

Regulation Committee

Thursday 5 September 2019

10.00 am Council Chamber, Shire Hall



To: The Members of the Regulation Committee

Cllr J Parham (Chair), Cllr N Hewitt-Cooper (Vice-Chair), Cllr M Caswell, Cllr J Clarke, Cllr S Coles, Cllr M Keating, Cllr A Kendall and Cllr N Taylor

Issued By Scott Wooldridge, Strategic Manager - Governance and Risk - 28 August 2019

For further information about the meeting, please contact Michael Bryant on 01823 359048 or mbryant@somerset.gov.uk

Guidance about procedures at the meeting follows the printed agenda **including public speaking at the meeting.**

This meeting will be open to the public and press, subject to the passing of any resolution under Section 100A (4) of the Local Government Act 1972.

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AGENDA

Item Regulation Committee - 10.00 am Thursday 5 September 2019

1 **Accuracy of the Minutes of the meeting held on 18 July 2019** (Pages 3 - 12)

The Committee will consider the accuracy of the minutes (To Follow).

The Regulation Committee

Minutes of a meeting of the Regulation Committee held on Thursday 18 July 2019 at 10.00am in the Meeting Room, Taunton Library.

Present:

Cllr J Parham (Chairman)
Cllr M Caswell
Cllr J Clarke
Cllr S Coles
Cllr N Hewitt-Cooper
Cllr M Keating
Cllr A Kendall
Cllr N Taylor

Other Members Present:

Cllr D Ruddle

The Chair welcomed everyone to the meeting, outlined the meeting procedures, referred to the agenda and papers and highlighted the rules relating to public question time.

1 **Apologies for Absence** - agenda item 1

None.

2 **Declarations of Interest** - agenda item 2

Reference was made to the following personal interests of the members of the Regulation Committee published in the register of members' interests which was available for public inspection in the meeting room:

Cllr M Caswell	Member of Sedgemoor District Council
Cllr S Coles	Member of West Somerset and Taunton Council
Cllr N Hewitt-Cooper	Member of Mendip District Council
Cllr A Kendall	Member of South Somerset District Council
	Member of Yeovil Town Council

Cllr J Parham

Member of Shepton Mallet Town Council

Cllr N Taylor

Member of Cheddar Parish Council

3 Accuracy of the Minutes of the Meeting held on 13 June 2019 - agenda item 3

The Chairman signed the Minutes of the Regulation Committee held on 13 June 2019 as a correct record.

4 Public Question Time - agenda item 4

(1) There were no public questions on matters falling within the remit of the Committee that were not on the agenda.

(2) All other questions or statements received about matters on the agenda were taken at the time the relevant item was considered during the meeting.

5 Erection of New Primary School, to include Construction of Sports Pitches, Parking Area with Drop Off/Pick Up Area, New Access Points onto Northfield and Etsome Road, Landscaping and associated Infrastructure on Land at Northfield, Somerton (Application No. SCC/3640/2019) - agenda item 5

(1) Committee Report

The Committee considered the report of the Strategic Commissioning Manager, Economy and Planning on this application.

(2) Case Officer's Presentation

(i) Introduction

The Case Officer, Mr A Hill, made a presentation on Application No. SCC/3640/2019 which covered the matters referred to in (ii) to (viii) below as a basis for the Committee's consideration of the application.

(ii) Key Issues

The Case Officer indicated that the key issues for consideration were:

- whether the principle of the development was acceptable
- visual and landscape impact
- residential amenity
- archaeological impact
- flood risk
- ecological impact
- highway safety.

(iii) Application Site

The Case Officer described the application site with the use of maps, plans and photographs, indicating that:

- the site comprised 3.3 hectares of agricultural farmland on the north-west outskirts of Somerton approximately 500 metres from the nearest school which was located on Etsome Terrace to the east
- the site abutted a residential area separated by Northfield, a public highway running adjacent to its eastern boundary
- Etsome Road bordered the northern boundary of the site with agricultural land beyond and provided access to a single dwelling to the north-west of the site
- the southern and western boundaries of the site were also flanked by agricultural land
- the site was relatively flat and bounded by mature hedgerows with agricultural access via Bradley Hill Lane to the south
- the site's northern and eastern boundary hedgerows had recently been breached to provide access to undertake archaeological works and would form the entrance and exit to the site should permission be granted
- following archaeological evaluation there was evidence of the remains of a Romano-British settlement on the site
- the site was within flood zone 1 and not within any special landscape designated areas.

