

Somerset County Council

Regulation Committee –

Report by Service Manager - Planning & Development

Application Number: SCC/3708/2020

Date Registered: 26 March 2020

Parish: Yeovil Town Council / Yeovil Without Parish Council

District: South Somerset District Council

Member Division: Yeovil Central

Local Member: Cllr Andy Kendall

Case Officer: Judith Smallman

Contact Details: 01962 847870 / planning@hants.gov.uk

Description of Application: Two storey extension to school, additional car parking, relocation of existing bin store and new bike store, rearrangement of hard and soft play areas and support infrastructure

Grid Reference: Easting - 356286, **Northing** - 117808

Applicant: Somerset County Council

Location: Fairmead School, Mudford Road, Yeovil BA21 4NZ

1. Summary of Key Issues and Recommendations

1.1 The proposed development relates to a two storey extension to Fairmead School with additional car parking, relocation of the bin store a new bike store rearrangement of hard and soft play areas and supporting infrastructure. The main issues for Members to consider are:-

- the need for the development;
- car parking provision and potential impacts on the highway;
- the potential impacts on residential amenity;
- impact on play and open space; and
- impact on biodiversity.

- 1.2 Somerset County Council is Local Planning Authority for this application as it is a Regulation 3 development. Regulation 3 of the Town and Country Planning General Regulations 1992 enables the County Council to make planning applications to itself as long as the development is to be carried out by (or on behalf of) the Council and the interest in the development by the Council is significant.
- 1.3 **It is recommended 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 Fairmead School site measures approximately 0.86 hectares (2.1 acres) and is located in the urban area of Yeovil south of Mudford Road (A359). The school occupies a large plot with houses to the east and west and Buckler's Mead Academy secondary school to the south. The site is generally level (gently sloping North to South).
- 2.2 All vehicular and pedestrian access for parents, carers, staff, visitors and services to the school is via the existing "in/out" entrance off Mudford Road. Access is via strictly managed secure sliding vehicle gates. There is an existing "drop off" area and 35 existing parking spaces.
- 2.3 The dwellings to the west and east of the site are predominantly two-storey (although there are some single storey) in general estate layouts. The properties located immediately to the west generally back onto the site while those to the east (Fairmead Road) present side elevations and are set behind an existing public footpath.
- 2.4 The proposed building will replace two existing single storey classrooms currently located close to the eastern boundary. The new building will be two storey, thus increasing scale on this part of the site, but will be set further back from the boundary. The boundary here is formed by a secure metal fence and existing trees and shrubbery and the pedestrian access path before the gable elevations and rear gardens of the nearest Fairmead Road properties.
- 2.5 The site is in a generally sustainable location in close proximity to bus stops and existing services.
- 2.6 There are no statutory nature conservation designations present within 2 km of the site. Six non-statutory nature conservation designated sites, comprised of Local Wildlife Sites, are located within 2km, the closest one being 1km away.

- 2.7 A high level of badger activity is present on site, including a main sett within the south east corner that spreads beyond the southern boundary to the north east corner of Buckler's Mead school, with an additional potential sett entrance in the centre of the southern boundary, and another outlier sett within the southwest boundary.
- 2.8 The school's main hard play area is currently located to the west of the main school buildings and contains a range of play provision, including basketball court. A generous green open space area is located in the southern part of the site, with boundary trees to the western and southern boundaries.
- 2.9 The recent planning history is as follows:

Reference	Description	Status
10/01443/R3C	Replacement temporary classroom	Granted
12/03982/R3C	The erection of a two storey extension to be used as a 6th form centre	Granted
13/02615/R3C	Section 73 application to vary conditions 2 and 3 of the permission for a new sixth form centre ref: 12/03982/R3C and to amend the arrangements for additional car parking spaces	Granted

3. The Proposal

- 3.1 The application seeks planning permission for a two-storey extension to the south east of the existing school; to provide 12 additional general classrooms and a multi-purpose hall. The development will replace the two existing modular classrooms and be set further back from the eastern boundary.
- 3.2 The proposed building is two storey in scale and is located to the south of the existing school, approximately 4.5m (hall east elevation) and 11.5m (classroom east elevation) from the existing eastern site boundary with adjacent residential property.
- 3.3 The building contains a new sports hall at the northern end (closest to the existing school buildings) and a total of 12 classrooms, 6 on each floor. The teaching accommodation is arranged around a central corridor with circulation space, breakout areas and group and sensory spaces in addition to the main classrooms.
- 3.4 The external finish of the building incorporates a range of materials including metal cladding and panelling, light red facing brickwork and bronze/brown windows. The sports hall element would be clad in grey/silver standing seam metal cladding. The roof would be bronze/brown metal cladding.
- 3.5 Fenced external teaching areas with free-standing canopies are proposed for the six ground floor classrooms.

