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas;' and that the proposal exceeds the applicable thresholds and criteria insofar that the development includes more than 1 hectare of urban development which is not dwellinghouse development. As such, 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 is required.
- 6.2 The screening exercise has been undertaken using the selection criteria for screening Schedule 2 development, which is set out at Schedule 3 of The Regulations. As such, the characteristics of development; location of development; and types and characteristics of the potential impact have all been assessed. The appropriate design of the development; absence of sensitive areas; relationship between the site and residential properties in the locality; development of the wider area surrounding the site; and potential to use appropriate conditions to avoid, manage or mitigate the effects associated with the development, all combine to indicate that the effects would be unlikely to have a significant impact on the environment in this instance.
- 6.3 Taking account of the above, and for the reasons discussed, it has been concluded that the proposed development is Schedule 2 development; but that the associated effects on the environment are not considered to be significant.

Accordingly, the proposed development is not EIA development and an Environmental Statement is not therefore required. An EIA Screening Opinion has been completed, issued and placed on the Public Register accordingly.

7. Consultation Responses Received

External Consultees

7.1 Taunton Deane Borough Council –

Following the receipt of amended details for and subject to the suggested condition to ensure the provision of access mitigation works to include the provision of a N-S footpath and cycle link along the unnamed highway to the east of the site I formally withdraw the current objection and support the proposal.

Design

The building will be a flat roofed two storey structure with a rendered upper section and brick lower section. This is out of keeping with the general development of the area which tends to be more simplistic without horizontal divisions of materials but there is a valid argument that buildings with a civic purpose should be different in order to stand out as key buildings within an area as I am sure this will. The materials are not specified but I consider that a local orange/red brick of high quality should be used in order to ensure a good standard to the finished structure.

Transport consultants have established that the greatest distance for pedestrians to walk to the site (without the eastern link in the approved masterplan) would be 680m, but this is 80m in excess of this Council's maximum walking distances to primary schools (policy A5). The provision of an easterly footpath and cycle link would reduce these distances to approx. 590m, within those maximums.

Noise

The submitted noise report does not identify any unacceptable noise implications on the new school however I cannot find any reference to considerations of the effect of noise from the school on the amenity of existing residential occupants, which was a significant problem at West Monkton Primary School, and I consider that this should be rectified.

Landscape and Boundaries

The western boundary of the site comprises a landscaping belt which was planted in association with the new Nerrols Drive highway. This has now become well established and provides a visual screen to the applications site. The proposal would retain a small proportion of the original planting (at the north and south) removing approx. 20m along the mid section in order to facilitate the provision of staff parking spaces. It is proposed to plant 8 new Acer trees equidistance along the "gap" up to the new western pedestrian access gates.

The buffer planting was introduced in order to strengthen the boundary between the edge of Taunton and open countryside beyond. Whilst this planting serves a valuable purpose the use of the land to the west is about to change to a public

service (education) one where the facility itself demands a presence within the area.

It is considered that with the hedge and tree along the boundary the impact on the street scene will be mitigated.

The northern boundary of the site borders the rear gardens and sides of residential properties developed as part of the allocated site. The proposal is to introduce hedging and additional trees along that boundary where the dwellings back onto the site to soften the visual impact of the proposal when viewed from those properties and low level planting adjacent to the side boundaries where the impact on the amenity is less.

Educational buildings have a requirement for secure sites in order to protect the environment for use by young people. The proposal is for a loop topped metal railing to be placed along the boundary of Nerrols Drive and the road to the south with a mixture of 1.8m weld mesh fencing along the remaining boundaries except for a section of 4.5m high weld mesh ball stop fencing along the eastern boundary adjacent to the playing pitch.

Conclusion

The NPPF (para 72) established that the Government attaches great importance to ensuring that there are a sufficient choice of school places to meet the needs of existing and new communities and Planning policy – Planning for Schools establishes a presumption in favour of the development of State Funded Schools. The need for a new primary school was identified within the site allocation SS1 and the site secured through a S106 agreement attached to the relevant outline planning permission. Since that permission the requirement for additional primary school capacity to cater for the new developments in the area has increased beyond that originally expected to the extent that this site, with permission for a 7 classroom school is being used to provide a two storey 14 classroom school. It is therefore considered to be acceptable in line with the NPPF presumption in favour and policy in principle. The layout of the buildings does not respect the existing highway layout but the fact that the buildings are set back from Nerrols Drive with landscaping along the boundary would reduce the importance of this within the street scene considerations and given the importance of the provision of the school this is considered to be acceptable.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998.

7.2 Taunton Deane Borough Council Landscape and Biodiversity Officer

Landscape

The development is rather cramped on this small site. I have concerns regarding the amount of vegetation removal required to accommodate the proposal. In fact I understand that a lot of vegetation has already been removed which may have impacted on the wildlife on site (nesting birds and reptiles).

Please consult with the tree officer on the encroachment of the retained tree and other TPO trees on site.

Why is the main vehicular access to the site from a temporary access road?

Full landscape details are required.

Biodiversity

A preliminary ecological appraisal update survey was carried out by Abricon in January 2018. Findings were as follows

Badgers

The surveyor found no badger activity although a disused sett was identified on site. This sett should be rechecked prior to the commencement of any development.

Bats

The retained oak tree has features that may be used by bats. No works should take place on the tree without an aerial inspection. There should be no light spill on this tree in fact external lighting should be controlled due to the proximity of Hestercombe Sac to the site.

Birds

Birds are likely to use vegetation on site.

Reptiles

Previous reports identified reptiles on site. The surveyor recommended a translocation exercise. The report recommends that an ecological Management Plan be put in place prior to commencement of works on site.

7.3 Taunton Deane Borough Council Tree Officer –

It's a shame that much of the nicely-established native tree and shrub planting on the west side has to go, but presume no other layout possible? Otherwise, subject to the mature oak being properly fenced during construction, no objection from me.

7.4 Cheddon Fitzpaine Parish Council –

The Parish Council of Cheddon Fitzpaine met on Thursday 8 February 2018. The following comments are made:

- The Parish Council understands the requirement for the new primary school and for the increase in class size from 7-14 classes.
- The Parish Council support the project as a whole.
- The Parish Council supports school activities such as forest school, and other outdoor activities, to ensure the healthy development of the children. Therefore with the new country park opening on the East side of the school & the Northwalls Grange development, the Parish Council believes that there

should be a provision in the application for a footbridge to be installed over the Maiden Brook to encourage a safe route for children to and from the country park and the school;

- Parking Spaces, whilst the Parish Council understands the need to limit parking spaces at the school, we believe it is important that the residents of Northwalls Grange & Nerrols are not impacted by parents blocking the roads to drop their children off at school. Provision needs to be made to ensure that the highways, especially the residential roads are protected for residents;
- Outside lighting: Reference to the Joint Neighbourhood Plan with West Monkton requires that 'Dark Skies' to be taken into account. Local residents request car park lights not to be lit overnight.

7.5 Sport England –

The proposal is for the construction of a 2 form entry Primary School and Nursery, including associated access arrangements, car parking, 3G Sports Pitch and hard and soft landscaping

Sport England has assessed the application in the light of Sport England's Land Use Planning Policy Statement 'Planning for Sport Aims and Objectives'. A copy of which can be found at:

<http://www.sportengland.org/facilities-planning/planning-for-sport/aims-and-objectives/>

The statement details Sport England's three objectives in its involvement in planning matters:

- Protect existing facilities;
- Enhance the quality, accessibility and management of existing facilities;
- Provide new facilities to meet demand;

By providing a new pitch and new sports facilities that could help address established demand and deficiencies, the proposal would meet objective 3, and therefore Sport England supports this application in principle.

Is the scale of the facility and support accommodation right? For good community use we recommend adequate storage with foyer/reception for community use, changing and toilet accommodation. Some showers in cubicles. Facilities for disabled people, provision for first aid, cleaners store. Ease of circulation space, no long narrow corridors.

We note the proposed football pitch is artificial grass, also known as 3G when constructed with a football bias. The dimensions are unclear but it appears to be aimed at youth football. The dimensions would need to be checked against the FA recommended pitch sizes (see below).

What is the proposed specification for the 3G pitch? 40mm is not the preferred pile length for football. Hockey have a mandate not to play on 3G. It will have limited community access if it does not have sports lights as it will be busiest for the community in the dark months to aid any business plan for the 3Gs maintenance and management.

Distance to and from the 3G to the changing. Well lit? Signage? Mitigate contamination of the 3G?

Some sports require a grass surface and once grass is lost the chances of the land ever returning to grass are extremely remote. Artificial surfaces do not necessarily provide a direct replacement for grass pitch use as they only make a limited contribution to competitive grass pitch sports use. They are expensive to provide and require a significant revenue support. It is necessary to allocate significant budgets for on-going maintenance requirements. In addition a year on year sinking fund is required to ensure facilities are replaced when they are "worn out".

The MUGA / hard sports area should be built in accordance with Sport England's technical guidance notes. Sport England would expect that the proposed MUGA is fenced, would use a porous MacAdam surface with non-slip coat and identifiable line markings for different pitch and court sizes in line with our guidance Comparative sizes of sports pitches and courts, September 2015 <https://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/artificial-sports-surfaces/> . SAPCA also has some useful technical guidance on MUGAs <http://www.sapca.org.uk/technical-guidance/multi-use-games-areas-mugas>

Will the MUGA have lights to aid community use and support a 'back to netball' type physical activity intervention?

The Main Hall (180 sqm) – will the indoor space cater for fitness classes / martial arts etc?

Parking (cars and cycle) / signage lighting to the community use entrance. Is the proposed acceptable or will it need to be improved? It is hard to make an assessment on the submitted information.

