

REGULATION COMMITTEE (VIRTUAL MEETINGS FROM MAY 2020 DUE TO CORONAVIRUS)

Wednesday 29 July 2020

3.00 pm Virtual Meeting



Please note this is a supplemental meeting following the Committees meeting on the 23rd July

To: The members of the Regulation Committee (virtual meetings from May 2020 due to Coronavirus)

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

All Somerset County Council Members are invited to attend.

Issued By Scott Wooldridge, Strategic Manager - Governance and Democratic Services - 21 July 2020

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

Guidance about procedures at the meeting follows the printed agenda and is available at [\(LINK\)](#)

This meeting will be open to the public and press, subject to the passing of any resolution under Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

This agenda and the attached reports and background papers are available on request prior to the meeting in large print, Braille, audio tape & disc and can be translated into different languages. They can also be accessed via the council's website on www.somerset.gov.uk/agendasandpapers

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AGENDA

Item Regulation Committee (virtual meetings from May 2020 due to Coronavirus) - 3.00 pm Wednesday 29 July 2020

**** Public Guidance notes contained in agenda annexe ****

1 **Apologies for Absence**

2 **Declarations of Interest**

Details of all Members' interests in District, Town and Parish Councils can be viewed on the Council Website at [County Councillors membership of Town, City, Parish or District Councils](#) and this will be displayed in the meeting room (Where relevant).

The Statutory Register of Member's Interests can be inspected via request to the Democratic Service Team.

3 **Public Question Time**

The Chair will allow members of the public to present a petition on any matter within the Committee's remit. Questions or statements about the matters on the agenda for this meeting will be taken at the time when the matter is considered and after the Case Officers have made their presentations. Each speaker will be allocated 3 minutes. The length of public question time will be no more than 30 minutes.

4 **Fiveways School** (Pages 7 - 38)

5 **Any Other Business of Urgency**

The Chair may raise any items of urgent business.

Regulation Committee – Guidance notes

1. Inspection of Papers

Any person wishing to inspect Minutes, reports, or the background papers for any item on the agenda should contact Peter Stiles, Tel: (01823) 357628, or Email: pstiles@somerset.gov.uk or Michael Bryant, [Tel:\(01823\) 359048](tel:01823359048), or Email: mbryant@somerset.gov.uk

2. Members' Code of Conduct requirements

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: Honesty; Integrity; Selflessness; Objectivity; Accountability; Openness; Leadership. The Code of Conduct can be viewed at: <http://www.somerset.gov.uk/organisation/key-documents/the-councils-constitution/>

3. Notes of the Meeting

Details of the issues discussed and decisions taken at the meeting will be set out in the Minutes, which the Committee will be asked to approve as a correct record at its next meeting. In the meantime, details of the decisions taken can be obtained from Peter Stiles, Tel: (01823) 357628, Email: pstiles@somerset.gov.uk or Michael Bryant, [Tel:\(01823\) 359048](tel:01823359048), or Email: mbryant@somerset.gov.uk

4. Public Question Time

At the Chair's invitation you may ask questions and/or make statements or comments about **any matter on the Committee's agenda**. You may also present a petition on any matter within the Committee's remit. **The length of public question time will be no more than 30 minutes in total.**

A slot for Public Question Time is set aside near the beginning of the meeting, after the minutes of the previous meeting have been signed. However, questions or statements about the matters on the agenda for this meeting will be taken at the time when that matter is considered.

The Chair will usually invite speakers in the following order and each speaker will have a maximum of 3 minutes:

1. Objectors to the application (including all public, parish council and District Council representatives)
2. Supporters of the application (including all public, parish council and District Council representatives)
3. Agent / Applicant

Where a large number of people are expected to attend the meeting, a representative should be nominated to present the views of a group. If there are a lot of speakers for one item than the public speaking time allocation would usually allow, then the Chair may select a balanced number of speakers reflecting those in support and those objecting to the proposals before the Committee.

Following public question time, the Chair will then invite local County Councillors to address the Committee on matters that relate to their electoral division.

If you wish to speak either in respect of Public Question Time business or another agenda item you must inform Peter Stiles, the Committee Administrator **by 5.00pm three clear working days before the meeting.** When registering to speak, you will need to provide your name, whether you are making supporting comments or objections and if you are representing a group / organisation e.g. Parish Council. Requests to speak after this deadline will only be accepted at the discretion of the Chair.