(iv) The Proposal

The Case Officer described the proposal as follows:

- Somerset County Council was seeking planning permission under Regulation 3 of the Town and Country Planning General Regulations 1992 for the erection of a new school to replace the existing King Ina Church of England Academy which operated over two separate sites within Somerton (infant and pre-school site at Etsome Terrace and junior site in Kirkham Street)
- these sites were highly constrained restricting their capacity to expand
- the new school would have a capacity of 420 pupils, with space to allow for expansion for a further 210 pupils
- the proposal would involve the formation of a new entrance off Northfield and an exit off Etsome Road to provide an in/out system. A drop off/pick up layby would be included as part of the access arrangements and a staff car park providing 28 standard spaces, 2 visitor spaces, 2 accessible spaces and 2 motorcycle spaces would also be constructed to the front of the school

- the main school building would be set back within the site and would be a two-storey elongated, rectangular building of modern design accommodating the reception, school hall, nursery, offices, library, classrooms, staffroom, storage space and welfare facilities
- a hard formal PE area would be created at the northern end of the school building and football pitches would be laid out behind the building. A wildlife area would be created on the northernmost point of the site adjacent to a single detached dwelling
- an existing agricultural access off Bradley Hill Lane to the south would provide access for maintenance and emergency vehicles and continued agricultural access. In the event that a future housing development known as “Fairfax” was built, this access would enable pedestrian/cycleway access from the new housing to the school as a footway/cycleway would be built as part of the housing development to link Bradley Hill Lane with the main school building
- documents submitted with the application included: planning design and access statement; flood risk assessment/foul drainage; archaeological assessment; ecological survey; energy and sustainability strategy; transport statement; travel plan; construction environmental management plan; and statement of community involvement.

(iv) Environmental Impact Assessment (EIA)

The Case Officer reported that, following assessment under The Town and Country Planning (Environmental Impact Assessment) Regulations, 2017 it had been concluded that the proposed development was a Schedule 2 development, but that the associated effects on the environment were not significant. Accordingly, the proposed development did not constitute EIA development and an Environmental Statement was not required to accompany the planning application.

(v) Consultations

The Case Officer reported on the consultations that had been undertaken with: *External Consultees* - South Somerset District Council; South Somerset Tree Officer; Somerton Town Council; Environment Agency; Wessex Water; Natural England; Somerset Wildlife Trust; Crime Liaison Officer; Somerset Waste Partnership; County Archaeology; *Internal Consultees* - Waste and Minerals Policy; Lead Local Flood Authority; Highway Authority; and Ecologist.

South Somerset District Council’s Planning Officer had recommended that planning permission be refused on highway safety grounds, on the basis that the development of the school would impact on the local road network resulting in unacceptable congestion and risk to highway safety as a result of increased: traffic volumes; and increased conflict between pedestrians and cyclists with motorized traffic and on-street parking. Somerton Town Council, while recommending that

the application be approved, had also raised objections and concerns on similar grounds. Other consultees had either raised no objections to the application subject to planning conditions and observations on the proposal, or had not responded.

(vi) Representations

The Case Officer reported that five letters of representation had been received from local residents, none of which had objected in principle to the proposed new school but had raised objections and concerns relating primarily to highway safety. Other concerns related to the design of the building and that the development would promote uneconomic provision of playing areas.

(vii) Development Plan and Material Considerations

The Case Officer indicated that the application had to be determined in accordance with the South Somerset Local Plan (2006 - 2008) adopted in March 2015 and the National Planning Policy Framework (NPPF) published in July 2018. Paragraph 94 of the NPPF stated that Local Planning Authorities should take a proactive, positive and collaborative approach to ensuring that a sufficient choice of school places was available, and to development that would widen choice in education.

(viii) Case Officer's Conclusions

Having considered the key issues set out in Paragraph (ii) above, the Case Officer concluded that:

- the principle of the development had clearly been demonstrated to be acceptable, a replacement primary school being much needed for the community of Somerton in view of significant housing development
- the site was located in an area that complied with South Somerset Local Plan Policy LMT3 stating that the direction of growth for Somerton should be to the west of the town
- as regards the objection to the application received from South Somerset District Council's Planning Officer, and the representations/concerns expressed by Somerton Town Council and local residents (discussed in Paragraph 8.10 of the report), it was acknowledged that the proposed development would bring a significant number of people onto Northfield which was predominantly a lightly trafficked road and currently provided access to agricultural fields and dwellings
- the application included a Travel Plan and a Traffic Assessment which had been considered by the County Council's Highway Officer
- the Highway Officer, while acknowledging that further improvements to pedestrian links to the school could be provided if the 'Fairfax' development was built, did not object to the application subject to a number of conditions to address highway safety

- the Case Officer was therefore satisfied that, contrary to the recommendation of South Somerset District Council's Planning Officer, the application was acceptable on highway safety grounds and was not contrary to Policies SD1 and TA5 of the South Somerset Local Plan
- the proposed development accorded with relevant policies in the Development Plan (there being no material considerations that indicated otherwise) and any effects associated with the proposal could be avoided or mitigated through the design of the development and/or the use of conditions attached to any planning permission.