The Football Foundation, on behalf of The FA, advise that there is limited information on the planning application in relation to the 3G football turf pitch (FTP) and therefore it is not clear if the plans presented would be compliant for grassroots football. Please ensure that the below is met and consistent with the below design principals for a 3G FTP:

Construction Quality – Ensure the pitch is constructed to the FIFA Quality Concept for Football Turf – FIFA Quality (old FIFA 1*) accreditation or equivalent International Match Standards (IMS) as a minimum and meets the recommend pitch size of (including run-offs) 100x(106m) x 64m(70m). It is not clear from the planning application what the pitch dimensions are for the 3G FTP, therefore we

recommend the following 3G FTP dimensions to be constructed depending on the size/format of the pitch:

The FA Guide to 3G Football Turf Pitch Design Principles and Layouts

Summary of Key FA Technical Standards

- Where football is the primary sport, all new 3G FTPs should be constructed to one of the following FA recommended sizes:

The FA Recommended Pitch Sizes		Recommended size without runoff (safety area around pitch)				Recommended size including runoff (safety area around pitch)				Recommended size of goal posts			
Age grouping	Type	Length x width (metres)		Length x width (yards)		Length x width (metres)		Length x width (yards)		Height x width (metres)		Height x width (ft)	
Mini-Soccer U7/U8	5v5	37	27	40	30	43	33	46	36	1.83	3.66	6	12
Mini-Soccer U9/U10	7v7	55	37	60	40	61	43	66	46	1.83	3.66	6	12
Youth U11/U12	9v9	73	46	80	50	79	52	86	56	2.13	4.88	7	16
Youth U13/U14	11v11	82	50	90	55	88	56	96	61	2.13	6.40	7	21
Youth U15/U16	11v11	91	55	100	60	97	61	106	66	2.44	7.32	8	24
Youth U17/U18	11v11	100	64	110	70	106	70	116	76	2.44	7.32	8	24
Over 18 (senior ages)	11v11	100	64	110	70	106	70	116	76	2.44	7.32	8	24

- The FA advise organisations solely looking to develop small-sided commercial FTPs to adhere to the design principles within this document, to maximise the

Testing – That the 3G pitch is tested and subsequently FA registered on completion and then every three years for grassroots football and every 1 year for football in the National League System. This will enable the 3G to be used for league matches and therefore help the 3G pitch to be used to its maximum potential by programming matches at peak times.

Pricing - Pricing policies must be affordable for grass roots football clubs and should be agreed with the Somerset County Football Association. This should include match-rates at weekends equivalent to the Local Authorities price for natural turf pitches.

Sinking fund - Ensure that sinking funds (formed by periodically setting aside money over time ready for surface replacement when required – FA recommend £25k per annum (in today's market for a full size pitch) are in place to maintain 3G pitch quality in the long term. When a 3G FTP is not a full-size the following sinking fund amounts must be ringfenced for the replacement of a 3G FTP at the end of its usable life: -

U13 / U14 (88m x 56m) = £18,000 per annum

9v9 (79m x 52m) = £15,000 per annum

Mini-Soccer (60m x 40m) = £10,000 per annum

Design:

General – 3G AGP designs to be in line with FA recommendation and should be checked against The FA Guide to Football Turf Pitch Design Principles and Layouts.

Line marking – We recommend that over-marking are made to allow different formats of football (e.g. 5v5, 7v7, 9v9 and 11v11). Over-marking should adhere to The FA Guide to Football Turf Pitch Design Principles and Layouts and can be painted on.

Recessed fencing – We recommend that the fencing is recessed to allow for safe and easy goal storage.

Fence height – The FA recommend fence height on all sides of a 3G AGP is 4.5m.

Run-off - A minimum safety run off 3m should be provided.

No flood lights – To maximise community use, the 3G AGP should be floodlit.

Strategic Need – We need to understand further information on what the current demand would be for this facility to serve the local community.

Community Use Agreement - That a community use agreement is agreed with Sport England and Somerset County FA in line with the intended usage levels of the facility.

In order for The Football Foundation, on behalf of The FA to comment on this scheme and make a clear recommendation we would require further information as identified above.

Making better use of existing resources contributes to sustainable development objectives by reducing the need for additional facilities and the potential loss of scarce resources such as open space. The practice of making school sports facilities available to wider community use is already well established and has been government policy for many years, but there are further opportunities to extend this principle within the education sector through programmes such as Academies and to other privately owned sports facilities, to help meet the growing demand for more and better places for sport in convenient locations.

Sport England promotes the wider use of existing and new sports facilities to serve more than one group of users. Sport England will encourage potential providers to consider opportunities for joint provision and dual use of facilities in appropriate locations.

Sports facilities provided at school sites are an important resource, not just for the school through the delivery of the national curriculum and extra-curricular sport, but potentially for the wider community. There are also direct benefits to young people, particularly in strengthening the links between their involvement in sport during school time and continued participation in their own time. Many children will be more willing to continue in sport if opportunities to participate are offered on the school site in familiar surroundings. Many schools are already well located in terms of access on foot or by public transport to the local community and so greater use of the sports facilities outside normal school hours should not add significantly to the number of trips generated by private car.

Use Our School is a resource to support schools in opening their facilities to the community and keeping them open. It provides tried and tested solutions, real life practice, tips from people making it happen, and a range of downloadable resources. <https://www.sportengland.org/facilities-planning/use-our-school/>

Conclusion

Sport England recommends, based on our assessment, that there a number of issues to address to ensure the proposal is fit for purpose in relation to sport and in particular community sport.

If the Council is minded to approve the application, the following planning conditions should be imposed.

1. Prior to the bringing into use of the [named sports facility])(a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. (For AGP's add: The approved Management and Maintenance scheme shall include measures to ensure the replacement of the artificial surface within a specified period) The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the [named sports facility].

Reason: To ensure that new facility/ies is capable of being managed and maintained to deliver a [facility] which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport (National Planning Policy Framework (NPPF) para 74) and to accord with LP Policy **

2. No development shall commence [or such other timescale] until a community use scheme has been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The scheme shall apply to [describe facilities] and shall include details of pricing policy, hours of use, access by non-educational establishment users/non-members, management responsibilities, a mechanism for review and a programme for implementation. The approved scheme shall be implemented upon the start of use of the development [or other agreed timescale] and shall be complied with for the duration of the use of the development.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with LP Policy **.

The absence of an objection to this application in the context of the Town and Country Planning Acts, does not in any way commit Sport England's or any National Governing Body of Sport's support for any related application for grants funding.

We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

7.6 Environment Agency –

No response.

7.7 Highways England –

No response.

INTERNAL CONSULTEES

7.8 Cllr Guiseppe Fraschini –

No response.

7.9 Ecology –

A Preliminary Ecological Appraisal of the proposed primary school site was carried out in 2017 by Abricon. The purpose of the Preliminary Ecological Appraisal was to provide an updated ecological assessment of the site, since previous ecological survey work had been carried out in 2009 to 2015 as part of the whole Nerrols residential development area.

The site of the proposed development consists of improved grassland, scattered trees, scattered scrub, fence and bare earth; bounded by mature hedgerows. Other habitats identified within the 2017 survey area include semi-improved neutral grassland and marshy grassland. The field was formerly in arable use but for the last two years has become fallow with a long sward of 50cm.

The report correctly identifies that the site lies within 2km of the Hestercombe House SAC, which is designated for its population of lesser horseshoe bats. A Habitats Regulations Assessment was carried out for the whole Nerrols site (Taunton Deane Planning Application 08/10/0024) in 2011 and included the land on which the proposed school is planned. The result of the HRA required that 3.15ha of replacement habitat be planted to mitigate the effects of the loss of habitat caused by the whole residential development. It also required the planting of a 20 metre woodland buffer around the outer edges of the development. This application is for an area of land enclosed by residential development, which I consider has already been assessed in the Habitats Regulations Assessment carried out in 2011 and that replacement habitat should have already been provided. Therefore, I do not intend to carry out a 'test of likely significant effect' for the application.

An oak tree along the southern boundary of the proposed school site has been identified as potentially supporting bat roosts. However, no roost survey has taken place to determine whether it is actually used by bats or not. According to submitted plans the oak tree is to be retained within the playing field for the school so was considered by Abricon to be unnecessary provided the tree is left untouched by the development. However, I consider that there are potential effects from disturbance to individual bats from construction activity in the vicinity

of the tree and subsequently from any lighting installed at the school. Individual bats are protected from intentional or reckless disturbance under the Wildlife and Countryside Act 1981 (as amended). I would recommend that the following are conditioned:

- Prior to the commencement of any groundworks and vegetation clearance a bat roost survey of the oak tree located on the southern boundary of the development hereby permitted shall be carried out and the results along with any mitigation actions to avoid disturbance to individual bats during construction works will be submitted to and approved in writing to the County Planning Authority.

Reason: A pre-commencement condition in the interests of protected species

- Prior to occupation, a “lighting design for bats” shall be submitted to and approved in writing by the local 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

Abricon reported that, ‘No new badger activity was found on site, with the outlier sett identified underneath the mature oak showing no signs of recent activity’. It was considered that ‘Replacement habitat has been implemented within the wider development site and therefore it is considered highly unlikely that badgers will be impacted by the proposed works’. However, given the dynamic nature of badgers occupying setts I would recommend that the following is conditioned:

- Prior to the commencement of any groundworks and vegetation clearance a survey for badger setts shall be carried out for the development hereby permitted to ensure that no new badger activity has occurred by a competent ecologist. A letter will be sent by the ecologist confirming the results of the survey and of any mitigating actions that might be required to the County Planning Authority

Reason: A pre-commencement condition in the interests of protected species

The boundary hedgerows, scattered scrub and trees offer suitable habitat for nesting and foraging birds. It is understood that the majority of this habitat is to be retained. Without mitigation, the removal or management of the vegetation may

result in the destruction of nests and could result in killing, injury, and disturbance of birds and/or dependent young if they are present at the time. The following should be conditioned:

- No removal of hedgerows, trees or shrubs that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the County Planning Authority.

Reason: in the interests of nesting wild birds

Between the 2009 and the 2015 survey a low population of slow-worms have been identified on the application site, with a low population of common lizard being identified within the land to the south of the application site, along with grass snakes known to be present in this area due to a slough being identified. Without mitigation, there is potential for an adverse impact on reptile species due to animals being killed or injured as a result of site clearance and development activities. In addition, without mitigation there is a potential for an adverse impact on reptile species present within the habitat south of the application site due to the proposed development, reducing habitat connectivity from the reptile habitat remaining within south of the application site to the replacement reptile mitigation habitat within the wider development site.