- 3.6 Staff numbers are expected to increase following the construction of the extension by approximately 15, making 70 in total. Pupil numbers are expected to increase from 100 to 148.
- 3.7 No alterations are proposed to the existing access or security arrangements but additional parking is proposed, comprising a new car parking area on the western side of the site. To facilitate the new parking, 2 spaces will be removed which allows for an additional 15 spaces (net 13) to be introduced. This will increase existing parking to 48 spaces. The provision of additional parking to the west side of the school seeks to resolve the congestion and parking issue during peak hours. 24 covered and secured cycle spaces are also proposed.
- 3.8 The hard surface play area on the west side of the site would be reconfigured with a relocated climbing frame and basketball court. The green space, which the applicant has confirmed is not a formal playing field, would be reduced in size but an area suitable for the future needs of the school would be retained, with space for two 5-a-side football pitches and a new perimeter bike/wheelchair track with an outdoor teaching area in the south west corner of the site.
- 3.9 The badger sett would be undisturbed by the development – the building being 13m from the sett - and protected during construction.
- 3.10 All existing trees of significance will be retained, apart from the removal of one tree which lies within the footprint of the proposed building and two small trees (a Category “C” Hazel and a Category “U” Sycamore) on the western boundary and part of an existing Leyland Cypress hedge required to provide access to proposed parking. Otherwise all other trees will be retained with construction methods applied to provide appropriate protection.
- 3.11 A fabric first approach has been adopted for the building, maximising the performance of the external fabric before considering the use of building services systems. This is aimed to help reduce operational cost and improve energy efficiency and reduce carbon emissions. This will be achieved by enhanced U-values to those stated in the building regulations & high airtightness values.
- 3.12 Inside the building envelope, through the use of low or zero carbon technologies, the carbon footprint and the impact of the new development on the environment will be minimised.

4 Background

- 4.1 The extension proposed forms part of a much larger requirement to expand the capacity and facilities currently on offer for children with Special Education Needs [SEN] in the County. The demand is significant and resources to meet this demand are very limited. It is important that pupils with identified learning difficulties are in a safe and secure environment, where they can receive the

kind of care and attention they would not be able to receive at standard schools. Fairmead School provides a critical service within the County in providing specialist educational facilities to a number of pupils with learning difficulties. The need and demand for such facilities has expanded.

- 4.2 The school currently provides 100 Special Education Needs student places: for Moderate Learning Difficulties [MLD] and Autistic Spectrum Disorder [ASD] pupils, of both secondary and primary age. There is significant pressure on the school to accommodate additional pupils from across the Council area and the existing buildings (including two modular classrooms providing 6 teaching spaces) are in poor condition.
- 4.3 The last Full OFSTED report (2014) noted that “Not all students make effective use of information and communication technology to undertake research or to improve their presentation skills”. The proposal seeks to address this in order to support an improved OFSTED rating and potentially lead to an upgrade to “outstanding”. The proposed development seeks to provide new classrooms capable of facilitating the use of such information and communication technology; and in an environment that will support the student’s ability to improve their presentation skills.

5. The Application

5.1 Plans submitted with the application:

- Existing Site Plan (P18004-AWW-ZZ-ZZ-DR-A-0101RevP03);
- Existing Site Elevations (P18004-AWW-ZZ-ZZ-DR-A-0102RevP02);
- Proposed Site Plan (P18004-AWW-ZZ-ZZ-DR-A-0110RevP03);
- Proposed Ground Floor Plan (P18004-AWW-V1-00-DR-A-0200RevP02);
- Proposed First Floor Plan (P18004-AWW-V1-01-DR-A-0201RevP02);
- Proposed Roof Plan (P18004-AWW-V1-RF-DR-A-0202RevP02);
- Proposed Ground Floor Plan (A - P18004-AWW-V1-00-DR-A-0200_P02);
- Proposed Elevations (P18004-AWW-ZZ-ZZ-DR-A-0300RevP02);
- Proposed Site Elevations (P18004-AWW-ZZ-ZZ-DR-A-0305P02);
- Whole Building Sections (P18004-AWW-ZZ-ZZ-DR-A-0310RevP02);
- Topographical & Buried Services Survey (509/11175/1); and
- Tree Constraints Plan.

5.2 Documents submitted with the application:

- Planning Statement;
- Design & Access Statement;
- Flood Risk & Drainage Statement;
- Preliminary Ecological Appraisal;
- Phase 1 Environmental Site Assessment;
- School Travel Plan and Appendices;

- Transport Statement and Appendices;
- Historic Environment Assessment;
- Landscape and Visual Appraisal Report;
- Environment & Sustainability Statement;
- Arboricultural Impact Assessment & Tree Constraints Plan; and
- Statement of Community Involvement.

6. Environmental Impact Assessment (EIA)

- 6.1 The development falls within one of the categories set out in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations (10b - 'Urban development projects'). The development was screened prior to the submission of the application and having regard to the scale and nature of the proposal and the fact it is wholly outside any defined 'sensitive areas' it is not an EIA development under the Town & Country Planning (Environmental Impact Assessment) Regulations 2017.