The Case Officer circulated proposed amended and additional conditions for inclusion on a grant of planning consent.

(3) Public Speakers/Further Representations

The Committee heard from the following, as set out below:

(i) Mrs S Svenson, Headteacher, King Ina Church of England Academy, Somerton

“The significant number of new houses in Somerton will generate large numbers of children, who have a right to attend their local schools - the existing two schools and playgroup. We will simply be unable to accommodate the predicted large numbers of new children within our schools and the facilities currently available. We are already going to experience challenge in September, as we try to fit the increasing number of children we will have on roll within our existing structure with limited classrooms. We will be starting the year with very large classes, as we have already admitted significant numbers of children in-year with no additional funding for support staff. This squeeze will impact on our standards; large class sizes, within small spaces will have a negative impact on the quality of provision for the children.

A new 14 class school would allow us to accommodate the increasing numbers of children on roll, enabling space for creative, hands-on learning where children are able to fulfil their potential.

The merits of being on a single site are many:

We will be able to provide shared curriculum opportunities for all children, enabling them to collaborate and learn about shared topics, particularly important for children in the same family but currently in both the Infant and Junior schools.

All educational resources will be accessible to all staff and children on one site, reducing the need for staff to collect resources (by car) to take from one site to another.

We are currently a 3 school site. Being on one site would eliminate the need for parents to travel between sites to drop and collect children.

As Headteacher, I would be able to base myself on one site and use my time more effectively, enabling consistency of interaction with staff, parents and children. Currently I spend half of my time on each site and due to time limitations, I drive between sites, often visiting each school twice in one day.

The Academy's Senior Leadership Team are currently based on one or other of the Junior or Infant sites. Being based on one site would enable more effective deployment of these staff members, who would be better able to monitor the quality of teaching and learning and pupils' standards.

Staff training would be more cost effective, joined up and easier to arrange on one site. The duplication of meetings would be eliminated, resulting in more effective use of staff time and reduced vehicular activity.

Running costs will be greatly reduced through the sharing of core facilities and combined maintenance and management costs will be reduced through more efficient staff structures.

In addition to the above, we are passionate about children's health and wellbeing. The location of the new school provides us with the opportunity to encourage more children to walk, cycle and scoot to school, increasing physical activity.

To support this, we are committed to encouraging the parents and children to use sustainable travel, such as walking, cycling and scooting to school.

We will:

- encourage the use of recognised walking routes to school
- continue to provide Bikeability courses for the children
- promote recognised walking and cycling routes to children and parents and will provide areas for children to store their bikes and scooters once at school
- provide supervision, for example the 'Kiss and Drop' arrangement at the front of school, to ensure the safe and smooth running at drop-off time
- implement methods to reduce congestion in the morning and after school, such as running breakfast and after-school clubs.

I hope that I have made clear the necessity for one school, and how this will benefit the children of Somerton and the community in which they live.”

(ii) Coral Ducroq, Stride Treglown, Agent for the Application

“Good morning Chair/Councillors

My name is Coral Ducroq, an Associate Town Planner from Stride Treglown, working with BAM Construction and Somerset County Council to deliver the new primary school at Somerton.

Our representations cover 4 key areas:

- the need for the school and benefit of one school site
- compliance with policy
- transport/highway matters, and
- community use.

My representations are short as I'm reiterating points already raised by the Case Officer, the Headteacher and Simon Moody of TPA who have spoken before.

- as identified by the Headteacher the school will benefit greatly from teaching on one larger, modern site rather than two separate sites, both confined sites with no room for expansion. The proposed site will provide a larger school, on one site and allows for future expansion in line with local housing growth. This is a much needed facility for the children of Somerton
- the site is located to the west of the town, an area identified within the South Somerset Local Plan Policy LMT3 as an area of future growth. Therefore, the site is policy compliant as regards location within the town. Parking provision is also in accordance with guidance and policy, parking provision has been increased to 32 parking spaces in total from the scheme initially proposed, this was amended due to consultation feedback
- transport matters have been important to the project from the earliest stage and extensive pre-application discussions with District and County highway officers have taken place - Simon Moody of TPA has already discussed these matters in detail
- community use - we've been made aware that community access to facilities is important to you; therefore, we have amended the plans and community use of the sports hall will now be accommodated.