- Prior to the commencement of any groundworks and vegetation clearance a "reptile mitigation strategy" shall be submitted for the development hereby approved and adjoining land to the south within the developer's control and submitted to the County Planning Authority for written approval. Where translocation is required the site shall be identified, surveyed to ensure the absence of reptiles to avoid habitat crowding, and described. No groundworks shall commence until the "reptile mitigation strategy" has been implemented in full.

Reason: A pre-commencement condition in the interests of protected species

7.10 Local Highway Authority –

With reference to the above mentioned planning application received on 26th January 2018, sufficiently revised plans received thereafter (12th March 2018) and following a site visit the Highway Authority has the following observations on the highway and transportation aspects of this proposal.

Land off of Nerrols Drive 08/10/0024

The Highway Authority has previously commented on the outline and subsequent reserved matters applications with regards to phase one of development at

Nerrols. The principle of development set out in 08/10/0024 was accepted by the Planning and Highway Authority dated 01/12/2011 and a resolution to grant in December 2012. Whilst the traffic impact of the proposed school was not included within the 08/10/0024 the land was provided as part of the s106.

A Transport Assessment (TA) has been produced by Curtins, to support the proposed application. It should be noted that some of the information within the TA is not considered accurate; however, this is not considered to significantly alter the Highway Authority's view on the proposal and overall recommendation.

Site Location

The site is located within the Nerrols Allocation where a new development of up to 630 dwellings are currently being built out. The site is bordered by Nerrols Drive and Bossington Drive to the west. To the north and north east of the site the new Nerrols development known as North Walls Grange is under construction. The school site is located to the north of the A3259 / Venture Way roundabout. Vehicular Access from Nerrols Drive into the school and commercial area was secured within the 2010 application and has been constructed as part of the North Walls Grange application.

Existing conditions

Access to the school from the main road will be gained from Nerrols Drive as mentioned above. Internally there will be a school access which is considered within this response. Nerrols Drive is subject to a 30mph speed limit, recent works along Nerrols Drive in association with consented developments have predominantly reduced the width by building in right turning lanes for the North Walls Grange development. The A3259 which runs to the southeast of the site is subject to a 40mph speed limit. Two toucan crossings have recently been installed connecting the Priorswood and Summerleaze areas with the school across Nerrols Drive in the south, the second crossing connects Waterleaze to the Nerrols Site across the A3259, both of which are considered to be beneficial to the proposed school.

Accidents

A number of Personal Injury Accidents (PIA's) have been recorded surrounding the site. A number of accidents involved cyclist, the increased provision of facilities for pedestrians and cyclists in relation to the Nerrols allocation is considered appropriate in reducing such accidents. Therefore no further mitigation is required.

Proposed development

The development proposal consists of a new two-form entry primary school with a nurse, on site kitchen, hard play areas and staff parking. The school building is proposed over two-storey's comprising of 2,390 sqm, accommodating up to 420 school students and 26 places and 40 members of staff. The school is proposed to open for the start of the 2019/20 academic year. It is anticipated that the county will stagger the school enrolment over three to four academic years. It is

assumed given the Somerset County Council's two tier school system, the school will cater for aged children of 4 to 11 and rather than age 9 outlined within the planning documents.

Operating hours

It is proposed that the school's opening hours will be typical of other schools in Somerset with the school day commencing around 9am and school finishing around 3:30pm. With breakfast and afterschool clubs, operating one hour before school and two hours after the school day ending. The arrival of staff and pupils of the proposed school will predominantly impact on the AM peak. Deliveries should be restricted outside of the school start and finish times to reduce conflict of movements, which should be secured by planning condition.

Access

Access to the school is proposed to be in the form of a simple priority junction. The proposed commercial development access will be provided under a separate application; the access to the school is not considered to preclude the commercial access and should be secured by planning condition. Therefore a condition is required as the General Arrangement Plan Rev.P23 does not show appropriate carriageway alignment and footway provision.

The access to this school will be gated which will open inwards and the carriageway width will be 5.5 metres with a turning radius of 6 metres. Visibility splays are to be provided in line with Manual for Streets (MfS), and will provide 25 metres to both the east and west from a setback of 2.4m which is compliant with MfS based on a speed limit of 20mph which is considered appropriate in this location.

The delivery of the access and footpaths will need to be secured within an appropriate licence or legal agreement.

Drop off and pick up strategy

Reference is made to the car park being designated for staff only, which is accepted. Limited spaces for nursery drop off and pick up should ideally be provided. Reference has been made to a Park and Stride for the school; however, how this will be delivered is not clear. This should form part of the Travel Plan, if it is considered deliverable.

Pedestrian and cycle connections

Three pedestrian access points are detailed on the Landscape General Arrangements Plan Revision P23. However limited reference is made to the third gate which is located to the east of the site (through the spectating area) this gate and link is considered essential to ensure connectivity and encourage walking to school from the whole development. This should be secured by planning condition.

Section 4.2.7 of the TA makes reference to requests from SSC Highways officers to connect North Wall Grange with the school site by foot (this is assumed that this is the eastern boundary). The TA mentions that the eastern link would have

little benefit given the Nerrols Drive detour, however, the Highway Authority disagree and believe this is essential to meet the required walking distance to school.

The TA appears to overlook the benefits of the segregated eastern Link that was detailed with the wider Nerrols Allocation Masterplan. The role of the eastern link was proposed to provide a convenient safe and direct foot/cycle access to the school and local commercial centre which was the reason it was incorporated into the masterplan, which has not been mentioned in this section but reference elsewhere in the TA. The consented Reserved Matters residential layout precludes delivery of the masterplan route. Therefore the Highway Authority have no objection in principle to the utilisation of the existing public right of way and highway to the east of the site for access (subject to sufficient mitigation mentioned subsequently within this response). It should be noted that mitigation measures will be required to ensure a safe route is delivered which will need to appropriately accommodate pedestrians, as in its current form walking would not actively be promoted at the south end of the Lane. It is recommended that improvements to the 'green link' will form a planning condition.

Proposed car and cycle parking

It is acknowledged that the capacity of car parking spaces provided within the development proposal is adequate and future management of these should occur. The SCC policy states that the car parking allocation equates to 15 staff spaces. On this occasion the Highway Authority accept the recommended 30 spaces, given the amount of staff who will be working on site and its location. Cycle parking provision has been accepted that 52 spaces. This should be safe, secure, sheltered and accessible. Scooter parking should also be provided.

Travel Plan

A Travel Plan accompanies this application which has been reviewed by the SCC Travel Plan Team. There are a few minor amendments required to this document, which should include the measures and commitment to the Park and Stride. The Highway Authority will issue the Travel Plan Audit to the Transport consultant for review. 12 months after occupation of the primary school, the school should carry out their first school travel survey and then update/produce a school travel plan. An annual update should then be submitted to the Travel Plan team, outlining what measures will be implemented and details of pupil locations.

Within 12 month of opening a revised, updated school Travel Plan based on actual travel patterns will be conditioned to be provided.

Traffic Forecasting

Traffic counts and junction analysis at a number of junctions which were agreed with the Highway Authority have been undertaken. The assessments and traffic growth factors are considered robust and appropriate. A number of assessments have been undertake to test the development scenario in the opening and future years. All junctions with the exception of the Obridge Roundabout operate within theoretical capacity with and without the school development. The Obridge Roundabout currently operates at or over theoretical capacity in the both AM and

PM peaks. Traffic associated with the school is not considered to significantly add to the existing queue and delay at the junction. There are some improvements proposed in line with the wider Nerrols allocation at the Obridge Roundabout, and future proposals to improve a high quality bus provision which will offer an alternative to private car travel. With minimal impact at the junction mitigation is not requested in association to the school application.

The proposed trip generation for the site has been calculated using TRICS (an industry recognised data base) and is considered reasonable. The Travel Plan proposals will aim to reduce the number of single occupancy car trips and the location of the school being in close proximity to a number of residential areas encourage people to walk or cycle to school.

Distribution

It is proposed that 50% of pupils are expected to reside on the Nerrols site with the other 50% residing on surrounding estates, which is considered a reasonable assumption. The TA goes on to specify Travel Areas, some of these areas are not considered to typically draw to schools in this area, however with the school only having a catchment criteria if it is oversubscribed based on distance there could be some cross town travel. As mentioned above safe routes to school should be addressed providing an eastern link.

Drainage

I acknowledge receipt of the Flood Risk Assessment, Ref. C-07437 issue 3 dated January 2018, and the only observation I have is that this report is constrained to an assessment of the Flood Risk to/from the development and doesn't extend to propose any drainage strategy. It is important that the highway authority is afforded the opportunity to comment on any subsequent surface water management strategy that is developed.

Construction and Environmental Management Plan

I have reviewed the submitted Construction and Environmental Management Plan, dated 08 January 2018, and would comment on the contents as follows: further clarification is required regarding the proposed measures to manage the parking associated with the construction phase of this development to prevent parking occurring on Nerrols Drive. Due to the configuration of right turn lanes, central hatching, splitter islands and pedestrian crossing points along Nerrols Drive, any on street parking along this route could compromise the safety of road users and this Management Plan needs to recognise and manage this risk. Because amendments are required to this document a condition is recommended.

Conclusion

The application as submitted is not expected to have a substantial impact upon the local highway network or highway safety. In light of the above the Highway Authority raise no objection to the proposal subject to the following conditions:

- Prior to commencement of the development detailed plans of the school access (link to Nerrols Drive, footways, visibility splays, gates, etc) shall be submitted to and approved in writing. The access shall therefore be

constructed in accordance with the approved plans prior to first occupation.

- No development shall commence unless a Construction and Environmental Management Plan has been submitted and approved in writing by the Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:
 - Construction vehicle movements and number of vehicles per day;
 - Construction operation hours;
 - Construction vehicular routes to and from the site;
 - Construction delivery hours;
 - Car parking for contractors;
 - Specific measures to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
 - A scheme to encourage the use of Public Transport amongst contractors; and
 - Measures to avoid traffic congestion impacting on the Strategic Road Network.

- The applicant shall ensure that all vehicles leaving the site during construction are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Planning Authority and fully implemented prior to commencement of development and thereafter maintained until the construction of the site discontinues.