7. Consultation Responses Received

External Consultees

- 7.1 **Yeovil Town Council** - Supports the application, but is concerned about traffic generation and parking in the area, especially at the start and finish of the school day. There is a need for greater management of the traffic generated by the school.
- 7.2 **Yeovil Without Parish Council** - Recommend refusal – The school site is at a point of outgrowing the amount of land that it needs to have adequate facilities to function as a school without impacting the quality of care and the surrounding community. It is felt that the additional parking is not adequate and the solution of using recreational land is counterproductive for the health and well-being of the children. There is concern that neighbouring properties will be over looked and their privacy impacted. There is also a known drainage problem in the area and question if the existing drainage system will accommodate an increase in use.
- 7.3 **South Somerset Council** – Was notified. No comments received.

Internal Consultees

- 7.4 **Ecology** – No objection subject to conditions.
- 7.5 **Highway Authority** – No objection subject to conditions.
- 7.6 **Lead Local Flood Authority** – No objection subject to a condition.
- 7.7 **Councillor Kendall** - Was notified. No comments received.
- 7.8 **Public Consultation**

7.8.1 Two letters of representation have been received from residents of Fairmead Road raising the following concerns:

- a) the building will have an overbearing and overshadowing effect on Fairmead Road property with a loss of sunlight exacerbated by the school's higher ground level – existing single storey classrooms already overlook;
- b) loss of privacy - the new building will have large windows which will overlook property and gardens;
- c) building will be higher than boundary trees thereby blocking the available sunlight and light to solar panels;
- d) existing roads and infrastructure are not suitable to accommodate more development – roads are already highly congested with School traffic around arrival and departure times – Mudford Road can be impassable, with the cars, buses and taxis dropping off and picking up;
- e) housing development agreed for up to 800 new homes between Mudford Road and Lyde Road will worsen the situation;
- f) vehicle emissions gases right next to homes will also only get worse;
- g) inadequate on-site parking at the school with staff and visitors having to park in the side roads, even with additional parking places it will still be a problem;
- h) additional strain on the current poor drainage and sewer systems with additional water run-off into adjacent gardens;
- i) increased noise with students being closer to the site boundary; and
- j) other options should be considered such as Fiveways Resource Centre.

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;
- car parking provision and potential impacts on the highway;
- the potential impacts on residential amenity;
- impact on play and open space; and
- impact on biodiversity.

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 9 of this report:

- The South Somerset Local Plan (2006 - 2028).

8.3 Material Considerations

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

- National Planning Policy Framework [NPPF] (2019);
- Planning Practice Guidance [PPG].

Need and principle of the development

8.3.2 As already noted, the development proposed forms part of a much larger requirement to expand the capacity and facilities currently on offer for children with Special Educational Needs (SEN) in Somerset. The demand is significant and resources to meet this are very limited. It is important that pupils with identified learning difficulties are in a safe and secure environment, where they can receive the kind of care and attention they would not be able to receive at standard schools. Fairmead School provides a critical service within the County, providing specialist educational facilities to a number of pupils with severe learning difficulties. The need and demand for such facilities has expanded. The proposed development is therefore intended to meet the requirement of the community's social needs across the Council area.

8.3.3 Paragraph 94 of the NPPF (2019) expects the needs of existing and new communities to be met, specifically in the form of school places. LPA's are expected to meet this requirement and support development that helps widen the choice of education. LPA's are expected to:

- Give great weight to create expand, expand or alter schools; and
- Work with school representatives at an early stage to resolve issues before applications are submitted.

8.3.4 The site is in existing education use and therefore the principle of the development is acceptable, subject to the details of the proposal meeting all other planning policy considerations, and in terms of location meets the requirements of Policy SD1 (Sustainable Development) of the South Somerset Local Plan (2006-2028). In addition, the proposed development is intended to meet the requirement of the community's social needs for SEN across the Council area. It therefore meets the requirements of paragraph 94 of the NPPF (2019).

