

Somerset County Council
Regulation Committee –
Report by Paul Hickson
Strategic Commissioning Manager

Application Number: 18/04052/R3C

Date Registered: 23 November 2018

Parish: Milborne Port

District: South Somerset District Council

Member Division: Blackmoor Vale

Local Member: Councillor William Wallace

Case Officer: Stephen Boundy

Contact Details: stephen.boundy@devon.gov.uk (01392 383000)

Description of Application: Single-storey extension and reconfigured entrance to an existing classroom block within the existing school curtilage to provide an additional classroom (55sqm approx), a small break-out space (7.5sqm approx) and a classroom store (3sqm approx).

Grid Reference: Easting - 367743, Northing - 118821

Applicant: Milborne Port Primary School

Location: Milborne Port County Primary School, North Street, Milborne Port, DT9 5EP

1. Summary of Key Issues and Recommendation(s)

1.1 The proposed development relates to a single-storey extension and reconfigured entrance of an existing school classroom block to provide an additional classroom, a small break space and a classroom store at Milborne Port County Primary School. The main issues for Members to consider are:-

- the need for the development;
- traffic generation, parking and the highway network;
- design, conservation and amenity impacts;
- the impact of the development on the historic environment; and
- the impact of the development on ecology.

1.2 It is recommended that planning permission be GRANTED subject to the conditions set out 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 Strategic Commissioning Manager – Economy & Planning.

2. Description of the Site

2.1 Milborne Port County Primary School is accessed from Glovers Close (cul de sac) off North Street, near the centre of the village of Milborne Port. The school site is within a primarily residential area and is bordered by residential properties on all sides.

2.2 The school is not Listed and lies just outside of the Milborne Port Conservation Area. The school site has a variety of old and modern pitched-roof buildings, including the original gothic stone-built school, constructed in 1912.

3. The Proposal

3.1 The proposal is for an 89 square metres (gross external area) extension to an existing modern classroom block ('Block B'), adjacent to the original school building. This extension will provide an additional classroom, a small break-out space and a classroom store. The extension will provide space for an additional 30 pupils.

3.2 The proposed development is located on an area of existing hard standing that is currently only used for access between buildings. As such, it will not impact on any formal or informal hard & soft play areas, nor will it impact on and external learning areas.

4 Background

4.1 Milborne Port County Primary School has an extensive planning history. Most recently, this has included: (please note this is not a full history)

Reference Number	Proposal	Decision and Date
16/00353/R3C	Erection of an enclosure over the Milborne Port Community Swimming Pool	Application approved – 21 March 2016
12/00747/R3C	Replacement of windows	Application approved

		– 2012
11/00292/R3C	Section 73 application for the variation of condition 1 of permission no 05/03176/R3C dated 26 January 2006 to allow retention of temporary classroom (E.591) for a further 5 years	Application approved – 3 March 2011
05/03176/R3C	Renewal of planning permission for siting of a temporary building	Application approved – 25 January 2006
05/01279/R3C	Renewal of planning permission 02/02372/RC3 for the continued siting of a polytunnel swimming pool enclosure	Application approved – 21 June 2005
04/03213/R3C	Construction of a three-classroom block including ancillary facilities – This is the building subject of the current application.	Application approved – 2 February 2005
03/03223/R3C	Retrospective application for the erection of a double classroom unit with toilets for a maximum period of two years and the demolition of two existing classroom units	Application approved – 08 January 2004

5. The Application

5.1 Plans and Documents submitted with the application:

- Application form and fee
- Design and Access Statement (November 2018)
- Geo-Environmental and Geotechnical Assessment (6904t.3052)
- TN01 Technical Note – SUDS Statement
- Travel Plan Template
- Written Scheme of Archaeological Investigation
- Transport Statement (CC1788-CAM-T-001)
- Site Location Plan (0100 Revision A)
- Existing Plans (0202 Revision B)
- Proposed Plans (0210 Revision B)
- Existing Elevations (0301 Revision A)
- Proposed Elevations (0302 Revision A)
- Proposed Drainage Layout (CAM 00 00 GA C 0530 Revision P2)

6. Environmental Impact Assessment (EIA)

6.1 This development does not fall within the scope of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, and an Environmental Statement is therefore not required.

7. Consultation Responses Received

External Consultees

7.1 South Somerset District Council

South Somerset District Council provided a reference number for the planning register but made no further comments.