- The proposed pedestrian accesses (3) shall incorporate pedestrian visibility splays on both its sides to the rear of the existing footway / carriageway based on co-ordinates of 2.0 metres x 2.0 metres, with an obstruction above 300mm. Such splays shall be fully provided before the accesses hereby permitted are first brought onto use and shall thereafter be maintained at all times.

- A Travel Plan shall be submitted to and approved in writing by the Planning Authority. All the recommendations within the approved Travel Plan shall be implemented in accordance with the timetable therein. Thereafter the development shall operate the Approved Travel Plan or any variation of the Travel Plan agreed in writing by the Local Planning Authority. Within 12 months of opening a revised, school Travel Plan based on actual travel patterns will be conditioned to be provided.

- Details of the pedestrian access to Nerrols Farm Lane shall be submitted to and approved in writing by the Planning Authority. This access shall then be delivered in accordance with the approved drawings prior to first occupation of the school and shall remain in place until such a time as an alternative east/west link is provided.

- No work shall commence on the development site until an appropriate right of discharge for surface water has been obtained before being submitted to

and approved in writing by the Local Planning Authority. A drainage scheme for the site showing details of gullies, connections, soakaways and means of attenuation on site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

- The Development hereby permitted shall not be commenced until, 30 parking spaces for the school site and associated uses and a properly consolidated and surfaced turning space for vehicles have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

ADDITIONAL COMMENTS RECEIVED 16.4.18

School parking is always a concern in residential areas. The Travel Plan has a commitment to reduce signal occupancy car trips and the TA states that 50% of pupils are expected to reside at North Wall Grange with the remaining 50% expected to reside within walking distance. There is also reference to a park and stride and in time the commercial centre is likely to accommodate some of the trips associated with the school.

There is not a known parking issue in the surrounding in the area at present. Therefore at this stage the Highway Authority would not recommend a TRO without evidence to support that it would be required (due to cost, enforcement, etc).

The commitment with the Travel Plan will expect the school to adhere to the measures and targets. Once occupied the school's TPC will encourage parents and staff to respect the local community, and each driver as part of the Highway Code has the responsibility to follow the code and park respectfully and sensibly. Whilst for some residents increased parking might not be ideal this is roughly a 15 minute twice a day inconvenience.

If the parking does become an issue when the school is open for use then the Traffic Management team will look in to measures to prevent this. However other than the school yellow zigzags, there are many schools that I can think of (in residential areas benefit from yellow lines or other enforced measures).

ADDITIONAL COMMENTS RECEIVED 25.4.18

In response to consultation on a revised proposed Construction Environmental Management Plan, the LHA requires a highway condition survey of the highway surface to be undertaken prior to work starting on site, as an amendment to the revised Construction Environmental Management Plan.

7.11 Planning Policy –

No response.

7.12 Rights of Way –

I can confirm that there is a public right of way (PROW) recorded on the Definitive Map that runs adjacent to the site at the present time (public footpath T 5/14). I have attached a plan for your information.

We have no objections to the proposal, but the following should be noted:

1. Specific Comments

Any proposed hedgerow planting adjacent to the PROW will need to be maintained to ensure that there is no encroachment on the PROW.

2. General Comments

Any proposed works must not encroach on to the width of the PROW.

The health and safety of the public using the PROW must be taken into consideration during works to carry out the proposed development. Somerset County Council (SCC) has maintenance responsibilities for the surface of a PROW, but only to a standard suitable for the public use. SCC will not be responsible for putting right any damage occurring to the surface of a PROW resulting from vehicular use during or after works to carry out the proposal. It should be noted that it is an offence to drive a vehicle along a public footpath, public bridleway or restricted byway unless the driver has lawful authority (private rights) to do so.

If it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council Rights of Way Group:

- A PROW being made less convenient for continued public use.
- New furniture being needed along a PROW.
- Changes to the surface of a PROW being needed.
- Changes to the existing drainage arrangements associated with the PROW.

If the work involved in carrying out this proposed development would:

- make a PROW less convenient for continued public use; or
- create a hazard to users of a PROW,

then a temporary closure order will be necessary and a suitable alternative route must be provided. For more information, please visit Somerset County Council's Rights of Way pages to apply for a temporary closure:

<http://www.somerset.gov.uk/environment-and-planning/rights-of-way/apply-for-a-temporary-closure-of-a-right-of-way/> .

7.13 **SCC Acoustics Advisor –**

No noise objection to this development subject to the imposition of two planning conditions to cover use of the external sports facilities and to adopt the proposed Construction & Environmental Management Plan.

I have raised with you the following concerns/comments:

- The planning need for more detail on noise from the use and construction of the school and my concerns with potential increased use of pitches.
- The noise measurements provided by the consultants had been made at a representative building location and were therefore closer to Nerrols Drive than the A3259 and the position was not equidistant from these roads as stated.
- The missing indication of the monitoring location on the plan arose when an earlier plan was replaced in the draft report.
- It did not appear that pitch layout was known when the noise report was undertaken.
- I raised my concern with the assumption that an allowance, that might be applied to the assessment of IANL (+5dB on Table 1 IANLs when under natural ventilation), had been wrongly applied to define the guidance limits that might suggest whether designs could simply incorporate natural ventilation in the presence of such external noise. This has no consequence to the residential impacts of the development but may have consequence to achieving the required BB93 performance of the development.

The comments made by the agent as to potential new home owners having prior knowledge of a primary school development are of little consequence when dealing with any noise complaints if they were to arise from untypical noise impacts. However, clearly the identified development of a primary school will include an expectation for the presence of noise typical of a primary school. In my view this would include limited use of external features during a school day for both supervised periods of PE and play.

It would appear the details of sports facilities were not initially specified and as such housing development may not have taken consideration of any associated noise impacts at the housing design stage. It remains unclear if the buyers of housing would be aware of these sports facilities at the time of purchase however they probably have an expectation for a primary school with typical facilities. In my view typical facilities would not be expected to require flood lit sports areas and as such the installation of basic infrastructure to enable convenient installation of lighting at a later date did raise my concern.

Even without lighting it is my view that there will remain a risk that noise disturbance could arise if extended use of these facilities were not to be restricted before more detailed consideration could be made. I therefore recommend that operational constraints on the use of the external sports facilities be defined in any consent. The email of 7/3/18 now indicates that pitch location was dictated by the oak tree and this would seem logical once the location of the school had been

chosen. It is now also clarified that both flood lighting and community use of sports facilities is not anticipated and as such a condition limiting use to typical primary school operations would not appear to conflict with developer intention. Such a condition would, in my view, still be helpful to remove any uncertainty with regard to the issues that might arise with a potential escalation of sports facility use. As such I suggest the following condition:

Use of external sports facilities

The provision of external sports facilities shall be restricted to educational uses during weekday term-time periods between 08:30-17:00.

Reason – To limit the noise impacts on residential amenity

While information on expected primary school use of sports facilities has not been given, I would expect this will be limited to lesson periods within the teaching day, with late afternoon, evening and weekend use not required. While I would expect the noise from children using the pitch to be audible at nearest housing, I would think it unlikely for this noise to give rise to annoyance based on these expectations for its overall presence and regularity. Under such conditions of use I would not raise a noise objection to the development.

The prediction of construction noise impact has not been detailed however it would not be possible to avoid some noise impacts. Willmott Dixon have provided a comprehensive Construction & Environmental Management Plan (8/1/18) that details 7:30-18:00 weekday and 8:00-13:00 Saturday working hours along with sufficient noise and vibration mitigation measures. I therefore propose that this Plan form the agreed noise mitigation scheme to be adopted by the contractors prior to commencement of the development. To ensure this occurs I suggest the following condition:

Noise control and mitigation scheme

The developer shall minimise the noise impacts of construction by abiding with the details of the Construction & Environmental Management Plan of Willmott Dixon dated 8/1/18. Any requirement to deviate from this Plan shall first receive the written approval of the County Planning Authority.

Reason – To limit the noise impacts on residential amenity

Finally I would agree with the view that community use of the internal sports hall would not be likely to give rise to significant noise impact. As such I consider this use could be permitted within reasonable hours so as to minimise the risk of late night noise from vehicle movements in the car park close to housing.

7.14 Archaeology –

No response.

7.15 Local Lead Flood Authority (LLFA) –

The development indicates an increase in impermeable areas that will generate

an increase in surface water runoff. This has the potential to increase flood risk to the adjacent properties or the highway if not adequately controlled.

The applicant has indicated an intention to utilise onsite attenuation in the form of attenuation basins and buried cellular storage. the discharge will be to the existing watercourse controlled via a hydrobrake type system to greenfield Qbar rate for all storms up to an including 1:100 year plus 3-0%CC. However, they have not provided detailed designs, calculations and plans to support the application.

As you may already be aware, the West Of England SUDS guide puts a strong emphasis on providing multi-benefits within proposed SUDS schemes. This means that the scheme should not just be about providing water storage but about creating more naturalistic drainage features which have wider benefits to the environment and the community.

There is a really great opportunity here for a well thought out design that would enhance the school environment as well as providing for outdoor learning and play. The proposals appear to be limited to the provision of a detention basin and an attenuation tank. There is currently no details given on the use of the hierarchy of treatment stages and how these might be used to enhance the space around the school. This is one of the fundamental principles of designing SuDS (refer to the table below) and seeks to incrementally improve water quality at each stage of the scheme.

Table 2 The hierarchy of treatment stages within the management train.

Prevention	Site housekeeping measures including removal of soil and other detritus from hard-surfaces to reduce impact on water quality downstream. Use design to prevent polluted run-off from entering system. Scale: individual buildings.
Source control	Controlling rainfall at or very close to source by using e.g. permeable paving, green roofs, rain gardens and filter strips. Incorporates rain-harvesting features such as water butts. Scale: individual buildings.
Site control	Controlling run-off received from source control features in detention and retention basins, swales or other surface features. Scale: small residential or commercial developments.
Regional control	Controlling and storing the cleanest run-off received from the site. Scale: large housing developments, multiple sites which can be targeted for larger 'community-scale' SuDS features such as a wetland or group of wetlands. This is the final treatment stage and where there is any discharge via a controlled outflow to a stream or river, there should not be any negative impacts on water quality. Ideally, the discharge should improve stream water quality.
Conveyance features	Move water between the different treatment stages. This should be done using above-ground features such as swales and channels to maximise wildlife and people benefits.

