

STOKE ST GREGORY PLAYING FIELD MANAGEMENT COMMITTEE

**Erection of replacement pavilion, equipment store and multi use games area, alterations to the access and provision of car parking area (as revised) at The Recreation Ground, Stoke St Gregory**

Location: Recreation Ground, Stoke St Gregory

Grid Reference: 334543.127285

Full Planning Permission

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## **Recommendation**

**Recommended decision: Conditional Approval**

### **Recommended Conditions (if applicable)**

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

DrNo 18.74.01  
DrNo 18.74.02B  
DrNo 18.74.03  
DrNo 18.74.04A  
DrNo 18.74.05  
DrNo 18.74.06  
DrNo 18.74.07  
DrNo 18.74.08A

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No part of the development hereby permitted shall be first brought into use until the access works have been carried out generally in accordance with a design and specification that will be submitted to and approved in writing in conjunction with the Highway and Local Planning Authority.

Reason: In the interests of highway safety.

4. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be made before commencement and maintained thereafter at all times.

Reason: In the interests of highway safety.

5. There shall be no obstruction to visibility greater than 300 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced brought into use and shall thereafter be maintained at all times.

Reason: In the interests of highway safety.

6. The development hereby permitted shall not be first brought into use until an agreed number of vehicle parking spaces and layout for the development have been provided and approved in conjunction with the Local Planning Authority. The said spaces and access thereto shall be properly consolidated and surfaced and shall thereafter be kept clear of obstruction at all times and not used other than for the parking of vehicles or for the purpose of access.

Reason: In the interests of highway safety.

7. During construction the applicant shall ensure that all vehicles leaving the site 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 Local Planning Authority and fully implemented prior to commencement and thereafter maintained until the construction phase of the site discontinues.

Reason: In the interests of highway safety.

8. The development hereby permitted shall not be commenced (including any demolition of the existing pavilion) until a bat emergence and dawn survey report has been submitted to and approved in writing by the Local Planning Authority. The survey(s) shall ascertain the usage of the site by bats. They shall be undertaken by an appropriately qualified person at an appropriate time of year (May to July) and use techniques and equipment appropriate to the circumstances.

Reason: To ascertain accurate and up to date usage of the site by bats.

Reason for Pre-Commencement: To safeguard a protected species.

9. The demolition of the existing pavilion shall not be commenced until details of a strategy to protect bats and nesting birds, has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include:
1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
  2. Details of the timing of works to avoid periods of work when wildlife could be harmed by disturbance;
  3. Measures for the retention and replacement and enhancement of places of rest for bats;
  4. Details of any outside lighting.

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for bats shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bat roost and related accesses have been fully implemented.

Reason: To protect and accommodate wildlife.

Reason for Pre-Commencement: To safeguard a protected species.

10. (i) A landscaping scheme shall be submitted to and approved in writing by the local Planning Authority prior such a scheme being implemented. The scheme shall include details of the species, siting and numbers to be planted.
- (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development.
- (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species.

Reason: To ensure that the proposed development does not harm the character and appearance of the area.

#### Notes to Applicant

1. *The applicant will be required to enter into a suitable legal agreement with the Highway Authority to secure the construction of the highway works necessary as part of this development. Please ensure that an advisory note is attached requesting that the developer contact the Highway Authority to progress this agreement well in advance of commencement of development.*

## **Proposal**

Planning permission is sought to replace an existing sports pavilion, implement store, relocation of 2 no. tennis courts, provide a new Multi-Use Games Area (MUGA), alterations to the existing vehicular access and provision of 14 parking spaces. No floodlighting is proposed.

## **Site Description**

The application site relates to an existing village playing field located on the west side of Willey Road, Stoke St Gregory. It lies to the north of Huntham Close and to the south of no's 9 - 16 Willey Road. No's 5 - 8 Willey Road are sited opposite the site, close to the existing vehicular access into the site. The site is bounded on three sides by established hedgerows and trees. The roadside boundary onto Willey Road comprises a mix of hedgerow, post and rail fencing and a hedge set behind a grassed bank. The existing facilities on the playing fields comprise a small pavilion, an equipment store, 2 no. tennis courts, a small equipped playing area, a cricket square and open playing fields.