7.2 Milborne Port Parish Council

No Objection

7.3 Natural England

Natural England has no comments to make on this application.

Internal Consultees

7.4 Highways Development Management

Highways Development Management initially objected on the basis that no assessment of the highways implications of the proposed development had been made. Following the submission of a Transport Statement by the applicant, Highways Development Management made the following comments:

“I have had a look through the document and would make the following comments;

- Collision data has been provided which shows no accidents within the recent 3 years period
- Visibility splays have been shown to measure 43m in both directions and whilst measuring to the centre line of the carriageway is not the normal practice, as stated, due to the narrowing of the road and the constraints of the local highway network, visibility requirements can be reduced due to the lower traffic speeds.
- The percentage distribution between travel modes shows an increase in only 6 vehicles
- Whilst long waiting times outside the school occur in the pm peak time, the spread of volume due to afterschool clubs limits the effect on the existing uses of Glovers Close.

The Highway Authority is content that evidence has now been provided showing the proposed expansion of the school would be acceptable in highway terms providing a suitable school travel plan is secured via a s106 agreement.

The Highway Authority would request any permission granted be subject to a condition whereby such a Travel Plan can be secured.”

7.5 County Ecologist

The County Ecologist initially commented that, although the existing building looks to have negligible potential to support protected species, additional photographs would be required to confirm this. Following the submission of additional photographs, the County Ecologist commented:

"I am satisfied that the photos provided confirm that the area of the building to be extended only contain negligible potential to support bat roosts, however, due to the opportunistic behaviour of some bats species, including pipistrelles, along with the site's location set within habitats that will support bats, please attach the following as informative to any planning permission granted:

- The developers are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017. In the unlikely event that bats are encountered during implementation of this permission it is recommended that works stop and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity."

7.6 Somerset Historic Environment Service

Conservation

Thank you for the consultation on this classroom extension. The proposal is for an extension of a modern classroom block built in 2006. It is within the curtilage of the school and would stand alongside the original school building, built in 1912 to the design of architect AJ Pictor of Bruton. Mr Pictor was an architect for numerous council schools and was Surveyor for the Diocese of Bath and Wells from 1912 to 1919. The original school building is a pleasant Tudor gothic building of local stone, freestone dressings, and plain clay tiled roofs. The school has a good local stone wall along its frontage and is just outside the Milborne Port Conservation Area.

The design and materials for the extension would be a continuation of the form and materials of the modern classroom block, which has a good use of materials and architectural interest.

The extension will unbalance the symmetry of the existing classroom block and be unfortunately close to the original school building. We cannot identify an alternative layout and we do not consider these concerns to warrant an objection in term of the built heritage and impact on the neighbouring Conservation Area.

Our one area of concern is with the proposed powder coated steel framed, flat roofed, glazed entrance canopy. This appears to be out of character with the style of the classroom block and the porch offers an opportunity to rebalance the principal elevation. A tiled gable roof element to the entrance porch, along the lines of the half dormer above the central window, could counter the broken symmetry and length of the extended classroom block, and be more in keeping.

Archaeology

The site lies close to the core of the Saxon and medieval town of Milborne Port. Previous work on the site recorded evidence of medieval occupation.

For this reason I recommend that the applicant be required to provide archaeological monitoring of the development and a report on any discoveries made as indicated in the National Planning Policy Framework (Paragraph 199). This should be secured by the use of the following conditions attached to any permission granted:

"Programme of Works in Accordance with a Written Scheme of Investigation (POW)

Before the commencement of the development hereby permitted the applicant, or their agents or successors in title, shall have secured the implementation of a programme of archaeological work in accordance with a Written Scheme of

Investigation (WSI) which has been submitted and approved in writing by the Planning Authority. The WSI shall include details of the archaeological excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved scheme."

and:

"Archaeology and ensuring completion of works

No building shall be occupied until the site archaeological investigation has been completed and post-excavation analysis has been initiated in accordance with Written Scheme of Investigation approved under the POW condition and the financial provision made for analysis, dissemination of results and archive deposition has been secured."

I am happy to provide a specification for this work and a list of suitable archaeologists to undertake it.