The scheme needs to really review the site as a whole, take into consideration the natural topography and flow paths and then utilise these to create linked SUDS systems across the site – with the above management train in mind. There appears to be limited source control measures currently proposed as part of the scheme and no consideration for above ground conveyance features.

Consideration could be given to raingardens, small raised ponds and reed beds

with these interconnected to swales and other detention features further down the management train. This could, in turn, be linked through to perhaps a small habitat area. The best schemes incorporate a range of habitats that are good for water management and wildlife. Heather moorland, broadleaved woodland, wildflower meadows and reed beds all serve as natural sponges. Collection of water from roofs and hard surfaces can be linked by creative use of surface channels, rills and linear wetlands to move water around the school. Incorporating features such as cascades, spouts and water chutes can also add a sense of playfulness and visual interest in the context of the school environment.

Whilst the efforts made to incorporate some level of SUDS in the scheme is welcomed, more can be done to really make this an exemplar site for SUDS– not just for the school but for the wider community. These features needn't be expensive, and in fact, can often prove cheaper than alternative underground storage solutions such as attenuation tanks and underground conveyance systems such as drainage pipes.

There are some great examples out there for schools which we can provide further information on if you think this might be helpful.

Additionally, the connectivity of the ditch downstream needs to be confirmed prior to commencement – does it connect to the sewer as assumed? Is this connection intact? We would also like to see a plan that shows exceedence flow routes across the site and an implementation plan which shows how and when the stages of development will be progressed to ensure no short term risk of flooding.

The Management and Maintenance Plan is sufficient for the purposes of the pre-commencement condition.

The LLFA has no objection to the proposed development, as submitted, subject to the following drainage condition being applied.

Condition: No development shall be commenced until details of the surface water drainage scheme based on sustainable drainage principles together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details.

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development, in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, Paragraph 103 of the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework (March 2015).

7.16 Public Consultation

Seven letters of objection have been received from members of the public in respect of the proposals, all of which raise one or more of the following points:

- Support the principle of a new school;
- Parking issues on roads within surrounding area;
- Lack of parking / drop off area on-site;
- Narrow width of Nerrols Drive could be an issue;
- Highway safety concerns;
- Measures to reduce speed on Nerrols Drive should be considered;
- Will proposed sports pitches be floodlit or used outside school hours;
- Will the mature Oak Tree be retained;
- Concerned about lorries turning in Nerrols Farm Lane;

8. Comments of the Service Manager – Planning Control, Enforcement & Compliance

8.1 The key issues for Members to consider are:-

- Whether the principle of development is acceptable;
- Whether the proposal represents sustainable development;
- The need for the development;
- Whether the design of the proposal is acceptable;
- Impact of the proposal on the highway network;
- Impact of the proposal on residential amenity;
- Impact of the proposal on biodiversity;
- Impact of the proposal on flood risk;
- Impact of the proposal on the existing Public Right of Way (PRoW).

8.2 The Development Plan

Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case the development plan consists of the:

- Taunton Deane Core Strategy adopted 2012
- Taunton Deane Site Allocations and Development Management Plan (SADMP) adopted December 2016

8.3 Material Considerations

Material considerations to be given due consideration in the determination of the application include the following:

- National Planning Policy Framework March 2012 (NPPF)
- Chief Planning Officer's Letter: Policy Statement: Planning for Schools Development dated 15 August 2011
- Planning permission reference 08/10/0024 dated 14 December 2012 issued by Taunton Deane Borough Council for the erection of up to 630 residential dwellings, live-work units, retail space, other mixed use development and

open space to include play areas and linear park, and associated landscaping at land off Nerrols Drive, Taunton;

- Planning permission reference 08/15/0012 dated 17 March 2016 issued by Taunton Deane Borough Council for approval of reserved matters following outline application 08/10/0024 in respect of appearance, landscaping, layout and scale for the erection of 260 no dwellings with associated works on land off Nerrols Drive, Taunton.

8.4 Principle of development

Policy SS 2 of Taunton Deane Borough Council's adopted Core Strategy (hereafter referred to as 'the Core Strategy') allocates the area of Nerrols / Priorswood for a new sustainable neighbourhood. The policy requires, among other things, that a new primary school will be delivered. The accompanying Concept Plan in the Core Strategy identifies a broad location for the school as being to the north of the application site.

Outline planning permission was granted for the development of this allocated area by Taunton Deane Borough Council under reference 08/10/0024 on 14 December 2012. The Section 106 agreement accompanying the permission dated 26 November 2012 identifies the application site as being the site for the new school (the 'Primary School Land') on Plan 2 attached to the Section 106 agreement.

Taking account of the above, it is concluded that the principle of development of a new school on the application site is acceptable.

8.5 Does the proposal represent sustainable development?

Policy SD 1 of the Core Strategy reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework (NPPF) and confirms that planning applications that accord with the policies in the Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

In this particular case, it is considered that the following assessment demonstrates that the proposal represents sustainable development, by reason that it satisfies the relevant planning policies within the Development Plan bolstered incidentally by the cited material considerations. Consequently, it is considered that the proposal accords with Policy SD1 of the Core Strategy.

8.6 The need for the development

The NPPF clarifies at paragraph 72 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. To achieve this aim, paragraph 72 goes on to state that Local Planning Authorities should give great weight to the need to create, expand or alter schools.

8.7 The CLG Policy Statement: 'planning for schools development' reiterates the Government's stance, stating that it is firmly committed to ensuring that there is sufficient provision to meet growing demand for state-funded school places. To

this end, the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools, and Local Planning Authorities should therefore take a positive approach towards proposals of this kind.

- 8.8 Policy SP2 of the Core Strategy anticipates that the Taunton urban area will accommodate at least 13,000 new homes and 9,500 new jobs over the plan period up to 2028. The policy notes that to achieve balanced and sustainable mixed-use communities, it will be necessary for the provision of (inter alia) school development to come forward. Core Strategy Policy CP5, which seeks to ensure that development proposals contribute to creating cohesive communities, is considered to be complied with in that the proposed school would provide essential infrastructure in helping to create part of a wider development that will create a social cohesive and inclusive community, and address accessibility to education facilities.
- 8.9 Taking account of the above, it is considered that there is clear policy support at national and local level for the type of development proposed and that there is an identified need within the area. On this basis, the proposal is considered to accord with the NPPF, and Core Strategy policies SP2 and CP5.
- 8.10 **Design of the proposal**
Policy DM 1 of the Core Strategy states that the appearance and character of any affected landscape, settlement, building or street scene must not be unacceptably harmed by the development; whilst Policy D7 of the Taunton Deane Site Allocations and Development Management Plan (SADMP) adopted December 2016 (hereafter referred to as 'the SADMP') requires development to create a high standard of design quality and sense of place.
- 8.11 The submitted plans show that the proposed school building would occupy a broadly 'L' shaped footprint within the site, with the frontage of the building measuring approximately 55 metres. The external walls to the building would be constructed from exposed brickwork and through coloured render in off-white, with the proposed flat roof to be constructed from 3 layered roofing felt over tapered insulation. Windows and doors would be constructed from powder coated aluminium, finished in grey, with red coloured panels also introduced between random windows. A covered walkway projecting approximately 3.5 metres from the building would extend the entire length of the building's frontage and wrap around its south western corner before terminating adjacent to the secondary entrance on the southern elevation. It is proposed that lettering would be installed above the walkway reading 'Nerrols Primary School'.
- 8.12 It is considered that the proposed building is of appropriate scale and massing for the site. The siting of the building back into the site, and the simple form of the building, would assist in reducing the perception of scale. This would ensure that the building would form an appropriate relationship with the site and within the wider streetscene. It is noted that the prevalence of render to the building's elevations is not replicated elsewhere within the immediate locality; however as noted in Taunton Deane's consultation response there is a valid argument for

civic buildings to stand out from other development to signpost the building's civic function. It is recommended that a planning condition be attached to any forthcoming planning permission to require samples of external materials to be approved by the County Planning Authority, to ensure that they are of suitable aesthetic quality.

- 8.13 In terms of the remainder of the site; it is considered that the various distinct areas are well laid out to ensure that they will function as intended. Comment has been made by Taunton Deane's Landscape and Biodiversity Officer that the site appears rather cramped; however given that the only major structure on the site would be the school building itself, it is considered that the site would not appear cramped when viewed from any surrounding public areas.
- 8.14 It is noted that Taunton Deane Borough Council originally objected to the proposal on the basis that it did not include a north-south segregated footpath and cycleway along and within the school site's eastern boundary as required by the approved masterplan for the wider Nerrol's development and that this absence would create a barrier to the movement of residents from the new development accessing the new school. Taunton Deane was concerned that this would result in walking distances in excess of those set out at Policy A5 of the SADMP and would be likely to result in the increased use of the single track to the east of the site, contrary to highway safety, as well as increased use of the private car, contrary to the Core Strategy Policy CP6.
- 8.15 In this regard, it is noted that Taunton Deane has approved a layout (reference 13137/5000 Rev E) for the residential development to the north of the site (David Wilson Homes' development) under reference 08/15/0012 that precludes the provision of the northern end of that planned segregated footpath and cycleway. The outline planning permission showed a segregated footpath and cycleway; however layout was not a matter for consideration at that time and so instead formed part of the reserved matters application. The layout drawing now approved by Taunton Deane Borough Council shows dwellings in the area where the footpath and cycleway was previously shown as part of the outline permission, with the result that that section can no longer be delivered. In the event that provision was made for this within the application site, there would be no corresponding off-site footpath and cycleway to connect into, although a breach in the school site's eastern boundary could be formed to connect into Nerrol's Farm Lane.
- 8.16 This school proposal therefore provides a pedestrian link onto Nerrol's Farm Lane at the site's eastern boundary, albeit further south, as to provide a north – south segregated footway/cycleway within the school site would take land essential for the provision of the requisite playing pitch area. Instead, it is proposed that pedestrians and cyclists would use a section of Nerrol's Farm Lane and the existing Public Right of Way reference T 5/14. The Highways Authority has been consulted in respect of the application and has advised that there is no objection in principle to the use of the existing public right of way and highway to the east of the site for access, subject to conditions requiring the approval of the specification of the pedestrian access, and mitigation measures to combat Taunton Deane

Borough Council's residual minor concerns regarding safe routes to schools the wording of which has been agreed with Taunton Deane Borough Council resulting in the withdrawal of their objection. There is also a Traffic Regulation Order (TRO) that was approved in 2018 that will limit the possible vehicle movements in the lane to the east of the site, thereby further improving highway safety. It is noted that the Rights of Way Team do not raise an objection to the proposals.