You must direct your questions and comments through the Chair. You may not take direct part in the debate.

Comments made to the Committee should focus on setting out the key issues and we would respectfully request that the same points are not repeated.

The use of presentational aids (e.g. PowerPoint) by the applicant/agent or anyone else wishing to make representations to the Committee will not be permitted at the meeting.

An issue will not be deferred just because you cannot be present for the meeting.

The Chair will decide when public participation is to finish. The Chair also has discretion to vary the public speaking procedures.

Remember that the amount of time you speak will be restricted, normally to three minutes only.

5. Substitutions

Committee members are able to appoint substitutes from the list of trained members if they are unable to attend the meeting.

6. Late Papers

It is important that members and officers have an adequate opportunity to consider all submissions and documents relating to the matters to be considered at the meeting. and for these not to be tabled on the day of the meeting. Therefore any late papers that are to be submitted for the consideration of the Regulation Committee, following the publication of the agenda/reports, should be sent to the Strategic Commissioning Manager (Paul Hickson) via planning@somerset.gov.uk in respect of Planning and Town and Village Green items, and to the Senior Rights of Way Officer (Andrew Saint) in respect of Rights of Way items, and should be received no less than 48 Hours before the meeting.

7. Recording of meetings

The Council supports the principles of openness and transparency, it allows filming, recording and taking photographs at its meetings that are open to the public providing it is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings and a designated area will be provided for anyone who wishing to film part or all of the proceedings. No filming or recording will take place when the press and public are excluded for that part of the meeting. As a matter of courtesy to the public, anyone wishing to film or record proceedings is asked to provide reasonable notice to the Committee Administrator so that the relevant Chair can inform those present at the start of the meeting.

We would ask that, as far as possible, members of the public aren't filmed unless they are playing an active role such as speaking within a meeting and there may be occasions when speaking members of the public request not to be filmed.

The Council will be undertaking audio recording of some of its meetings in County Hall as part of its investigation into a business case for the recording and potential webcasting of meetings in the future.

A copy of the Council's Recording of Meetings Protocol should be on display at the meeting for inspection, alternatively contact the Committee Administrator for the meeting in advance.

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Somerset County Council

Regulation Committee –

Report by Service Manager - Planning & Development

Application Number: SCC/3710/2020

Date Registered: 1 April 2020

Parish: Yeovil Town Council / Yeovil Without Parish Council

District: South Somerset District Council

Member Division: Yeovil Lyde

Local Member: Councillor Tony Lock

Case Officer: Judith Smallman

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

Description of Application: Single storey extension to school, relocation of bike/bin store, new bike store, additional car parking, reconfiguration of and new hard and soft play areas, landscaping and support infrastructure.

Grid Reference: Easting - 356961, **Northing** - 116685

Applicant: Somerset County Council c/o Mr Mark Collis (Head Teacher)

Location: Fiveways School, Victoria Road, Yeovil, BA21 5AZ.

1. Summary of Key Issues and Recommendation(s)

1.1 The proposed development relates to a single storey extension to school, relocation of bike/bin store, new bike store, additional car parking, reconfiguration of and new hard and soft play areas, landscaping and support infrastructure. The main issues for Members to consider are:-

- the need for the development;
- the potential impacts on the highway;
- the potential impacts on residential amenity; and
- car parking provision.

- 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 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 Fiveways School is sited on Victoria Road, Yeovil. The site is located in the urban area of north-east Yeovil within a predominantly residential area. A small industrial estate is located just to the north west of the site. The site is located in a relatively low-lying area owing to the proximity of the valley associated with the River Yeo. A recreation ground sits adjacent to the north western corner of the Site. Pen Mill Railway station is a 500m to the south of the Site. Pen Mill sewerage treatment works is immediately to the south of the railway line.
- 2.2 Fiveways School provides a critical service within the County, providing specialist educational facilities to a number of pupils with severe learning difficulties. The school provides an education for approximately 80 students; aged from 4 up to 19 who are noted as non-ambulant with Severe Learning Difficulty (SLD), Profound Multiple Learning Difficulties (PMLD) and Autistic Spectrum Disorder (ASD). There is significant pressure on the school to accommodate additional pupils from across the Council area. The School has a wide catchment area that covers Yeovil and extends into South Somerset and Dorset. This is representative of the important function the school plays for children with Special Educational Needs. As such, the school draws pupils from a significant area. The furthest distance travelled by a pupil is around 25 miles.
- 2.3 The school occupies a large plot primarily surrounded by residential properties, comprising a variety of residential styles. The total school site measures approximately 2.7 hectares (ha) (6.6 acres). Much of the school has been re-built over the last few years. The existing purpose built facility is over 1,700m² and consists of 8 classrooms, each linked to a hygiene room and outside space, dining/ assembly hall, sports hall, library, and soft play room.
- 2.4 The school is accessed via the junction off St Michael's Road and Victoria Road to the north-west. This is the sole access into the school. It is a single entry and exit vehicular gate that is around 5 metres wide. There is a drive