7.7 County Council Acoustics Specialist

The County Council Acoustics Specialist has raised concern regarding whether the internal acoustic design of the proposed classroom has been considered: "I would urge planning obtain a clear indication that the acoustic requirements of this extension have been addressed early in the design stage. This in practice may simply involve the developer providing planning with a copy of the BB93 design report (required by Building Control) for their consideration prior to development consent. This document will then establish how the Design of this development meets the acoustic needs of users and meet the requirements of the DfE Acoustics of Schools: a design guide and the Education Authority duty to meet section 7 of The School Premises (England) Regulations 2012."

7.8 Public Consultation

Two objections were received to the proposal, one from the resident of a property in Glovers Close and the other from a resident of a property in Orchard Close (located off Glovers Close). These objections raised the following issues:

- Parents of school children parking on the pavements, obstructing driveways and otherwise inconsiderately, particularly at school pick-up and drop-off times as well as other school events. This causes significant issues for local residents and has been raised with the headmistress and police in the past.
- Issues with access for emergency services caused by the aforementioned parking issues.
- A further extension of the school will exacerbate these issues.
- A structured plan should be put in place to address these parking issues prior to the school being given permission to extend further.
- Road markings are worn out.
- A photo was submitted in support of one of these objections showing a car blocking a driveway.

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

8.1 The key issues for Members to consider are:-

- the need for the development;
- traffic generation, parking and the highway network;
- potential design, conservation and amenity impacts;
- the potential impact of the development on the historic environment; and
- the potential impact of the development on ecology.

8.2 The Development Plan

8.2.1 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 following documents, with their policies of relevance to this proposal being listed in Section 10 of this report:

- South Somerset Local Plan 2006 – 2028 (Adopted 2015)

8.3 Material Considerations

8.3.1 Other material considerations to be given due weight in the determination of the application include the following:

- the National Planning Policy Framework [NPPF], February 2019
- Planning Practice Guidance [PPG]

8.4 The need for the development

Somerset County Council has a statutory obligation to ensure that there are sufficient school places available. Milborne Port County Primary School is currently fully subscribed at its capacity of 180 pupils with a growing demand for further pupil places. The proposed development will provide classroom space, enabling up to an additional 30 pupils to attend the school. Paragraph 94 of the NPPF outlines that, in decisions on planning applications, great weight should be given to the need to create, expand or alter schools.

8.5 Traffic generation, parking and the highway network

It is considered that one of the key material planning applications in the determination of this application is the impact of the proposed development with regards to traffic generation, parking and the highway network. Objections have been received from two neighbours of the school on the basis that an already unacceptable traffic/parking situation would be exacerbated by the expansion of the school.

Somerset County Council Highways Development Management were consulted on this application. Their initial response was an objection on the basis that no assessment of the highways implications of the proposed development had been made. Following the submission of a Transport Statement by the applicant, Highways Development Management commented that 'The Highway Authority is content that evidence has now been provided showing the proposed expansion of the school would be acceptable in highway terms providing a suitable school travel plan is

secured via a s106 agreement. The Highway Authority would request any permission granted be subject to a condition whereby such a Travel Plan can be secured'. (full comments available in Section 7 of this report). Whilst it is not possible to secure a travel plan via s106 agreement, as Somerset County Council cannot enter in to such an agreement with itself, it is agreed that a pre-occupation condition requiring the submission of a travel plan is appropriate.

Paragraph 109 of the National Planning Policy Framework (2018) states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'. The submitted Transport Statement estimates that there are currently approximately 37 car arrivals at the start and end of the school day to drop-off and collect children. It is estimated that the expansion of the school will lead to an additional 6 cars arriving during each these periods. Although the current situation may cause inconvenience to people, it is not considered to be severe and the potential increase in traffic as a result of the proposed development would not create an impact that would be categorised as severe.

Policy TA5: Transport Impact of New Development of the South Somerset Local Plan (2015) requires new development to address its own transport implications and to be designed to maximise the potential for sustainable transport. This should ensure that the expected nature and volume of traffic and parked vehicles generated by the development would not have a detrimental impact on the character or amenity of the area and would not compromise the safety and/or function of the local or strategic road networks in terms of both volume and type of traffic generated.

The implementation of a Travel Plan as required by condition (in accordance with Policy TA4: Travel Plans of the South Somerset Local Plan), will encourage both new and existing pupils/staff to walk or cycle to school. Where this is not a realistic prospect, car sharing will be encouraged.