Parking, access and potential impacts on the highway

- 8.3.5 The application is supported by a Transport Statement and School Travel Plan.
- 8.3.6 The A359 provides access to the school and is a strategic route in Yeovil connecting the town centre with settlements to the north of the town in the wider region. Within vicinity of the site access, the A359 is a single carriageway road subject to a 30mph speed limit. A footway is provided on the southern side of the A359 in the vicinity of the access. To the west of Tower Road, footways are provided on both sides. A signalised pedestrian crossing is provided over the A359 Mudford Road to the east of St Michael's Avenue within the vicinity of the Co-operative food store. Bus stops are located on both sides of the A359 Mudford Road within 100m of Fairmead School.
- 8.3.7 Two points of access onto the A359 are provided. The eastern access is entry-only and the western access is exit only. The main car park is located directly inside the school boundary, with a circulatory route connecting the two points of access. The application proposes a further area of car parking, increasing the total number of spaces to 48. It is recognised that there are issues relating to parking and general congestion and traffic safety particularly at drop off and pick up times and this is reflected in the representations and Parish Council comments. The provision of additional parking to the west side of the school seeks to resolve the congestion and parking issue during peak hours, providing additional spaces and an opportunity to relieve some of the congestion that can occur within the existing car parking area and around the site entrance.
- 8.3.8 The application is also accompanied by a comprehensive School Travel Plan (STP) which is aimed at reducing the impact of traffic on the surrounding road network. Because of the nature of the school and wide catchment area the vast majority of pupils travel to and from school by motor vehicle – mini-bus (45%), taxi (26%) or private car (20%). This is indicative of the special requirements of pupils who attend the school and is unlikely to change significantly. The STP, therefore aims to influence the travel habits of staff, who generally live closer to the school. The Plan promotes initiatives to encourage walking and cycling and car sharing. A Travel Plan Coordinator (TPC) will be appointed by the School who will manage the implementation of the STP and be the primary point of contact for STP-related matters. The School will make a number of commitments, including the introduction of a car share scheme for members of staff, supported by the allocation of three preferential car share parking spaces within the school car park. The TPC will promote car sharing through the STP, including events and participation in other car share groups.
- 8.3.9 A degree of congestion and short term parking is common outside many schools and there are few schools which are able to accommodate all drop-off and pick-up needs without some disruption. While the situation can result in some inconvenience and disturbance to traffic movement, the Highway Authority has not identified an unacceptable highway safety issue.

8.3.10 The Highway Authority has not raised an objection to the proposal and recommends that a number of planning conditions be imposed on any permission granted. The application is considered to accord with Policy TA5 (Transport Impact of New Development) of the South Somerset Local Plan (2006-2028).

Design, scale and impact on residential amenity

8.3.11 The proposed building is 2-storey and is sited so as to be well related to the existing school facilities and support accommodation. It is located on the site of the existing modular classrooms, thereby minimising impact on the existing open spaces in the school grounds.

8.3.12 The building will have a modern high quality finish with a variety of materials used, the elevations made up of red varied brickwork and vertical glazed/panelled sections. The design utilises naturally toned materials that aim to complement the surroundings to ensure that the building sits comfortably in its setting.

8.3.13 Classrooms will be well lit with natural light and the external classroom spaces will have canopies, ensuring appropriate teaching environments and adding further interest to the building's elevations. The 'flat' roof proposed ensures that the scale is not inappropriate to its residential surroundings.

8.3.14 The opportunity has been taken to set back the proposed building from the boundaries both to mitigate visual impact to the eastern boundary and to ensure the retention and protection of the existing Badger sett and southern boundary trees. The main classroom section of the building will be 10.5m from the eastern boundary with residential neighbours. This distance is typical of garden lengths in modern residential development. While there will be some views towards neighbouring gardens, these will be from an appropriate distance and from classrooms that will only be occupied during school hours and not at weekends. The side elevation first floor windows of the adjoining dwellings are landings so there is no direct, or unacceptable, window to window overlooking. It is not considered that the proposal would result in unacceptable overlooking or loss of privacy to the closest Fairmead Road properties.

8.3.15 The proposed building is significantly greater in scale than the existing modular classrooms. However, the building is further away from the boundary and at a conventional 2-storey height is similar in scale to 2-storey residential development. Having regard to the distance from the boundary, there would be no unacceptable loss of light or overshadowing from the development.

8.3.16 There is some potential for teaching activity and pupil movement between the building and the eastern boundary of the site. However, having regard to the likely frequency of use and the absence of use in evenings and weekends, this would not constitute an unacceptable level of noise or disturbance to neighbours. The building is of significantly enhanced acoustic properties

compared to the existing modular classrooms so any noise from activity within the building should be reduced.

8.3.17 The design of the proposals is high quality that reflects the local context and protects the residential amenity of close proximity residents as required by Policy EQ2 (General Development) of the South Somerset Local Plan (2006-2028).

Sustainability measures

8.3.18 A fabric first approach has been adopted for the building, maximising the performance of the external fabric before considering the use of building services systems.

8.3.19 Inside the building envelope, through the use of low or zero carbon technologies, the carbon footprint and the impact of the new development on the environment will be minimised. Efficient services and plant will be used for the development including:

- Low energy lighting;
- Daylight and occupancy controls on lighting;
- Heat recovery on mechanical ventilation systems;
- High efficiency mechanical services; and
- Heating, cooling, ventilation and lighting zoning.

8.3.20 A sustainable water consumption and drainage strategy has also been developed, aiming to reduce the use of water across the site. It is considered that with the measures proposed the development accords with the aims of Policy EQ1 (Addressing Climate Change in South Somerset) of the South Somerset Local Plan (2006-2028).

Ecology

8.3.21 No statutory nature conservation designations are present within 2 km of the site and the closest non-statutory nature conservation designated site is 1km away. The development will not impact on any of these sites. There is a mix of potential habitats on site including amenity grassland, mixed woodland plantation, broadleaved scattered trees, dense and scattered scrub, and native species-rich hedgerows with trees.