access from this junction to the existing gated entrance of the school itself. The local highway network in the immediate vicinity of the school can be characterised as being primarily residential streets. St Michael's Road runs in a roughly east-west alignment and provides access to residences which line both sides of the carriageway, and other residential roads that stem from St Michael's Road in a north-south alignment. St Michael's Road is subject to a 30mph speed limit and has a footway on both sides. On-street parking is largely unrestricted apart from in the vicinity of junctions and along the northern side of the road between St Michael's Avenue and Avon Close. Traffic calming is provided in the form of speed bumps to restrict vehicle speeds. There is limited formal pedestrian crossing provision on these roads, but this is considered to reflect their nature.

- 2.5 A pedestrian gate is located adjacent to the vehicular access and intersects a footway provided from Victoria Road which continues into the site to the main school building. Both vehicle and pedestrian access gates are electronically controlled through an intercom that links to the school reception. The low speed environment within the vicinity of the access minimises the risk of vehicle conflict. An internal access road connects to two separate parking areas which provide a total of 45 car spaces comprised of marked and unmarked spaces, and 11 minibus drop off bays.
- 2.6 Car parking is provided across two areas to the north and the east of the main school buildings. To the north of the school, adjacent to the main entrance and reception, there are 12 marked spaces. This area also provides 11 minibus bays for pick up / drop off, with eight bays located adjacent to the main entrance and three located to the north of the car park. Based on site observations the total capacity of the on-site parking resource is 55 spaces. They serve the school, extra-curricular activities and the existing training centre.
- 2.7 There is no existing cycle parking provision at the school.
- 2.8 The site slopes north to south. The topography of the site shows the site considerably sloping towards the southern boundary.
- 2.9 There is an existing and active Badger sett located in the north-east corner.
- 2.10 Currently, the landscaped grounds offer facilities for recreation and play for student. This includes two playgrounds in the form of hard play space, woodland walk, a large open green space to the south and sensory gardens. Each class is attached to an enclosed outside space. Formal Sports pitches are not required, as these spaces are unsuitable for the majority of Fiveways students.
- 2.11 The Planning History of the site is as follows:

Planning permission	Description	Status
07/05235/R3C	Demolition of existing swimming	Granted

	pool cover and ancillary structure and the provision of new structure over pool to include changing facilities and the construction of a new communication and interaction suite.	
10/03455/R3C	Detached single storey building with dual pitch roof for a new teacher training facility with associated car parking and landscaping scheme	Granted
12/01440/R3C	The retention of modular building E748 (TC) in its current position. (GR: 356944/116724)	Granted
12/03159/R3C	The erection of a single storey extension with flat roof and link entrance lobby to be located in garden to rear of existing 2 storey building to provide additional accommodation for sixth form special educational needs campus (356944/116724)	Granted
13/00104/R3C	Retrospective application for the formation of an earth bund to the south east corner of the playing field (GR: 356944/116724)	Granted
14/02728/R3C	Single storey extension with pitched roof providing additional classroom with external space and a flat roof single storey extension to form a staff room and formalisation of existing parking spaces (GR: 356944/116724)	Granted
15/00117/FUL	The erection of a single storey extension comprising of a reception, offices and hall extension (GR 356944/116724)	Application permitted with conditions

- 2.13 A Regulation 3 application has recently been received for a single storey modular 2 classroom building, car parking, play areas and pupil drop-off area (SCC/ 3726/2020) at the school. The additional proposed classrooms will be used to accommodate a small number of pupils (currently 2) who require

individual supervision in an easily supervised, safe and secure environment. This is currently subject to consultation.