Thank you for your time and I urge you to approve this application for a new primary school in line with the officer recommendation.

Should have any queries please contact me."

(ii) Mr S Moody, Transport Planning Associates, Transport Consultants

"Further to pre-application discussions and submission of a Transport Assessment and Travel Plan with the planning application, the Local Highway Authority has raised no objection on highway safety grounds.

The Transport Assessment has demonstrated that a majority of vehicular trips associated with the proposed development are already present on the local

highway network and associated with the existing school sites. In fact, the provision of one consolidated school site will remove the need for parents and teachers to travel between sites and save a significant number of trips as a result. It is therefore considered that the development will have a non-material impact upon surrounding junctions.

As agreed with the Local Highway Authority, the Transport Assessment has demonstrated the proposed development is located in an accessible location, with appropriate parking, servicing and drop-off facilities provided on-site.

Parking is provided in accordance with Somerset County Council's parking standards and a suitable drop-off and pick-up area has been provided on-site to reduce levels of on-street parking at the start and end of each school day.

Vehicular access to the school will be provided via a one-way in-out arrangement, with access taken via Northfield on the site's eastern boundary and the exit provided on Etsome Road on the site's northern boundary. The geometries and visibility splays at the proposed access and egress have been provided in accordance with guidance contained within Manual for Streets and have been accepted by the Local Highway Authority.

As part of the development proposal a Travel Plan has also been produced to encourage the uptake of sustainable travel including walking and cycling with the aim of reducing car trips to the site, with teachers showing their commitment to its delivery and success.

In conclusion, it is considered that there is no transport reason why the proposed development should not be approved. A position which has also been taken by the Local Highway Authority who have raised no objection on highway safety grounds."

(iv) Letter of Objection - Mrs P Short

The Chairman referred to a letter received on 17 July 2019 from Mrs Short of 2 School Lane, Somerton

- commenting on the application site and surface water drainage
- expressing concerns about highway safety and suggesting improvements.

(4) Local County Councillor - Cllr Dean Ruddle

The Committee heard from Cllr Ruddle, local Divisional Member, who fully supported the application in view of the urgent need for the new school due to significant local housing growth.

(5) Debate

The Committee proceeded to debate during which Members discussed matters including: the need for the development (which was accepted); the appropriate location of the site and the effects of the development being capable of being mitigated; 20mph speed limit in the vicinity of the new school; no right turn at the junction of Etsome Road with Northfield; dedicated cyclepaths; provision of electric vehicle charging points; community use of facilities; construction environmental management plan; and retention of hedgerows.

The Case Officer and the County Council's Principal Planning Liaison Officer, Highways Development Management responded to points raised. The Planning Liaison Officer indicated that the configuration of the road serving the school meant that vehicle speeds were already relatively low and expressed the view that a 20mph restriction was not necessary. He also indicated that the restricted width of local roads did not lend themselves to the provision of dedicated cycleways thereon, but referred to significant benefits for pedestrians and cyclists from the footway/cycleway link from the school to Bradley Hill Lane which would connect to the proposed 'Fairfax' development if and when built.

(6) Motion

Cllr Hewitt-Cooper, seconded by Cllr Taylor, moved the recommendation by the Strategic Commissioning Manager, Economy and Planning as set out in the report, and amended to read as shown below.

(7) Decision

The Committee RESOLVED unanimously:

(a) that planning permission be GRANTED for Application No. SCC/3640/2019 subject to the conditions set out in Section 9 of the report, as amended/added to in accordance with the late paper (ie. an amended Condition 12 - Approval of Travel Plan and additional conditions regarding a Construction Environmental Management Plan and a Surface Water Drainage Scheme), and to a further condition requiring the provision of electric vehicle charging points

(b) that authority to undertake any minor non-material editing which may be necessary to the wording of those conditions be delegated to the Strategic Commissioning Manager, Economy and Planning

(c) that the Local Highway Authority be asked to investigate the provision of a Traffic Regulation Order introducing a No Right Turn restriction at the junction of Etsome Road with Northfield.

(The meeting ended at 10.55am)