8.3.22 There is a high level of badger activity present on site, including a main sett within the south east corner that spreads beyond the southern boundary to the north east corner of Buckler's Mead school. Furthermore, a number of 'push through' points are located along the eastern and southern boundary, with an additional potential sett entrance in the centre of the southern boundary, with other outlier setts within the southwest boundary and under one of the modular buildings.

8.3.23 The preliminary bat roost assessment of trees and buildings within close proximity of the development identified one tree as having Low suitability; all other trees and buildings were assessed as having Negligible potential to support roosting bats. The tree containing Low suitability will not be impacted by the development.

8.3.24 The ecology consultant recommends a number of planning conditions relating to lighting for bats, badger protection, vegetation removal and net environmental gain measures. With conditions applied the proposal would protect the biodiversity value of the site and incorporate beneficial biodiversity conservation features and would therefore be in accordance with Policy EQ4 (Biodiversity) of the South Somerset Local Plan (2006-2028).

Landscape and trees

8.3.25 The development has no impact on the wider landscape, as evidenced in the submitted Landscape and Visual Appraisal report.

8.3.26 An Arboricultural Report was undertaken to assess tree quality, root and canopy spread. All existing trees of significance will be retained, apart from the removal of one tree (a Category "B" Maple) which lies within the footprint of the proposed building and two small trees (a Category "C" Hazel and a Category "U" Sycamore) on the western boundary and part of an existing Leyland Cypress hedge required to provide access to proposed parking. Otherwise all other trees will be retained with construction methods applied to provide appropriate protection, including the implementation of a Tree Protection Plan as set out in the submitted Arboricultural Impact Assessment Report.

8.3.27 Areas of the site will be re-landscaped to accommodate the new building and car parking area as well as the reconfigured hard play areas and green space. A detailed landscaping scheme can be secured by planning condition. With a condition applied to secure the detail of the final landscape scheme, the proposed approach to the landscaping of the site is considered to comply with Policy EQ2 (General Development) of the South Somerset Local Plan (2006-2028).

Play space provision

8.3.28 Part of the existing open space will be utilised by the proposed building and the increased parking areas and hard play areas. The plans show a small net increase in hard play area of approximately 53m² and the retention of climbing frames and a formal MUGA/basketball court. There is a net loss of grassed area of approximately 1,660m² (0.16ha), with the proposed building encroaching into the eastern part of the current green area. The existing green open space is not laid out or used as a formal playing field and the reduction in green space is not considered by the applicant to be a disadvantage to the school or the education they provide to their pupils.

8.3.29 The intention is, alongside the re-provision of hard play areas, that approximately 3,027m² (0.3ha) of green space is retained with small pitch areas laid out and the existing hard surfaced cycle/scooter “track” reprovided as shown on the submitted plans. The proposals ensure that adequate hard and green open areas are retained for the specific needs of the school.

Drainage

8.3.30 Representations have made reference to concerns about the existing site drainage. A surface water drainage strategy has been devised that sees surface water from the building attenuated on site, and then pumped at, or below, existing greenfield run off rates to the existing combined network within the site prior to an outfall to the waste water public sewer network to the north of the site.

8.3.31 The use of permeable paving is proposed for all new surfaces across the site, both within the car parking and the external hard play areas. The surface water drainage strategy aims to achieve a reduction in peak flow from the development, equating to reduction in flows compared to the existing discharge from the building, and includes the following features;

- An attenuation system consisting of a permeable pavement and cellular tank will be provided to achieve temporary storage of run-off during storm events up to the 1 in 100 year return period, plus allowance of 40% additional flow for climate change;
- The use of a pump station is required due to the shallow nature of the existing drainage network;
- Overflows from the drainage system will be directed to the existing drainage network and drain from the site;
- The development proposals will intercept potential overland flow routes and divert these to the new drainage system.

8.3.32 The applicant has provided additional information at the request of the Lead Local Flood Authority (LLFA). The LLFA raise no objection subject to a planning condition being applied which is set out in the recommendation.

8.3.33 The additional foul flows are not significant and would not represent any issue for capacity. Foul water will also be pump discharged to the existing combined network to the north.

Conclusion

8.3.34 The proposals support a wide community need for additional special needs school places. The proposals have been produced following the consideration of a number of options and the extension has been located to balance the need to minimise impact to neighbours, whilst retaining adequate play areas and minimising impacts on important trees and the badger sett.

8.3.35 Concerns have been raised in representations about the potential for the proposed building to impact on the amenities of neighbouring property in Fairmead Road, through overlooking and overshadowing. The classroom element of the extension has been set off the eastern boundary by over 10 metres which is considered to be sufficient to avoid any unacceptable loss of privacy or loss of light.

8.3.36 As is common at many schools, the drop off and pick up times create specific and short term traffic management challenges. The proposals seek to address this by creating a further 13 staff car parking spaces which will provide further spaces but also ease congestion and improve circulation within the existing parking area. A new Travel Plan has also been created which commits the school to a number of initiatives aimed primarily at reducing the number of car journeys to school by staff.