## **Relevant Planning History**

36/18/0048 - Planning permission has been granted in principle by the Planning Committee for 34 no. dwellings and associated works on land on the opposite side of Willey Road (30th May 2019). This is subject to a Section 106 agreement to secure affordable housing and a financial contribution to off-site play provision. It is the applicant's intention to use this contribution to provide the new sports pavilion and improved recreational facilities which forms this application.

## **Consultation Responses**

*STOKE ST GREGORY PARISH COUNCIL* - We support this application because it will solve many long-standing problems with the village playing field, and provide a very welcome improvement to the facilities available.

*SCC - TRANSPORT DEVELOPMENT GROUP* - Whilst there was no objection to the principle of the development proposed, the Highway Authority recommended the current access arrangements were revised in order to accommodate the intensification of vehicular movements into the site that the proposed development would generate.

A suitable pedestrian link was also recommended to accommodate the link between this proposal and a live residential application on the other side of Willey Road (36/18/0048). Therefore, the additional detail submitted has been assessed alongside the additional pedestrian/cycleway detail for the adjacent residential application site (36/18/0048). The following is with reference to drawings 18.74.02 & 18.74.08.

The most recent proposal put forward is for a simple T priority junction arrangement on Willey Road with visibility splays of 2.4 metres x 43 metres in both directions. This is considered acceptable. The Y distance needs to extend to the nearside carriageway edge in both directions with no encroachment onto third party land. The

proposed access road of 5.5 metres is considered acceptable.

The proposed access is likely to require the relocation of a telegraph pole and existing sign. Exact details of this will need to be agreed at a later stage and secured appropriately within the decision notice.

It is noted from the drawings that a 2m footway will be provided to the western side of Willey Road. This is the minimum recommended width in the DfT's Inclusive Mobility and is acceptable to the Highway Authority. However, for clarity the existing width of Willey Road shall not be narrowed as a compromise. No pedestrian crossing visibility splays have been shown on the drawings. Visibility splays with an 'x' distance of 1.5m and a suitable 'y' distance, 43m or that required by the results of a speed survey, should be provided and shown on the drawings for assessment.

It is also unclear at the northern end of the proposed footway whether the applicants redline plan reaches the existing highway boundary. For clarity the applicant will need to demonstrate that they can lawfully and legally carry out the required highway works prior to any suitable legal agreement being negotiated.

Carriageway cross section drawings for each chainage across the frontage of the site would need to be submitted to show appropriate features such as channel line levels, tops of kerbs, centre line of the carriageway etc. whilst encompassing the full width of the adopted highway.

Longitudinal or contour drawings haven't been submitted. Suitable approach gradients for the access road to ensure surface water drains back into the site and not the highway whilst ensuring level sections of the carriageway to enable vehicles to pull out safely. Additional drawings would be required for surfacing, surface water drainage, highway lighting, kerb details and road markings to comply with design standards.

No swept path analysis has been provided at this time. Swept path analysis should be shown for vehicles moving around the bend within the recreation ground as well as in/out of the proposed junction itself. Swept path drawings should be provided based on the largest FTA Design Vehicle expected to use the junction at a scale of 1:200. All associated vehicles will need to be able to safely enter, manoeuvre and exit onto the public highway in a forward gear.

The applicant has proposed 14 vehicle spaces to accommodate the proposal, whilst the Highway Authority do not object to this level of proposed parking, it would be beneficial to provide additional overflow parking spaces to decrease any potential likelihood of vehicles parking on the nearby public highway. No cycle parking has been provided to date, it is recommended that a suitable number of cycle parking spaces are provided to encourage and promote sustainable travel as part of SCC Policy. Cycle parking should be sheltered, secure and easily accessible.

Adequate drainage provision will need to be made within the access road to prevent the discharge of surface water run-off from the site out onto the public highway. Interceptor drainage will need to be sized appropriately to ensure it can accommodate extreme rainfall events. Drainage measures may need to be introduced on both channels of Willey Road to intercept surface water upstream of both the proposed pedestrian crossing point and the new access junction.

The amended plans proposed now provide an improved access onto the public highway network where broadly speaking the points raised in our previous comments dated 5 February 2019 have been addressed. It is also recommended that a pedestrian and cycle access proposed is appropriately secured within the decision notice, which will require a suitable legal agreement.