- 8.17 In addition, it is considered that the area to the south of the application site, allocated for commercial uses, would be capable of being accessed by pedestrians from the residential development to the north. This area is not within the control of Somerset County Council; however it would appear to be possible to provide a pedestrian link at the eastern side of the planned commercial centre and connect to the existing PRoW in a similar way as proposed by this application.
- 8.18 Taking account of the above, it is not considered possible to provide the segregated link referred to by Taunton Deane Borough Council. In any case, the Highways Authority has not raised objection in this regard, and it is apparent that the walking distances would be increased negligibly (approximately 2-3m) and are considered to comply with those required by SADMP Policy A5. With these measures conditioned, it is considered that the proposal would not be likely to result in the increased use of the private car or be prejudicial to highway safety.
- 8.19 Finally, Somerset County Council's Acoustic Specialist has advised that he has no objection to the proposals subject to two conditions being attached to any forthcoming planning permission. It is therefore considered that the proposal is acceptable from an acoustic perspective. It is also noted that the acoustic quality of the development would be controlled by Building Regulation requirements, although the applicant is urged to give careful consideration to acoustics planning in the design and intended uses of the buildings.
- 8.20 Taking account of all of the above; it is concluded that the design of the proposed development is acceptable and that the proposal therefore accords with Policy DM 1 of the Core Strategy and policies A5 and D7 of the SADMP.
- 8.21 **Impact of the proposal on the highway network**
Policy CP 6 of the Core Strategy sets out a number of measures to achieve the policy's stated aim of reducing the need to travel, improve accessibility to jobs, services and community facilities, and mitigate and adapt to climate change; whilst Policies A1, A2, A3 and A5 of the SADMP address issues relating to parking, travel planning, cycle networks and accessibility.
- 8.22 The application is accompanied by a Transport Assessment (revised following a request from the Highway Authority) and Travel Plan.
- 8.23 As discussed earlier, the Highways Authority has been consulted in respect of the proposals and has confirmed that they have no objection to the proposed development subject to a number of conditions to be attached to any forthcoming planning permission. The Highways Authority has confirmed that the level of on-

site parking (including cycle storage) is considered appropriate given the site's location and staff numbers; that the submitted Travel Plan is broadly acceptable subject to some minor amendments that can be addressed by way of a condition attached to any forthcoming planning permission; that the proposal would not result in pressure being placed on the highway network; and that the drainage strategy and construction environmental management plan can be addressed by way of conditions. The Highway Authority has confirmed that the proposed development is not expected to have a substantial impact upon the local highway network or highway safety including pedestrian and cyclist access at the school's eastern boundary, subject to a number of conditions.

- 8.24 It is noted that seven representations, all of which are considered to constitute objections, have been received in respect of the proposal. They raise concerns in respect of the potential for the development to result in on-street parking issues within the existing residential area to the west of the site; specifically within Summerleaze Crescent and Cashford Gate. The Highway Authority has commented that formal control measures such as a TRO would not be recommended without evidence to demonstrate that such measures are needed, noting however that the Traffic Management Team would be able to consider this issue if it were to become problematic. The Highway Authority has also advised that there is not a known issue at present, and that the submitted Travel Plan includes a commitment to reduce single occupancy car trips, which will assist in reducing potential highways issues and any conflict with local residents. Lastly, it is noted that this potential effect would occur for two relatively short periods (drop off and pick up times on weekdays during term time only).
- 8.25 The content of the April 2018 revised Construction Environmental Management Plan is noted in that it addresses the many of previous concerns of the Local Highway Authority, particularly surrounding the construction phase of the development. The only outstanding construction –related issue is the condition of the public highway and the risk of damage being caused to it by construction traffic during the construction phase. Based on the recent experience of the Local Highway Authority in the vicinity of the school site where damage to the public highway has been caused, it is considered there is sufficient justification for a pre- and post-construction survey of the road condition to be undertaken to ensure any unreasonable wear and tear due to construction vehicle activity is recorded and rectified. To that end, and in the absence of such provision within the revised Construction Environmental Management Plan, it is considered appropriate to impose a planning condition to secure the same.
- 8.26 Taking account of all of the above, it is considered that the proposal's impacts would not be unduly problematic and consequently the proposal is acceptable from a highways perspective and that the proposal accords with Policy CP 6 of the Core Strategy and Policies A1, A2, A3 and A5 of the SADMP.
- 8.27 **Impact of the proposal on residential amenity**
Policy DM 1 of the Core Strategy seeks to ensure that development does not cause harm to the amenities of the occupants of residential dwellings.

- 8.28 In this regard, it is noted that the areas that would be most likely to be affected by the proposed development are the existing residential development known as Priorswood to the west of the site and the residential area to the north and north-east of the site that is currently being constructed. In particular, recently constructed dwellings border the site at its northern edge.
- 8.29 Firstly, and as discussed above, it is noted that seven representations have been received in respect of the application. As explained above, they raise concerns in respect of the potential for the development to result in on-street parking pressures within the residential area to the west of the site. This issue is discussed in full at paragraphs 8.21 – 8.26 above and it is concluded that the impact of the development would be acceptable in terms of highway safety and inconvenience to local residents.
- 8.30 In terms of the potential for noise nuisance; the County Council's Acoustic Advisor has confirmed that there is no objection to the proposal subject to conditions to be attached to any forthcoming planning permission. The first of these would restrict the use of the external sports facilities to the hours of 08.30 – 17.00 for school use only. It is noted that Sport England advocates the use of new and existing sports facilities by the community. This objective is laudable in that such dual use would facilitate community cohesion and integration, offer opportunities to improve personal health and wellbeing and potentially make such facilities more cost effective thereby reducing the overall cost of providing and maintaining such facilities to the public purse. That said, community use of facilities needs to be considered and balanced against issues of child safeguarding and operational feasibility for the applicant and it should be noted that whilst there is an argument based on noise impact disturbance on residential amenities grounds for not permitting community use of the outdoor sports facilities and restricting the school use of those facilities to reasonable daytime hours, community use of the school's indoor facilities is not considered would generate unacceptable impacts or indeed a material change of use in terms of traffic impact, and other residential amenity impacts such as noise disturbance, and so is not recommended to be prevented.
- 8.31 The second noise-related condition would require the construction of the development to be in accordance with the submitted construction environmental management plan. It is agreed that both of these conditions would assist in reducing the potential for noise nuisance to within acceptable levels.
- 8.32 There is the potential for other adverse effects such as dust to be generated during the construction period. In this regard, and as discussed above, it is suggested that a condition be attached to any forthcoming planning permission to secure an appropriate construction environmental management plan for the development. This would ensure that any such adverse effects can be effectively controlled.
- 8.33 Lastly, it is noted that there would be an absence of built form along the majority of the site's northern boundary. Consequently, it is considered that there would not be a feeling of overbearing when the development is viewed from the dwellings to the immediate north of the site. Further, the orientation of the school

building is such that overlooking from the school to the dwellings to the north would not be likely.

- 8.34 Taking account of the above, it is concluded that the proposed development would not be likely to result in unacceptable harm to the amenities of the occupiers of nearby dwellings and that the proposal therefore accords with Policy DM 1 of the Core Strategy.
- 8.35 **Impact of the proposal on biodiversity**
Policy CP 8 of the Core Strategy sets out a number of measures to ensure the protection of the natural environment, whilst Policy DM 1 of the Core Strategy states that development proposals must not lead to harm to protected wildlife species or their habitats. Similarly, Policy ENV1 of the SADMP seeks to protect flora and fauna integral to the character of the area's landscape and wildlife by minimising impacts on trees, woodland, orchards, historic parklands and hedgerows of value, and Policy ENV2 of the SADMP seeks to achieve additional/replacement planting in the interests of biodiversity and landscape or public amenity.
- 8.36 The submitted application includes a Preliminary Ecological Appraisal Update Survey.
- 8.37 The County Ecologist has been consulted in respect of the application and has advised that the purpose of the Preliminary Ecological Appraisal was to provide an updated ecological assessment of the site, since previous ecological survey work had been carried out in 2009 to 2015 as part of the whole Nerrols residential development area.
- 8.38 The County Ecologist notes the proximity of the site to the Hestercombe House SAC, which is designated for its population of lesser horseshoe bats, and that a Habitats Regulations Assessment was carried out for the whole Nerrols site (Taunton Deane Planning Application 08/10/0024) in 2011 and included the land on which the proposed school is planned. As a result of this, 3.15ha of replacement habitat was required to be planted to mitigate the effects of the loss of habitat caused by the whole residential development. It also required the planting of a 20 metre woodland buffer around the outer edges of the development. Consequently, the County Ecologist has confirmed that a 'test of likely significant effect' is not required.
- 8.39 The County Ecologist has advised that the retained Oak Tree has the potential to support a bat roost and that construction activities could potentially disrupt bat activity in the area, as well as any external lighting. Consequently, conditions are suggested to require a bat roost survey to be undertaken and a 'lighting design for bats' to be submitted to and approved by the County Planning Authority. It is agreed that these conditions would ensure that potential adverse effects would be appropriately controlled to within acceptable levels of impacts.
- 8.40 Conditions are also suggested in respect of a badger sett survey; restrictions relating to removal of hedgerows, trees or shrubs that may be used by breeding

birds, a landscape planting scheme, and a reptile mitigation strategy for the protection of slow worms, common lizards and grass snakes. It is agreed that these conditions would also ensure that potential adverse effects would be appropriately controlled.