8.3.37 Whilst there is some loss of green space, the proposal has ensured the retention of a mix of hard surface and grass play areas that are required to support the school in its day to day activities and sports.

8.3.38 The proposal includes measures to protect the retained trees on the site and ensure the ecological interest on the site is not compromised. These measures can be secured by conditions.

8.3.39 The extension to the school provides much needed modern day facilities for the children attending the school, providing classrooms that are naturally lit, acoustically treated and designed to meet the emotional and ambulatory requirements of the children attending the school.

8.3.40 The proposal is considered to be in accordance with the relevant policies of the Development Plan.

9. Recommendation

9.1 **It is recommended that, planning permission be GRANTED subject to 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.**

Conditions

Commencement of Development

1. 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).

Completion in accordance with the approved details

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

- Existing Site Plan (P18004-AWW-ZZ-ZZ-DR-A-0101RevP03);
- Existing Site Elevations (P18004-AWW-ZZ-ZZ-DR-A-0102RevP02);
- Proposed Site Plan (P18004-AWW-ZZ-ZZ-DR-A-0110RevP03);
- Proposed Ground Floor Plan (P18004-AWW-V1-00-DR-A-0200RevP02);
- Proposed First Floor Plan (P18004-AWW-V1-01-DR-A-0201RevP02);
- Proposed Roof Plan (P18004-AWW-V1-RF-DR-A-0202RevP02);
- Proposed Ground Floor Plan (A - P18004-AWW-V1-00-DR-A-0200_P02);
- Proposed Elevations (P18004-AWW-ZZ-ZZ-DR-A-0300RevP02);
- Proposed Site Elevations (P18004-AWW-ZZ-ZZ-DR-A-0305P02);
- Whole Building Sections (P18004-AWW-ZZ-ZZ-DR-A-0310RevP02);
- Topographical & Buried Services Survey (509/11175/1); and
- Tree Constraints Plan.

and the specification of materials and other details in the Design and Access Statement, Flood Risk & Drainage Statement, Preliminary Ecological Appraisal, Phase 1 Environmental Site Assessment, School Travel Plan and Appendices, Transport Statement and Appendices, Historic Environment Assessment, Landscape and Visual Appraisal Report, Environment & Sustainability Statement, Arboricultural Impact Assessment & Tree Constraints Plan and on the application form.

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

Hours of working

3. No work relating to the construction of the development hereby permitted, (including works of preparation prior to operations, the delivery of construction materials, skips or machinery, nor the removal of waste materials) shall take place before 0800 or after 1700 Monday to Friday inclusive, before 0800 or after 1500 on Saturday and not at all on Sunday or recognised Public Holidays.

Reason: To protect the amenities of occupiers of nearby properties and to provide reasonable hours of working in line with the Government's Written Statement (13 May 2020) on the construction industry and Covid-19.

Highways

4. No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- a) Construction operation hours and construction delivery hours;
- b) Construction vehicular routes to and from site including a map showing the route;

- c) The areas for on-site turning facility for delivery vehicles and the arrangements for the loading and unloading of vehicles on-site and confirm that egress onto highway shall only take place under the guidance of a trained banksman;
- d) Expected number of construction vehicles per day;
- e) The arrangements for all contractor vehicle parking being accommodated off the highway including a plan showing the onsite parking arrangements;
- f) Detail the specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- g) Details of a scheme to encourage the use of Public Transport amongst contractors; and
- h) Details of on-site vehicle wheel washing facilities and the regular use of a road sweeper for local highways.

The development shall be implemented strictly in accordance with the approved plan for the duration of the development.

Reason: In the interests of highway safety and in accordance with Policies TA5 (Transport Impact of New Development) and TA6 (Parking Standards) of the South Somerset District Council Local Plan (2006 - 2028). This is a pre commencement condition.

5. The development hereby permitted shall not be occupied until the new parking spaces and a properly consolidated and surfaced turning space for vehicles have been provided and constructed within the site in accordance with the approved Proposed Site Plan.

Reason: In the interests of on-site safety and in accordance with Policies TA5 (Transport Impact of New Development) and TA6 (Parking Standards) of the South Somerset District Council Local Plan (2006 - 2028).

6. All 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.

Reason: In the interests of on-site safety and in accordance with Policies TA5 (Transport Impact of New Development) and TA6 (Parking Standards) of the South Somerset District Council Local Plan (2006 - 2028).

7. The development shall be implemented in accordance with the approved School Travel Plan hereby approved (March 2020). No part of the new development shall be occupied prior to implementation of those parts identified in the Approved School Travel Plan as capable of being implemented prior to occupation. Those parts of the School Approved Travel Plan that are identified therein as capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: In the interests of highway safety and in accordance with Policies TA5 (Transport Impact of New Development) and TA6 (Parking Standards) of the South Somerset District Council Local Plan (2006 - 2028).