3. The Proposal

- 3.1 The application seeks planning permission for a single storey extension to the south of the existing school, to provide 5 additional general classrooms and associated sensory and shared group rooms. The additional floor area proposed by the new extension is 827m². The design and layout of the building is single storey to ensure it is in keeping with the existing school. The flat roof proposed has a parapet, level with the ridge line of the existing school. The applicant states that the building delivers a simple clear layout that is easily understood by all users, with all corridor routes wide enough to allow access to all students whether in beds or frames.
- 3.2 The need and demand for specialist educational facilities has expanded. The proposed development is therefore intended to meet the requirement of the community's social needs across the Council area. The extension proposed forms part of a much larger requirement to expand the capacity and facilities currently on offer for children with SEN in the County.
- 3.3 The school fully integrate pupils of all needs into their classes, meaning all classrooms need to be flexible and accessible to all students. Based on 8 pupils per classroom as per the design brief, the classroom size is approximately 68m². Each classroom benefits from its own hygiene room accessed directly from the classroom and its own equipment store outside the classroom for additional bed, frames and chairs.
- 3.4 The school requires ceiling mounted hoists throughout all student spaces including the shared group and sensory rooms. All spaces especially classrooms have been kept as regular shapes to allow for full hoist coverage for flexibility throughout.
- 3.5 Classroom facilities have access to shared group rooms which will offer a teaching facility away from the classroom for small groups or one on one. Two group rooms are provided between the 5 proposed classes. Two sensory rooms have also been provided one for exploration and stimulation with the other for calming. To facilitate the expanding school the existing staff room will be extended to support staff members. The additional classrooms provided increase the capacity of the school by 24 from 80 to 104 pupils.
- 3.6 The proposed extension will extend south of the current layout, remaining as a central single storey mass; albeit on land that is being raised. This has been progressed on the basis that it would cause the least harm in terms of affecting local resident's amenity, who will view the development at some distance and in the context of the existing building.
- 3.7 There are currently 68.18 FTE staff based at Fiveways School. The proposal will require an increase in staff of circa 23 FTE, resulting in total of 91 FTE

staff at the school. The proposed 5 classrooms are suitable for higher band SEN pupils, connected to the existing main school by creating a new corridor.

- 3.8 Proposed materials include Red and White Render, Weathered timber, green Metal work details and signage and Light Grey Window Frames, RWP and roof capping which have been chosen to compliment the materials used in the original school building. The proposed brick tone has been chosen to match weather wood cladding to the existing building.
- 3.9 The school is served by a single access point. The proposals will not result in a change to the existing access arrangements for vehicles and pedestrians to the school. Pupils arriving and departing the school are almost exclusively dropped off and picked up by taxis and/or mini buses. The existing access must be gated for safety and security reasons.
- 3.10 As part of these proposals an additional 22 car parking spaces are proposed as an extension to the easternmost parking area; providing a total of 77 spaces overall, to meet forecast vehicle demand arising from the development. This will be located to the east side of the school as an extension to the existing provision and adjacent to the Training Centre, providing additional parking and flexibility when the existing Training Centre is being used. In order to facilitate this new parking area, hardstanding, which currently functions as an informal playground, will be removed.
- 3.11 The proposals include some reconfiguration of existing hard and soft play areas within the school site. The existing playground is approximately thirty years old and no longer meets the student's needs. The proposal looks to re-provide the same space but in a new format which meet the pupil's needs. The plans show effectively a like for like replacement via reconfiguring and re-providing hard open space to the west of the site. Just to the south, it is also proposed to construct a multi-purpose play and activity area of approximately 2,000m². As a result of the reconfiguration, there is a small loss of existing grassed area of approximately 4,059m² (0.4ha). The existing green open space is not, however, a playing field. The applicant has indicated that the loss is not a disadvantage to the school or the education they provide to their pupils. The outcome of the above is that alongside the re-provision of hard play areas, the additional multi-use play and activity area, approximately 0.9ha of open green space, is retained across the southern part of the site.
- 3.12 An improved playground (including new adventure playground) will be provided to the south-west of the proposed extension with screening installed between the playground and residential properties on Victoria Road. The proposal includes the provision of a new courtyard between the existing school and the proposed extension. The courtyard area would provide a level sheltered outdoor teaching and play space.
- 3.13 The proposals also include the laying out of an additional multi use play and activity area and a 26-space bike storage unit.
- 3.14 The sustainability credentials of the proposed building include:

- High efficiency gas boiler heating and hot water;
 - A mixture of natural ventilation, hybrid natural ventilation incorporating low power fans;
 - Providing forced air movement and low specific fan power mechanical ventilation systems utilising heat recovery;
 - Energy efficient lighting and controls;
 - Use of sustainable water consumption practices e.g. use of the Solenoid Valves to isolate and shut water off to specific parts of the building and flow control measures to all sanitary-ware; and
 - Sustainable urban drainage systems to manage surface water runoff from the development within the site.
- 3.15 The surface water runoff from the development will be managed within the site. The proposed approach will consider storage and treatment of the runoff at site via sustainable drainage systems (SuDS) options such as permeable paving, before ultimately discharging from the site into the existing sewer, south-east of the site, at a controlled flow rate. The final discharge point is to be confirmed and agreed with the relevant sewerage undertaker. For the car parking area, surface water is also attenuated on site via a proposed permeable sub base, before being discharged at/or below greenfield run off rates, also to the existing surface water sewer network.
- 3.16 The proposed foul water drainage strategy is to provide a new foul sewer. This will connect to the existing foul sewer to the south-eastern corner of the site area. The additional foul flows are negligible and would not represent any issue for capacity. Foul water will also be discharged to the existing network to the south.
- 3.17 The existing refuse and recycling stores on site are adequate to service the needs of the extension and current collection system will be unchanged.
- 3.18 The existing secure line 1 fencing will be maintained and extended to exclude the proposed car parking area, with a non-climb fence approximately 2.4m high.
- 3.19 Six individual trees, one full tree group and part of one tree group are to be removed to facilitate the Proposed Development; this includes one tree and one tree group classed as moderate quality (Category B) with the remaining five trees and (part of) one tree group classified as low quality (Category C). To the west of the site new tree planting is proposed alongside the boundary. It is proposed to install willow fencing to help assimilate the proposed hard and soft play areas.

4 Background

- 4.1 Currently, the school employs 68.18 FTE staff. This equates to a higher staff: pupil ratio than in mainstream schools, but is a necessity in order to ensure

that the children at the school have access to sufficient levels of care and support.

- 4.2 The demand for SEN 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.
- 4.3 In 2007, Fiveways was awarded specialist school status, in 'communication and interaction'. The school was rated "outstanding" by OFSTED in 2014.
- 4.4 The school benefits from an on-site training centre that offers easily accessible and cost effective specialist CPD and development opportunities for school teachers and support staff at any level.

5. The Application

5.1 The Plans and documents submitted with the application

Plans:

- Site Location Plan (February 2020);
- Existing Site Plan (February 2020);
- Existing Ground Floor Plan of Main Building (February 2020);
- Existing Site Elevations (February 2020);
- Proposed Site Plan (February 2020);
- Bike Stores (October 2019);
- Proposed Ground Floor Plan (February 2020);
- Proposed Roof Floor Plan (February 2020);
- Proposed Building Elevations (February 2020);
- Proposed Building Sections (February 2020);
- Proposed Site Elevations (February 2020);
- Topo survey (509-11174-1A) (October 2019);
- Topo survey (509-11174-1B) (October 2019); and
- Topo survey (509-11174-1C) (October 2019).

Documents:

- Planning Statement (March 2020);
- Design & Access Statement (March 2020);
- Flood Risk and Drainage Statement Technical Note;

- Preliminary Ecological Appraisal (March 2020);
- Phase 1 Environmental Site Assessment Part 1 (March 2020);
- Phase 1 Environmental Site Assessment Part 2 (March 2020);
- Phase 1 Environmental Site Assessment Part 3 (March 2020);
- Phase 1 Environmental Site Assessment Part 4 (March 2020);
- Arboricultural Impact Assessment Report (March 2020);
- Transport Statement and associated Transport Statement – Appendices (March 2020);
- School Travel Plan and associated School Travel Plan – Appendices (March 2020);
- Historic Environment Desk-based Assessment (February 2020);
- Landscape & Visual Appraisal Report and associated Landscape & Visual Appraisal Report - Appendix C and D (March 2020);
- Environmental & Sustainability Statement (February 2020);
- Statement of Community Involvement (March 2020); and
- Specialists in Land & Utility Surveys Part 1 and Specialists in Land & Utility Surveys Part 2 (September 2019).