- 8.41 Taking account of the above, it is concluded that the proposal would not be likely to result in adverse effects on protected species or their habitats, providing the conditions suggested by the County Ecologist are attached to any forthcoming planning permission. It is therefore considered that the proposal accords with policies CP 8 and DM 1 of the Core Strategy and policies ENV1 and ENV2 of the SADMP.
- 8.42 **Impact of the development on flood risk**
Policy CP 8 of the Core Strategy seeks to direct development away from areas that are at risk of flooding and to ensure that development does not exacerbate the potential for flooding through increased surface water flows.
- 8.43 A Flood Risk Assessment has been submitted as part of the application. The Environment Agency (EA) has been consulted in respect of the proposals; however no reply has been received. The site is located within flood zone 1 as defined by the EA. It is therefore considered that the site is not likely to be affected by flooding.
- 8.44 The Local Lead Flood Authority (LLFA) has been consulted in respect of the application, and has confirmed that there is no objection in principle to the development, subject to a condition being attached requiring a surface water drainage scheme based on sustainable drainage principles to be submitted to and approved in writing by the County Planning Authority. The applicant has submitted this scheme whilst the application has been considered and the LLFA was re-consulted.
- 8.45 The LLFA has advised that the development's Sustainable Urban Drainage Scheme should go beyond just providing water storage by creating more naturalistic drainage features, which have wider benefits to the environment and the community. It is noted that the LLFA advocates further discussion and negotiation towards that aim but is fundamentally satisfied that an acceptable scheme is achievable and both the applicant and LLFA are content to see the recommended planning condition imposed on any forthcoming planning permission and to continue such discussions in the meantime to that end.
- 8.46 Taking account of the above, it is concluded that the proposal would not be at risk of flooding, nor would it exacerbate surface water flows. It is therefore considered that the proposed development is in accordance with Policy CP 8 and Policy I4 of the SADMP as adequate foul drainage/sewage treatment facilities and surface water disposal shall be secured.
- 8.47 **Impact of the development on the existing Public Right of Way (PRoW)**
An existing PRoW, reference T 5/14, runs parallel to and outside of the eastern boundary of the site. Somerset County Council's Public Rights of Way Service has been consulted in respect of the proposal and has confirmed that there is no

objection, provided that suitable arrangements are in place for the maintenance of any hedgerow planted alongside the PRoW. In certain specified circumstances there would also be a requirement for the applicant to obtain approval from Somerset County Council Rights of Way Group.

- 8.48 The maintenance of the hedgerow would be addressed through the condition relating to the landscaping scheme for the first 5 years following the scheme's implementation, with maintenance to prevent incursion onto the PRoW continuing to be the responsibility of the landowner (currently SCC) beyond that 5 year period. It is therefore concluded that the proposal would not adversely affect the existing PRoW.

8.49 Conclusion

It is considered that the above assessment demonstrates that the proposal accords with relevant policies in the Development Plan and that the effects associated with the proposal can be effectively avoided or mitigated through the design of the development and / or the use of conditions attached to any forthcoming planning permission.

- 8.50 It is noted that seven representations have been received in respect of the proposal, all of which raise concerns in respect of the potential for the proposed development to create on-street parking pressures in the existing residential area to the west of the development. These are valid planning concerns. However the Highways Authority has specifically considered this issue and has advised that there is no objection in this regard, for the reasons set out in full earlier.
- 8.51 It is also noted that an objection, which had been received from Taunton Deane Borough Council, has now been withdrawn in light of agreement to provide adequate highway safety impact mitigation measures, the exact details of which are to be submitted and approved under condition.
- 8.52 Taking all of the above into account, it is concluded that the proposals are acceptable in planning terms subject to the conditions set out below, and that the proposal accords with the Development Plan and there are no material considerations that indicate otherwise.

9. Recommendation

- 9.1 **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.**

1 **Time Limit (3 years implementation)**

The development hereby permitted 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:-

- Location Plan reference 151271-STL-00-00-DR-L-ZZZZ-09010 Revision P20 prepared by Stride Treglown dated 11.1.18;
- Existing Site Plan reference 151271-STL-00-00-DR-L-ZZZZ-09020 Revision P20 prepared by Stride Treglown dated 11.1.18;
- GA plan – GF reference PL150 Revision 5 prepared by Hunter South Architects dated 11.12.17;
- GA plan – FF reference PL151 Revision 4 prepared by Hunter South Architects dated 11.12.17;
- GA Roof Plan reference PL152 Revision 2 prepared by Hunter South Architects dated 11.12.17;
- GA Elevations reference PL155 Revision 3 prepared by Hunter South Architects dated 11.12.17;
- Site Sections – sheet 1 of 2 reference 151271-STL-00-00-DR-L-ZZZZ-09601 Revision P20 prepared by Stride Treglown dated 11.1.18;
- Site Sections – sheet 2 of 2 reference 151271-STL-00-00-DR-L-ZZZZ-09602 Revision P20 prepared by Stride Treglown dated 11.1.18;
- Landscape General Arrangement reference 151271-STL-00-00-DR-L-ZZZZ-09001 Revision P23 prepared by Stride Treglown dated 8.3.18;
- Planting Plan reference 151271-STL-00-00-DR-L-ZZZZ-09140 Revision P20 prepared by Stride Treglown dated 11.1.18;
- Boundary Treatment Plan reference 151271-STL-00-00-DR-L-ZZZZ-09180 Revision P23 prepared by Stride Treglown dated 8.3.18;

and specifications:-

- Planning, Design and Access Statement reference 151271_R_171205_PDAS Revision P1 prepared by Stride Treglown dated March 2018;
- Transport Assessment reference 065668 Revision V00 prepared by Curtins dated 5.1.18;
- Site Waste Management Plan reference GP-FM-EM-260 Revision A prepared by Wilmott Dixon dated 17.12.17;
- Environmental Noise Report reference 6708/PP/pw Revision B prepared by Acoustic Consultants Ltd dated 4 January 2018;
- Arboricultural Impact Assessment and Arboricultural Method Statement reference NerrolsFm_AIA_AMS_29122017_SRv2 prepared by Assured Trees dated 29.12.17;
- Utility Statement reference C-07416-C prepared by Hydrock dated 6.10.17;
- Construction & Environmental Management Plan Rev.01, prepared by Wilmott Dixon dated 09/04/18;

- Preliminary Ecological Appraisal Update Survey reference 003STTR100 prepared by Abricon dated 5.1.18;
- Flood Risk Assessment reference C-07437-C prepared by Hydrock dated 11.1.18;
- Geotechnical Statement reference C13872/008 prepared by Hydrock dated 22.9.17;
- Planning application form prepared by Stride Treglown dated 11.1.18;

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 **Commencement**

Written notification of the date of commencement shall be given to the County Planning Authority within seven days of the commencement of the development hereby permitted.

Reason: To enable the County Planning Authority to monitor compliance with conditions.

4 **Vehicular Access**

Before the commencement of the development hereby permitted, detailed plans of the school vehicular access (link to Nerrols Drive, footways, visibility splays, gates/fencing, and construction and surface dressing details) shall be submitted to and approved in writing by the County Planning Authority. The access shall thereafter be laid out, constructed and properly consolidated and surfaced in accordance with the approved plans 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: To ensure that the development is appropriately accessed in the interests of highway safety.

5 **Safe Routes to Schools Impact Mitigation Scheme**

Before the development hereby permitted is first brought into use, a Safe Routes to Schools Impact Mitigation Scheme, comprising the following measures to create a safe walking and cycling link along Nerrol's Lane to the school site's pedestrian/cyclist access on its eastern boundary comprising the following:

- Appropriate signage on Nerrol's Lane to the south and north of the pedestrian gateway between the school site's proposed eastern boundary and Nerrol's Lane, warning of pedestrians/cyclists on the highway (Nerrol's Lane);

- Appropriate signage approaching the pedestrian gateway between the school site's proposed eastern boundary and Nerrol's Lane, warning of vehicular traffic on Nerrol's Lane, when approaching from within the school site,

shall be submitted to and approved in writing by the County Planning Authority. Once approved, the Impact Mitigation Scheme shall be implemented in full and be fully operational at the point the development is first brought into use, and shall thereafter be maintained as such for the duration of the development hereby permitted.

Reason: To ensure that the development is appropriately accessed in the interests of highway safety and transport sustainability.

6 **Public Highway Surface Condition Surveys**

Within a month prior to the commencement of the development hereby permitted, a public highway surface condition survey shall be undertaken of the public highway 50m in either direction of any permanent and temporary construction vehicular access, the details and results of which shall be submitted to the County Planning Authority prior to the commencement of the development hereby permitted for approval. Within 1 month of the date of completion of the construction phase of the development hereby permitted, a public highway surface condition re-survey of the same piece of public highway shall be undertaken, the details, results and any proposed repair works including timings shall be submitted to and approved in writing by the County Planning Authority before the development hereby permitted is first brought into use

Reason: To ensure that highway safety and operation is not compromised.

7 **Pedestrian Accesses**

The three proposed pedestrian accesses onto Nerrol's Drive and Nerrol's Farm Lane shall incorporate pedestrian visibility splays on both sides to the rear of the existing footway / carriageway edge based on dimensions of 2.0 metres x 2.0 metres, with no obstruction above 300mm. Such splays shall be fully implemented before the accesses and the development hereby permitted are first brought into use and shall thereafter be maintained for the duration of the development hereby permitted.

Reason: To ensure the safety of pedestrians accessing the development hereby permitted.

8 **Eastern Boundary Pedestrian Access**

Before the commencement of the eastern boundary treatment, details of the pedestrian access onto Nerrol's Farm Lane shall be submitted to and approved in writing by the County Planning Authority. Once approved, this access shall be provided in accordance with the approved details including those secured under Condition No. 5 'Safe Routes to Schools Impact Mitigation Scheme', and shall be fully operational at the point at which 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: To ensure an appropriate link between the school and the existing Public Right of Way (footpath) reference T5/14, in the interests of sustainable transport.

9 **Travel Plan**

Before the development hereby permitted is first brought into use, a Travel Plan shall be submitted to and approved in writing by the County Planning Authority. Once approved, the Travel Plan shall be implemented in full in accordance with the timetable therein. Within 12 months of the development hereby permitted first being brought into use, a revised Travel Plan based on actual travel patterns shall be submitted to and approved in writing by the County Planning Authority. Thereafter the development hereby permitted shall operate in accordance with the approved Travel Plan, or any subsequent variation to the Travel Plan agreed in writing by the County Planning Authority for the duration of the development hereby permitted.