Ecology

8. If external lighting is proposed specifically in relation to the development hereby approved, prior to occupation or use of the development, a “lighting design for bats”, following Guidance note 8 - bats and artificial lighting (ILP and BCT 2018), 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 directly in relation to the development hereby approved without the prior approval of consent from the Local Planning Authority.

Reason: In the interests of the ‘Favourable Conservation Status’ of populations of European protected species and in accordance with Policy EQ4 (Biodiversity) of the South Somerset District Council Local Plan (2006 - 2028).

9. No tree felling or vegetation removal works directly related to the implementation of the development hereby approved shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of any trees, scrub, shrubs and tall ruderal vegetation to be cleared for active birds’ nests immediately before works proceed 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 Local Planning Authority. Please note the law does not specify a time period – some species can breed outside the time frame given.

Reason: In accordance with the protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended), and in line with Policy EQ4 (Biodiversity) of the South Somerset District Council Local Plan (2006 - 2028).

10. Prior to the commencement of the development, a Biodiversity Mitigation and Enhancement Plan (BMEP) shall be submitted to, and be approved in writing by, the Local Planning Authority. The content of the BMEP shall include the following:

a) A Landscaping Scheme including more detail of the proposed works within the site and including measures (where possible) to include locally native species suitable for the area as well as the creation of areas to benefit wildlife including planting of locally native trees and hedgerows, wildflower areas of grassland and native shrub planting.

- b) Installation 2x bird and 2x bat durable boxes (Woodcrete or similar) upon the buildings or suitable retained mature trees;
- c) A 'bee brick' built into the wall about 1 metre above ground level on the south or southeast elevation of the new building extension;
- d) Installation of 2x hedgehog houses and leaving small gaps in fences to create suitable hibernation/resting sites and maintain habitat connectivity for hedgehogs;
- e) details of the Badger Protection Zone and associated measures to be implemented; and
- f) the timescale for implementation of all measures within the plan

The plan shall be implemented as approved in accordance with the timescale set therein.

Any plants or trees which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure enhancement and compensation measures are implemented in accordance with National Planning Policy Framework (2019) and Policies EQ4 (Biodiversity) and EQ5 (Green Infrastructure) of the South Somerset District Council Local Plan (2006 - 2028). This is a pre commencement condition.

Landscaping

11. The development hereby permitted shall be carried out in accordance with the approved Arboricultural Impact Assessment (March 2020) and associated Tree Protection Plan (Appendix A of the Arboricultural Impact Assessment (March 2020)).

Reason: In the interests of landscape character and the protection of existing trees in accordance with Policies EQ2 (General Development) and EQ5 (Green Infrastructure) of the South Somerset District Council Local Plan (2006 - 2028).

12. All trees and hedgerow retained will be protected in accordance with the approved plans during the works, including groundworks, by the establishment of Root Protection Areas and the erection of temporary fencing, and to include accommodating the badger protection zones, in accordance with BS 5837:2012. No materials or plant should be allowed within the buffer zone.

Reason: In accordance with BS 5837:2012, National Planning Policy Framework 2019 and Policies EQ4 (Biodiversity) and EQ5 (Green Infrastructure) of the South Somerset District Council Local Plan (2006 - 2028).

13. Within 3 months of the first occupation of the new building hereby approved, the temporary classrooms to be situated on the site to accommodate decanted pupils during construction shall be removed from the site, and the site reinstated in accordance with the approved Site Plan.

Reason: To ensure the satisfactory reinstatement of the land in accordance with Policy EQ2 (General Development) of the South Somerset District Council Local Plan (2006 - 2028).

Drainage

14. No development shall be commenced until details of the surface water drainage scheme, based on sustainable drainage principles, together with details of 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. This scheme should aim to enhance biodiversity, amenity value, water quality and provide flood risk benefit (i.e. four pillars of SuDS) to meet wider sustainability aims, as specified by The National Planning Policy Framework (July 2018) and the Flood and Water Management Act (2010). The drainage scheme shall ensure that surface water runoff post development is attenuated on site and discharged at a rate no greater than 2 l/s and agreed with Wessex Water. Such works shall be carried out in accordance with the approved details.

Reason: To ensure that the development is served by a satisfactory, sustainable system of surface water drainage and that the approved system is retained, managed and maintained throughout the lifetime of the development, in accordance with National Planning Policy Framework (July 2018) and the Technical Guidance to the National Planning Policy Framework.

INFORMATIVES

1. Protection of Wild Birds: You are reminded that under the Wildlife and Countryside Act 1981 (Section 1) it is an offence to take damage or destroy the nest of any wild bird while that nest is in use or being built, or to take or destroy an egg of any wild bird even where it is done pursuant to lawful authority or requirement, if any of the activities could reasonably have been avoided in carrying out the prescribed or authorised work on the tree, shrub or scrub. Planning consent for a development does not provide a defence against prosecution under this act. Trees, shrubs and scrub are likely to contain nesting birds between 1 March and 31 August. Any Trees, shrubs or scrub present on the application site should be assumed to contain nesting birds between the above dates unless a survey has shown it is absolutely certain that nesting birds are not present.