With the above in mind there is no objection to the proposal, subject to the following conditions and detail to be agreed at a later stage:

- No part of the development hereby permitted shall be first brought into use until the access works have been carried out generally in accordance with a design and specification that will be submitted to and approved in writing in conjunction with the Highway and Local Planning Authority.
- Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be made before commencement and maintained thereafter at all times.
- There shall be no obstruction to visibility greater than 300 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced brought into use and shall thereafter be maintained at all times.
- The development hereby permitted shall not be first brought into use until an agreed number of vehicle parking spaces and layout for the development have been provided and approved in conjunction with the Local Planning Authority. The said spaces and access thereto shall be properly consolidated and surfaced and shall thereafter be kept clear of obstruction at all times and not used other than for the parking of vehicles or for the purpose of access.
- Prior to first occupation of the development hereby permitted, access to covered cycle parking, numbers and spaces to be fully in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning
- During construction the applicant shall ensure that all vehicles leaving the site 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 Local Planning Authority and fully implemented prior to commencement and thereafter maintained until the construction phase of the site discontinues.

#### **NOTE**

*The applicant will be required to enter into a suitable legal agreement with the Highway Authority to secure the construction of the highway works necessary as part of this development. Please ensure that an advisory note is attached requesting*

*that the developer contact the Highway Authority to progress this agreement well in advance of commencement of development.*

SCC - FLOOD RISK MANAGER - No comment.

WESSEX WATER - has no objections to this application and can advise the following information for the applicant:

### **The Planning Application**

The applicant has indicated that foul sewerage will be disposed of via the existing sewer.

Rainwater running off new driveways and roofs will require consideration so as not to increase the risk of flooding. The applicant has indicated in the current application that rainwater (also referred to as "surface water") will be disposed of via soakaways.

### **Applying for new drainage and water supply connections**

If your proposals require new connections to the public foul sewer and public water mains, notes and application forms can be found here.

### **Are existing public sewers or water mains affected by the proposals?**

Wessex Water will not permit the build over of public shared sewers by new properties.

Your contractor must undertake private survey to determine the precise location of the existing 150mm public foul sewer and 125mm rising main sewer which crosses the site. Easements are usually 3 metres either side of public sewer, subject to application sewers can sometimes be diverted, at the applicants cost, to achieve suitable easements. Further details can be found here

### **Is the surface water strategy acceptable to Wessex Water?**

One of our main priorities in considering a surface water strategy is to ensure that surface water flows, generated by new impermeable areas, are not connected to the foul water network which will increase the risk of sewer flooding and pollution.

You have indicated that surface water will be disposed of via soakaway.

The strategy is currently acceptable to Wessex Water, subject to agreement to detail with the local planning authority.

The planning authority will need to be satisfied that soakaways will work.

Soakaways will be subject to Building Regulations. The use of soakaways currently attracts a discount in the sewerage infrastructure charge, proof of arrangements will be required when applying for foul sewerage connection.

Land drainage run-off shall not be permitted to discharge either directly or indirectly to the public sewerage system.

According to the EA Flood Risk Maps the location is at risk of surface water flooding. The planning authority will need to be satisfied that the site is not at risk from surface water flooding or that the proposal will increase surface water flood risk elsewhere.

*BIODIVERSITY* - I cannot comment in detail on this application as no wildlife survey

has been submitted . In the Design and access it states that a bat survey will be undertaken in due course. I am uneasy about this as the building has potential to support bats.

I note that the applicant would like to quickly proceed with the games area and parking, so could any decision be split?

*LEAD LOCAL FLOOD AUTHORITY* - No comments to make.

## **Representations Received**

Five letters of support have been received in respect of the original application:

- the courts and playing fields are well used and could benefit from floodlighting and a separate multi-use court;
- the old pavilion is decrepit and too small to entertain visiting clubs;
- improving the facilities will encourage wider local participation;
- the existing arrangement of parking outside the playing field during winter months discourages the use of the facilities.

Three letters of objection have been received in respect of the original application:

- there was poor consultation with the Playing Fields Management Committee prior to the planning application being submitted;
- the car lights from the new car park will shine into the houses on Willey Road;
- no details of floodlighting have been given;
- the existing vehicular access is unsafe and no improvements are proposed;
- the drainage on site is poor and the site gets flooded;
- not sure that there is a need for 3 tennis courts.

Two letters of support have been received in relation to the revised access and new pedestrian path.

A petition of 14 local signatures have been received objecting to the loss of the hedgerow to facilitate the new access and improve visibility.