Reason: To promote sustainable travel options.

10 **On-site parking provision**

Before the development hereby permitted is first brought into use, 30 car parking spaces and a turning space for vehicles for the school site and associated uses shall be properly consolidated and surfaced within the application site in accordance with details which shall have been submitted to and approved in writing by the County Planning Authority. Such approved parking and turning spaces shall be kept clear of obstruction at all times, shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted, and shall be maintained in accordance with the approved details for the duration of the development hereby permitted.

Reason: To ensure the delivery of the on-site parking and turning provision

11 **Bat Roost Survey**

Prior to the commencement of any groundworks or vegetation clearance a bat roost survey of the oak tree located within close proximity to the southern boundary of the development hereby permitted shall be carried out and the results along with any mitigation actions and timings to avoid disturbance to individual bats during construction works shall be submitted to and approved in writing to the County Planning Authority. The development shall be carried out in accordance with the approved mitigation actions and maintained as such for the duration of the development hereby permitted.

Reason: In the interests of protected species

12 **Lighting Design for Bats**

Before the installation of any temporary or permanent artificial lighting associated with the development hereby permitted, a "lighting design for bats" scheme shall be submitted to and approved in writing by the County Planning Authority. The design shall show how and where external lighting is proposed

to be installed (including through the provision of technical specifications) to demonstrate that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places. Once approved, all external lighting shall be installed in accordance with the specifications and locations set out in the lighting design for bats scheme, which shall be maintained thereafter for the duration of the development hereby permitted. Under no circumstances shall 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.

13 Badger Setts Survey

Within a month prior to the commencement of any groundworks or vegetation clearance within the application site, a survey for badger setts within the application site shall be carried out by a competent ecologist to identify any new badger activity and any proposed badger impact mitigation measures. A letter shall be sent by the ecologist confirming the results of the survey and of any mitigating measures that might be required to the County Planning Authority for approval. Only once approved shall any groundworks or vegetation clearance within the application site be undertaken, and any such groundworks or vegetation clearance shall be carried out in strict accordance with the approved mitigation measures, and shall be maintained as such for the duration of the development hereby permitted.

Reason: In the interests of protected species

14 Vegetation Removal

No removal of hedgerows, trees or shrubs that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the County Planning Authority.

Reason: in the interests of nesting wild birds

15 Reptile Mitigation Strategy

Before the commencement of any groundworks or vegetation clearance, a "reptile mitigation strategy" shall be submitted to and approved in writing by the County Planning Authority. Where translocation of any identified reptiles is required, the site shall be identified, surveyed and described to avoid habitat crowding. No groundworks or vegetation clearance shall commence until the "reptile mitigation strategy" has been implemented in full, and the strategy shall be implemented for the duration of the construction phase of the development hereby permitted.

Reason: In the interests of protected species.

16 Use of external sports facilities

The external sports facilities at the development hereby permitted shall not be used except between the hours of 08:30h and 17:00h during weekday term-time periods only, and shall only be used by the school during those permitted hours.

Reason – To limit the noise impacts on residential amenity.

17 Noise control and mitigation scheme

The developer shall minimise the noise impacts of construction by complying with the details as set out of the Construction & Environmental Management Plan of Willmott Dixon dated 8/1/18, and which shall be sought as part of the revised Construction Environmental Management Plan that is required to be submitted and approved under Condition No.6 above. Any requirement to deviate from those details shall first receive the written approval of the County Planning Authority.

Reason: To limit the noise impacts on residential amenity

18 Surface Water Drainage

Before the commencement of the development hereby permitted, details of the surface water drainage scheme based on sustainable drainage principles together with a programme of implementation and maintenance for the lifetime of the development shall be submitted to and approved in writing by the County Planning Authority. The drainage strategy shall ensure that surface water runoff post completion of construction of the development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. The development shall be carried out in accordance with the approved details and maintained as such for the duration of the development hereby permitted.

Reason: In the interests of sustainable water and flood risk management in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, Paragraph 103 of the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework (March 2015).

19 Landscaping Scheme

Before the commencement of the development hereby permitted a scheme of landscaping, which shall include details of the following:

- Proposed finished levels or contours;
- Hard surfacing materials;
- Minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting);
- Proposed and existing functional services above and below ground (eg drainage, power, communication cables, pipelines, etc, indicating lines, manholes, supports etc);

- Planting plans;
- Written specifications (including cultivation and other operations associated with plant and grass establishment);
- Schedules of plants, noting species, planting sizes and proposed numbers / densities where appropriate;
- Implementation timetables;
- 5 year maintenance details.

shall be submitted to and approved in writing by the County Planning Authority. Once approved, the scheme shall be implemented in full, and any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the County Planning Authority, seriously damaged or diseased, shall be replaced within the next available planting season with others of species, size and number as originally approved, unless the County Planning Authority gives its written consent to any variation.

Reason: In the interests of the character and appearance of the area and to provide an appropriate landscape setting for the development hereby permitted.

20 **Material Samples**

Before the commencement of any above ground building or structures construction associated with the development hereby permitted, samples and details of the materials to be used in the construction of the external surfaces of the buildings and structures hereby permitted shall be submitted to and approved in writing by the County Planning Authority. The development shall be carried out in accordance with the approved details and maintained as such thereafter for the duration of the development hereby permitted.

Reason: To ensure the appropriate appearance of the development hereby permitted and to ensure the use of sustainable materials.

INFORMATIVES

If it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council Rights of Way Group:

- A PROW being made less convenient for continued public use.
- New furniture being needed along a PROW.
- Changes to the surface of a PROW being needed.
- Changes to the existing drainage arrangements associated with the PROW.

If the work involved in carrying out this proposed development would:

- make a PROW less convenient for continued public use; or
- create a hazard to users of a PROW,

then a temporary closure order will be necessary and a suitable alternative route must be provided. For more information, please visit Somerset County Council's Rights of Way pages to apply for a temporary closure:
<http://www.somerset.gov.uk/environment-and-planning/rights-of-way/apply-for-a-temporary-closure-of-a-right-of-way/> .

10 Relevant Development Plan Policies

- 1 The following is a summary of the reasons for the County Council's decision to grant planning permission.
- 2 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 the decision on this application should be taken in accordance with the development plan unless material considerations indicate otherwise. The decision has been taken having regard to the policies and proposals in:-
 - Taunton Deane Core Strategy adopted 2012
 - Taunton Deane Site Allocations and Development Management Plan (SADMP) adopted December 2016

The policies in the development plan particularly relevant to the proposed development are:-

Taunton Deane Core Strategy adopted 2012

SD1: Presumption in favour of sustainable development
SP2: Realising the vision for Taunton
SS2: Priorswood / Nerrols
CP5: Inclusive communities
CP6: Transport and accessibility
CP8: Environment
DM1: General requirements

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A1: Parking requirements
A2: Travel Planning
A3: Cycle network
A5: Accessibility of development
I4: Water infrastructure
ENV1: Protection of trees, woodland, orchards and hedgerows
ENV2: Tree planting within new developments
D7: Design quality

- 3 The County Planning Authority has also had regard to all other material considerations.
- 4 **Statement of Compliance with Article 35 of the Town and Country Development Management Procedure Order 2015**

In dealing with this planning application the County Planning Authority has adopted a positive and proactive manner. The Council offers a pre-application advice service for minor and major applications, and applicants are encouraged to take up this service. This proposal has been assessed against the National Planning Policy Framework, the saved Policy 6 of the Structure Plan, Core Strategy and SADMP policies, which have been subject to proactive publicity and consultation prior to their adoption and are referred to in the reasons for approval. The County Planning Authority has sought solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant/agent as necessary. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed.

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

Taunton Deane Core Strategy adopted 2012

Policy	Description	Policy Consideration
Policy SD1	Presumption in favour of sustainable development	In accordance as the proposal meets all planning policy requirements, as discussed above. Further, there are no other material considerations that indicate that planning permission should not be granted.
Policy SP2	Taunton Policy	In accordance as the development of the new school will support the anticipated growth within Taunton, thereby assisting in the creation of a balanced and sustainable, high quality mixed-use community.
Policy SS2	Priorswood / Nerrols	In accordance as the allocation of the wider development site requires one primary school to be delivered as part of the overall mixed use development.
Policy CP5	Inclusive Communities	In accordance as the proposed development is a key part of a wider development that will create a social cohesive and inclusive community, and address accessibility to education facilities.
Policy CP6	Transport and Accessibility	In accordance as the proposed development will reduce the need to travel to access education facilities for the existing and future residents of the wider mixed use development.
Policy CP8	Environment	In accordance as the sensitive design of the proposed development, and use of conditions, will ensure the conservation of the natural

environment. In addition, the proposed development will not exacerbate flood risk.

Policy DM1	General Requirements	In accordance as the proposed development represents the effective and efficient use of land; will not result in unacceptable adverse highways impacts; will not harm wildlife or their protected habitats; will not unacceptably harm the established streetscene; will not unacceptably harm public health, safety or amenity; will not be subject to pollution or nuisance from existing development; and will be appropriately served by necessary utility services.
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Policy A1	Parking requirements	In accordance, as the Highways Authority has confirmed that the level of proposed on-site parking is appropriate given the number of staff on site and the site's location. Appropriate levels of car parking are also proposed.
Policy A2	Travel planning	In accordance as the proposal is accompanied by a Travel Plan that will encourage more efficient travel patterns and behaviours.
Policy A3	Cycle network	In accordance as the proposal will deliver an appropriate level of cycle parking facilities.
Policy A5	Accessibility of development	In accordance, as the proposal is likely to be accessible within walking distance or by public transport to a majority of its potential users.
Policy I4	Water infrastructure	In accordance, as a scheme for surface water disposal based on SUDS principles will be submitted to and approved by the County Planning Authority prior to the commencement of development.
Policy ENV1	Protection of trees, woodland, orchards and hedgerows	In accordance, as the existing tree on site will be retained as part of the development and suitably protected during the construction phase.
Policy ENV2	Tree planting within new developments	In accordance, as the proposal includes tree planting that will deliver benefits in terms of wildlife and biodiversity; landscaping; and public amenity.
Policy	Design quality	In accordance, as the development incorporates a

D7

high standard of design quality and will create a sense of place.