2. Protection of Badgers: You are reminded that The Protection of Badgers Act 1992, has identified the following as criminal offences:

- to wilfully kill, injure, take, possess or cruelly ill-treat a badger, or attempt to do so;
- to interfere with a sett by damaging or destroying it;
- to obstruct access to, or any entrance of, a badger sett; and

- to disturb a badger when it is occupying a sett.

Licences can be issued by Natural England authorising actions that would otherwise amount to an offence under the Badgers Act.

The Local Planning Authority request that a copy of the licence issued by Natural England pursuant to The Protection of Badgers Act 1992 authorising the development to go ahead is provided prior to the commencement of development.

3. Invasive non-native species: It is an offence under the Wildlife and Countryside Act 1981, as amended, to introduce, plant or cause to grow wild any plant listed in Schedule 9, Part 2 of the Act. All invasive species plant waste is classed as a controlled/special waste and therefore needs to be disposed of in accordance with the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991. A non-native species protocol should be prepared detailing the containment, control and removal of variegated yellow archangel and cotoneaster, if found to be an invasive species of cotoneaster, on site. The measures shall be carried out strictly in accordance with the approved scheme.

4. Landscaping: The Royal Horticultural Society guide, “RHS Perfect for Pollinators, www.rhs.org.uk/perfectforpollinators” provides a list of suitable plants both native and non-native.

5. Drainage: The surface water drainage scheme referred to in condition 14 above shall include consideration of the following: -

- Details for provision of any temporary drainage during construction. This should include details to demonstrate that during the construction phase measures will be in place to prevent unrestricted discharge, and pollution to the receiving system.
- Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance (6 metres minimum), the sustainable methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters.
- Justification for the use of pumped system which should address the assessment of potential failure and measures in place to mitigate any failure, summary of key design principles and assessment of residual risk, with supporting calculations.
- Any works required on and off site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).

- Flood water exceedance routes both on and off site, note, no part of the site must be allowed to flood during any storm up to and including the 1 in 30 event, flooding during storm events in excess of this including the 1 in 100yr (plus 40% allowance for climate change) must be controlled within the designed exceedance routes demonstrated to prevent flooding or damage to properties.
- A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Management Company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development

Relevant Development Plan Policies

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

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, 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)

The policies in those Plans particularly relevant to the proposed development are:

- Policy SD1 (Sustainable Development);
- Policy SS1 (Settlement Strategy);
- Policy TA5 (Transport Impact of New Development);
- Policy TA6 (Parking Standards);
- Policy HW3 (Protection of Play Spaces and Youth Provision); and
- Policy EQ1 (Addressing Climate Change in South Somerset);
- Policy EQ2 (General Development);
- Policy EQ4 (Biodiversity);
- Policy EQ5 (Green Infrastructure); and
- Policy EQ7 (Pollution Control).

The County Council has also had regard to all other material considerations, in particular paragraphs 7, 8, 11, 94, 118, 124, 127, 128 the National Planning Policy Framework (2019) as well as Planning Practice Guidance.

Material Considerations

[PPG] Planning for Schools Development: Statement (2011)

The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools; and that the following principles should apply with immediate effect:

There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework;

Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions. The Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before them for decision;

Local authorities should make full use of their planning powers to support state-funded schools applications. This should include engaging in pre-application discussions with promoters to foster a collaborative approach to applications and, where necessary, the use of planning obligations to help to mitigate adverse impacts and help deliver development that has a positive impact on the community;

Local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95. Planning conditions should only be those absolutely necessary to making the development acceptable in planning terms;

Local authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible, and in particular be proportionate in the information sought from applicants;

A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority;

Given the strong policy support for improving state education, the Secretary of State will be minded to consider such a refusal or imposition of conditions to be unreasonable conduct, unless it is supported by clear and cogent evidence;

Appeals against any refusals of planning permission for state-funded schools should be treated as a priority. Where permission is refused and an appeal made, the Secretary of State will prioritise the resolution of such appeals as a matter of urgency in line with the priority the Government places on state education; and

Where a local planning authority refuses planning permission for a state funded school, the Secretary of State will consider carefully whether to recover for his own determination appeals against the refusal of planning permission.

Somerset County Council Parking Strategy (September 2013)

The standards below apply generically to primary and secondary schools but are not specific to Special Education Needs (SEN) School proposals.

Minimum Level (Zone A)

Cycle Parking = 1/10 pupils + 1/5 staff

Motorcycle Parking = a minimum of one space provided in all non-residential developments

Car Parking = 1/2 FTE staff + 2 visitor space

Electric Vehicles = In all non-residential developments where 50 or more car parking spaces are to be provided, 16 amp electric vehicle charging points will be required in 2% of spaces.

Disabled Parking = 2% of total capacity (minimum of one space) and 1 space for each additional disabled employee

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, National Planning Policy for Waste, Waste Core Strategy 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.