## **Planning Policy Context**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

CP5 - Inclusive communities,  
CP8 - Environment,  
DM1 - General requirements,  
C3 - Protection of recreational open space,



ENV1 - Protection of trees, woodland, orchards and hedgerows,

This takes into account the recent adoption of the SADMP.

## **Determining issues and considerations**

### **The Principle of Development**

The existing playing field is identified as a formal recreational space protected under SADMP Policy C3. The proposed new pavilion, new MUGA and relocated tennis courts will provide an enhanced recreational facility within the village. This would also accord with Core Strategy Policy CP5 which encourages the protection and improvement of good quality formal and informal play space within walking distance of where people live and work. The improvement works to the playing field will be funded by a Section 106 financial contribution associated with the new housing development on the opposite side of Willey Road, which was granted permission in principle at the last Planning Committee (36/18/0048). The principle of the development is therefore considered acceptable subject to detailed considerations on highways, impact on residential amenity and ecology.

### **Impact on Adjoining Residential Occupiers**

The existing play equipment, tennis courts and pavilion are located close to the northern boundary of the site, some distance away from residential dwellings. The proposed new pavilion will be sited further to the east and south of the site, some 65 metres from the nearest dwellings in Willey Road. The new MUGA and tennis courts will be sited in the north west corner of the site, approximately 100 metres from nearby dwellings. This distance is considered to be a reasonable degree of separation. The applicant has confirmed that no floodlighting is currently proposed and this overcomes local concerns over light pollution. If floodlighting is required in the future, planning permission will be required and assessed on its merits. With regard to light pollution from the new car park, it is understood that the existing playing field is used for car parking when the ground is dry. It is considered that the formalisation of the parking on site will not result in a significant increase in light pollution. The proposal is considered to be acceptable in terms of impact on adjoining residential occupiers.

### **Highways**

When the application was originally submitted, it was not proposed to carry out any changes to the existing access in the south east corner of the site. However, the existing access is located on a bend on a narrow road with no footway connection to the village. The plans have been revised at the request of the Highway Authority to show a widened access point opposite nos 5 & 6 Willey Road. In addition, it is proposed to remove a 50 metre section of hedgerow along the roadside boundary to improve visibility. The improved access will be tarmacked and 14 parking spaces laid out along the eastern boundary. Currently, cars are able to park informally on the grass during dry weather. During wet weather, cars park on Willey Road which restricts the road width. The formalisation of the on-street parking will result in an improvement in highway safety. The Highway Authority raises no objection in principle to the development subject to further details being secured by condition.

### **Ecology**

It is noted by the Council's ecologist that there is the potential for bats within the existing dilapidated pavilion structure. Ideally, a bat survey should be carried out during the appropriate season, before the existing building is demolished. The applicant states that "It is understood that the demolition of the existing pavilion will first require a bat survey to be undertaken before any works are begun. It is the applicant's intention for this development to be phased so that the new pavilion will be constructed first before the re-organisation of the tennis courts which will require demolition of the existing structure. It is therefore suggested that this matter be dealt with by way of a condition to the planning permission so that this survey work can be done during the appropriate season. The existing structure will not be disturbed until this survey work and recommendations are undertaken." This is considered to be an appropriate way forward to safeguard the bats.

### **Visual Impact**

The existing playing fields are very well screened from public view points due to established hedgerow boundaries. The existing pavilion is very discrete and partly screened by trees. The proposed new pavilion will be of a simple design with red/orange brick elevations and a tiled roof, with a verandah along the south elevation overlooking the cricket pitch. It will be larger in size in order to provide 2 separate changing rooms, a tea room with kitchen and changing facilities for officials. A separate implement store will also be provided. It appears that it may be necessary to fell a couple of trees and so new tree planting will be required by planning condition. The loss of part of the roadside hedgerow is regrettable but is considered necessary in terms of improving highway safety. New boundary planting will also be a requirement by condition.

### **Conclusion**

The proposal will result in the loss of part of an established hedgerow which forms an attractive feature at the edge of the village. However, the principle of partial hedgerow loss has already been accepted on the site opposite which is to be developed for housing. On balance, it is considered that the community benefits arising from the improved recreational facilities and footway weigh in favour of granting permission. It is recommended that planning permission is granted subject to conditions.

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

**Contact Officer: Ms A Penn**