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 raised concerns about the lack of on-site parking. Understands that at present visitors to the school are asked to find spaces off site in the surrounding roads and concerns that the SCC Parking Strategy has been adopted to determine the number of parking spaces to be provided which would result in an inadequate level of parking being proposed and needs to be increased. The movement of construction traffic in the surrounding narrow terraced streets with vehicles parked either side is also of concern. The recommendation to make the proposed

Construction Traffic Management Plan a condition of the planning permission is considered to be essential, and should include agreed hours for deliveries, etc.

7.2 Yeovil Without Parish Council: The proposal was noted.

7.3 South Somerset District 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 Councillor Lock: Supports the application but have concerns about the lack of on-site parking.

Public Consultation

7.7 One response was received from a local resident supporting the application.

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;
- the potential impacts on the highway;
- car parking provision; and
- the potential impacts on residential amenity.

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 document, with its policies of relevance to this proposal being listed in Section 10 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:

- the National Planning Policy Framework [NPPF] (2019);
- Planning Practice Guidance [PPG]; and
- The South Somerset Local Plan (2006 - 2028).

Need

- 8.3.2 As already noted, the proposed extension 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. Fiveways 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.
- 8.3.3 The NPPF expects (Para 94) 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 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 was supported by a Transport Statement (March) (TS) and associated Transport Statement - Appendices as well as a School Travel Plan (March 2020) (STP).
- 8.3.6 Fiveways School is accessed from St Michael's Road. The proposals will not result in a change to the existing access arrangements for vehicles and pedestrians to the school. Likewise, the existing parking and drop off area will be retained in its current form / layout.
- 8.3.7 It is noted that Yeovil Town Council raised concerns about the lack of on-site parking as well as concerns that the implementation of SCC Parking Strategy has been adopted to determine the number of parking spaces to be provided

which would result in an inadequate level of parking being proposed and needs to be increased.

- 8.3.8 As already outlined, Fiveways School has a wide catchment area that covers Yeovil and extends into South Somerset and Dorset. This is representative of the important function the school plays for children with SEN. As such, the school draws pupils from a significant area. There are currently 80 pupils in attendance at Fiveways School. Fiveways has a different operational structure to other schools given the special requirements of pupils. Due to the special requirements of children who attend the school, a significant proportion travel by minibus or taxi on a daily basis. This also includes specific pick up / drop off arrangements and a greater staff: student ratio. The existing operational requirements of the school will not differ following the proposed expansion. The majority of pick up / drop off activity occurs on-site, but the TS acknowledges that parents tend to park in the vicinity of the site on local roads where on-street parking is permitted. School pick up / drop off activity occurs for only a short period at the start and end of the school day, with traffic directly associated with the school significantly lower at all other times. The number of this trip type is forecast to increase by 10 cars, which is not significant. The projected increase in pupil numbers is forecast to lead to a maximum of additional 3 minibus trips and 4 taxi trips per day. The school has sought to address key access issues which have arisen as the school has expanded. Drop off / pick up is well managed to minimise queuing at the existing access junction. There are existing managed drop off and pick up facilities at the entrance to the existing school itself and it is not proposed to amend these.
- 8.3.9 The TS indicates that the current parking supply operates over-capacity by around 10 vehicles. A total of 22 additional parking spaces will be provided as part of the proposed development. This will equate to a total parking provision of 66 spaces and 11 minibus spaces. The proposed allocation of car parking is greater than that contained in the SCC Parking Standards Strategy. It is acknowledged that due to the specialist nature of staff roles, the school employs staff across a wide distance which increase the demand for parking. This will be increased as part of the proposal with an anticipated 76 staff car trips, compared to 57 existing as a result of the proposed development. Whilst this exceeds the proposed parking provision, it is considered that the updated STP update has the potential to reduce the forecast trip generation in line with parking allocation by encouraging the use of non-car modes. This will be supported by the provision of additional secure and covered cycle parking spaces for staff, visitors and pupils which will be made available as part of the new parking area.
- 8.3.10 Existing public transport services operating in the vicinity of the proposed development have been identified in the TS, although it is acknowledged that the majority of pupils travel to and from school accompanied by a parent or guardian, either by car, minibus or taxi, there is an opportunity for staff to commute to the school by public transport.