Consequently, the overall conclusion in relation to the impact of the development on traffic generation, parking and the highway network is that the impact created will not be severe in the context of Paragraph 109 of the NPPF. Whilst the increased number of pupils is likely to result in a small increase in the volume of traffic generated at school pick-up / drop-off times, it is considered that the implementation of a travel plan encouraging sustainable travel for both existing and new pupils/staff will ensure that the proposed development does not have a detrimental impact on the character or amenity of the area and would not compromise the safety and/or function of the local or strategic road networks in accordance with policies TA4 and TA5 of the South Somerset Local Plan.

8.6 Design, conservation and amenity impacts

The proposed single-storey extension covers approximately 89 square metres adjoining the eastern end of the existing building. The extension will match the eaves and ridge height of the building being extended and be constructed from materials to match the existing including:

- Wall - Through colour, medium/fine textured scraped render, colour off-white.
- Wall - Reconstituted cast stone quoins and decorative window and door surrounds.

- Window - PPC Aluminium double-glazed units with glazing bars, colour white.
- Rooflight - PPC Aluminium double-glazed units, colour dark grey.
- Doors - PPC Aluminium framed fully glazed doors, colour white.
- Roof - Concrete interlocking double pantile, colour red/brown.
- Rainwater goods - PPC Aluminium gutter and downpipe, colour mid-grey.

It is considered that this use of materials and continuation of form is acceptable/suitable and in accordance with Policy EQ2: General Development of the South Somerset Local Plan (2015).

Somerset Historic Environment Service have stated in their consultation response that ‘the extension will unbalance the symmetry of the existing classroom block and be unfortunately close to the original school building. We cannot identify an alternative layout and we do not consider these concerns to warrant an objection in term of the built heritage and impact on the neighbouring Conservation Area’. It is agreed that the proposed development will result in a slight imbalance in the symmetry of the building, however given the overall small scale of the extension and the maintained separation between this building and the older main school building, it is considered that this is not unacceptable in the context of Policy EQ2.

Somerset Historic Environment Service have identified a single area of concern as being the proposed powder coated steel framed, flat roofed, glazed entrance canopy which they state as appearing out of character with the style of the classroom block. Whilst it is acknowledged that this classroom block does not currently have a canopy in this area, it is considered that the small canopy proposed will not be out of context in relation to what is a modern style classroom block. It is also noted that the proposed materials will replicate those that are already present elsewhere on the school site. Therefore, it is considered that this aspect of the design is not in conflict with Policy EQ2.

It is considered that the proposed development will result in no change to the existing amenity impacts in the context of the site’s existing use of a school. Therefore, the proposed development is considered to protect the amenity of neighbouring properties in accordance with Policy EQ2.

It is noted that the Somerset County Council Acoustics Specialist has raised concern regarding whether the internal acoustic design of the proposed classroom has been considered. This is not considered to be an aspect of the development with planning control, but rather an issue for consideration under Building Regulations. An advisory note will be added to the planning permission to ensure that the applicant is aware of the need to consider this matter.

8.7 Historic Environment

The site of the proposed development is located immediately north of the adjacent Conservation Area. Somerset Historic Environment Service were consulted on this application with regards to potential impacts on the historic environment.

In relation to archaeology they noted that the site lies close to the core of the Saxon and medieval town of Milborne Port. Previous work on the site recorded evidence of medieval occupation. Consequently, Somerset Historic Environment Service have

requested the following two conditions which will ensure that the proposed development is in accordance with policy EQ3: Historic Environment of the South Somerset Local Plan (2015).

- Programme of Works in Accordance with a Written Scheme of Investigation (POW)

Before the commencement of the development hereby permitted the applicant, or their agents or successors in title, shall have secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) which has been submitted and approved in writing by the Planning Authority. The WSI shall include details of the archaeological excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved scheme.

- Archaeology and ensuring completion of works

No building shall be occupied until the site archaeological investigation has been completed and post-excavation analysis has been initiated in accordance with Written Scheme of Investigation approved under the POW condition and the financial provision made for analysis, dissemination of results and archive deposition has been secured.