- 8.3.12 There is limited existing cycle parking provision on-site and limited dedicated cycle provision in the immediate local area around the school, although it is considered that both St Michael's Road and Victoria Road are amenable to on-street cycling. The signalised junction between Lyde Road and the A30 Sherborne Road incorporates Advanced Stop Lines for cyclists on each arm of the junction and a short section of shared footway / cycleway along the southern side of Sherborne Road and between Lyde Road and Sherborne Road West. However, given the existing home location pattern of staff there is considered to be a good opportunity to promote cycling uptake through the STP. As such, a total of 26 secure and covered cycle parking spaces will be provided through the development. The proposed cycle parking allocation is lower on the basis of a justification that the policy standards (which relate to mainstream primary and secondary schools) are not directly applicable to the unique operational requirements of SEN schools. This is on the basis that specialist staff are employed from across the region, meaning that there is a higher level of demand for parking. The majority of pupils in attendance are unable to cycle to school. It is therefore recognised that the cycle parking provision is primarily for staff and visitor use.
- 8.3.13 It is noted that the Town Council raises concerns about the movement of construction traffic in the surrounding roads. To address this a Construction Traffic Management Plan (CTMP) will be secured as part of the planning consent. The aim of the CTMP will be to ensure the safety of both the school community and the construction workforce during construction, in addition to reducing the impact of construction traffic on local roads.
- 8.3.14 It is noted that the issue of congestion at the entrance and parking on adjoining streets was an issue raised at public consultation. On-street parking is largely unrestricted apart from in the vicinity of junctions and along the northern side of the road between St Michael's Avenue and Avon Close. Traffic calming are already in place in the form of speed bumps to restrict vehicle speeds. The school benefits from an on-site training centre. When the training centre is in use, it is understood that the additional demand for car parking can result in overspill onto local roads. There is no scope to make specific provision for an on-site parking resource dedicated to the training centre.
- 8.3.15 It is acknowledged that as a consequence of the location of the school, and the necessity for managed drop off and pick up arrangements, that the perceived existing access concerns cannot easily be resolved. The application is accompanied by a comprehensive and revised STP which is aimed at reducing the impact of traffic on the surrounding road network. 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. While the situation can result in some inconvenience and disturbance to traffic movement, the Highway Authority has not identified an unacceptable highway safety issue. The applicant has indicated that the school will continue to work actively with the local community to address any

issues associated with school traffic, including pick up / drop off by parents and guardians. There is a commitment to monitor and review the STP should permission be granted. The STP will seek to mitigate the impact of this type of behaviour through encouraging non-car modes of travel.

8.3.16 The Highway Authority were consulted on the application and noted that the increased parking on site including cycle stands, and a comprehensive travel plan which will reduce the impact of traffic on the surrounding road network. The Highway Authority requested conditions being attached to the permission relating to the submission of a Construction Environmental Management Plan (CEMP), parking spaces and a STP. Initially the Highway Authority requested a condition on the submission of a STP prior to the commencement of the development. However, it has now been confirmed that the submitted STP is acceptable. A condition is included on the implementation of the Plans prior to occupation of the development.

8.3.17 On the basis of the provisions in place and the conditions proposed, the proposal is considered to be in accordance with Policies TA5 (Transport Impact of New Development) and TA6 (Parking Standards) of the South Somerset District Council Local Plan (2006 - 2028).

Design, scale and impact on residential amenity

8.3.18 The design and layout of the building is to ensure it is in keeping with the existing school and has been progressed on the basis that it would cause the least harm in terms of affecting local resident's amenity. The proposed extension will extend south of the current layout, remaining as a central single storey mass; albeit on land that is being raised. This has been progressed on the basis that it would cause the least harm in terms of affecting local resident's amenity; who will view the development at some distance and in the context of the existing building.

8.3.19 The Design and Access Statement (March 2020) outlines the building materials which will be used as part of the development. These include Red and White Render, Weathered timber, green Metal work details and signage and Light Grey Window Frames, RWP and roof capping which have all been chosen to compliment the materials used in the original school building. The proposed brick tone has been chosen to match weather wood cladding to the existing building. The proposed development incorporates sustainable design principles as outlined in the Environmental & Sustainability Statement (February 2020) which accompanies the application.