8.8 Ecology

As an extension to an existing building on an area of existing hard standing, the type of development proposed is highly unlikely to have ecological impacts. At the request of the County Ecologist the applicant submitted photos of the existing building which (as the County Ecologist commented) confirmed that the building to be extended only contains negligible potential to support bat roosts. The County Ecologist has requested that the following informative is added to the planning permission.

- The developers are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017. In the unlikely event that bats are encountered during implementation of this permission it is recommended that works stop and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.

Overall, it is considered that the proposed development is in accordance with policy EQ4: Biodiversity of the South Somerset Local Plan (2015).

8.9 Conclusions

It is considered that there is a clear need for the proposed development to fulfil Somerset County Council's statutory obligation to ensure that there are sufficient school places available. The travel plan required by condition will ensure that the traffic generation/parking issues associated with the increase in pupil numbers will be suitably mitigated. Overall it is considered that the proposed development is in accordance with both local and national planning policy and should therefore be granted subject to conditions.

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 Strategic Commissioning Manager – Economy & Planning.**

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:-

- Site Location Plan reference – 0100 Revision A
- Proposed Plans reference – 0210 Revision B
- Proposed Elevations – 0302 Revision A
- Proposed Drainage Layout – CAM 00 00 GA C 0530 revision P2

And documents titled:-

- Design and Access Statement (Dated November 2018)
- TN01 Technical Note – SUDS Statement
- Transport Statement (reference: CC1788-CAM-T-001)
- Geo-Environmental and Geotechnical Assessment (6904t.3052)

3 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. 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 in accordance with policies TA4: Travel Plans and TA5: Transport Impact of New Development of the South Somerset Local Plan (2015).

4 Archaeological Programme of Works in Accordance with a Written Scheme of Investigation

Before the commencement of the development hereby permitted the applicant, or their agents or successors in title, shall have secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) which has been submitted and

approved in writing by the County Planning Authority. The WSI shall include details of the archaeological excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved scheme

Reason: To ensure that an appropriate record is made of the archaeological evidence that may be affected by the development in accordance with paragraph 199 of the National Planning Policy Framework and policy EQ3: Historic Environment of the South Somerset Local Plan (2015).

5 Archaeology and ensuring completion of works

No building shall be occupied until the site archaeological investigation has been completed and post-excavation analysis has been initiated in accordance with Written Scheme of Investigation approved under condition 4 including analysis, dissemination of results and archive deposition.

Reason: To ensure that an appropriate record is made of the archaeological evidence that may be affected by the development in accordance with paragraph 199 of the National Planning Policy Framework and policy EQ3: Historic Environment of the South Somerset Local Plan (2015).

INFORMATIVES

The developers are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017. In the unlikely event that bats are encountered during implementation of this permission it is recommended that works stop and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.

The developers are reminded of the need for the development to meet the acoustic needs of users and meet the requirements of the DfE Acoustics of Schools: a design guide and the Education Authority duty to meet section 7 of The School Premises (England) Regulations 2012. This should be considered in the BB93 design report (required under building regulations).

10 Relevant Development Plan Policies

- 10.1 The following is a summary of the reasons for the County Council's decision to grant planning permission.
- 10.2 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:-

- The South Somerset Local Plan (2006 – 2028) Adopted 2015.

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

- TA4: Travel Plans – Subject to the inclusion of an appropriate condition requiring the implementation of a Travel Plan promoting sustainable travel to the school, the development is considered to be in accordance with this policy.

- TA5: Transport Impact of New Development – Subject to the inclusion of an appropriate condition requiring the implementation of a Travel Plan promoting sustainable travel to the school, the development is considered to be in accordance with this policy.
- EQ2: General Development – The proposed design of the development is acceptable, and the development will result in no change to the existing amenity impacts in the context of the sites existing use of a school. The development is therefore in accordance with this policy.
- EQ3: Historic Environment – Subject to the inclusion of appropriate conditions relating to archaeological investigation and recording the proposed development will not have an unacceptable impact on the historic environment, including the adjacent Conservation Area and is therefore in accordance with this policy.
- EQ4: Biodiversity – The building to be extended only contains negligible potential to support bat roosts. An informative note has been added to the permission to inform the developer of their responsibilities in the unlikely event that protected species are encountered.

10.3 The County Planning Authority has also had regard to all other material considerations, in particular the National Planning Policy Framework (July 2018), and Planning Practice Guidance.

10.4 **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, Minerals Local Plan and Local Plan 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.