8.3.20 A Landscape & Visual Appraisal (LVA) Report (March 2020) and associated Landscape & Visual Appraisal Report - Appendix C and D (March 2020) were submitted in support of the application. The site is located within a predominantly residential area nor is it covered by any landscape/ townscape designations or covered by a Conservation Area nor does it contain any assets of heritage importance. The LVA notes that visually, the site can be seen in close range views from the residential areas to the southern, eastern

and northern boundaries of the site. The eastern and northern boundaries are heavily screened by trees and hedgerows. Views of the proposed development at eye level, are obscured by vegetation and built form. From medium-range views in the surrounding residential areas the site is not visible, due to landform and buildings/vegetation screening views. It is, acknowledged however likely that the site is visible from the second floor of residential properties. From long-distance views, at elevated locations, the site forms a break in the urban form but is seen in the context of the surrounding residential area. The LVA notes that recent building work has proved to be successful in that it is low-key and of a high standard. The site is similar in character and style to other similar establishments in the area. In addition, the site is well vegetated and screened from the surrounding area. A condition is included on landscaping to ensure the successful completion of landscaping works and their aftercare.

8.3.21 Potential noise (term time and school hours only) is not expected to increase significantly as a result of the proposed development. However, to mitigate (and improve) the relationship of outdoor active uses and those residents that back onto the western boundary additional tree planting and additional willow fence screening is proposed.

8.3.22 A condition relating to hours of working for the construction of the extension is included. It should be noted that the Government issued a Written Statement (13 May 2020)¹ on construction hours in light of COVID-19.

8.3.23 On the basis of the provisions in place and the condition proposed, the proposal is considered to be in accordance with Policies EQ1 (Addressing Climate Change in South Somerset), EQ2 (General Development) and EQ5 (Green Infrastructure) of the South Somerset Local Plan (2006 - 2028) as the proposal is an appropriate layout, design, and choice of materials.

Sustainability

8.3.24 Overall, the building will take a fabric first approach to reduce the building energy requirements, leading to lower energy requirements in the heating season. High efficiency heating plant will be provided to generate a heating medium and domestic hot water. Cooling will be provided through the provision of natural ventilation where possible, with low energy ventilation fans provided where natural ventilation is not sufficient. Mechanical cooling will not be provided, and so the building will be free running in summer. Night time cooling will be provided to reduce the impact of heat gains in the mornings. The cooling performance will be assessed in line with the requirements of Building Bulletin 101: Guidelines on ventilation, thermal comfort and indoor air quality in schools (2018).

¹ <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Lords/2020-05-13/HLWS230/>

- 8.3.25 The proposed development incorporates sustainable design principles and is considered to contribute to green infrastructure and ecological networks. 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. A variety of efficient services and plant will be used for the development to deliver this.
- 8.3.26 A Sustainable Water Consumption and Drainage Strategy has been developed, aiming to reduce the use of water across the site. There are no heavy consuming end water uses anticipated as a part of the works. Measures put in place to reduce water use are the installation of Solenoid Valves to isolate and shut water off to specific parts of the building as well as flow control measures to all sanitary-ware.
- 8.3.27 On the basis of the provisions in place and the condition proposed, the proposal is considered to be in accordance with Policies EQ1 (Addressing Climate Change in South Somerset), EQ2 (General Development) and EQ5 (Green Infrastructure) of the South Somerset Local Plan (2006 - 2028) as the proposal incorporates measures such water efficiency.

Ecology

- 8.3.28 A Preliminary Ecological Appraisal (March 2020) was submitted as part of the application. The appraisal was also supported by Phase 1 Environmental Site Assessment Parts 1, 2, 3 and 4 (March 2020).
- 8.3.29 No statutory nature conservation designations are present within 2km of the Survey Area and 10 non-statutory nature conservation designated sites, comprised of Local Wildlife Sites, were located within 2km. The site includes a variety of habitats including amenity grassland, broadleaved woodland, introduced shrub, mixed woodland, neutral grassland, trees and hedgerows. Reptiles are only likely to be present in the broadleaved woodland during their winter hibernation period but the woodland is anticipated to be unaffected by the development.
- 8.3.30 Woodland, trees and amenity grassland and the immediate landscape are considered to have low suitability for foraging and commuting bats. The woodland trees on site are not anticipated to be impacted by the proposed development although scattered trees within close proximity to the site were assessed, with one individual tree and one row of trees found to have low suitability to support roosting bats. Due to the presence of the foraging and commuting habitats for bats, artificial lighting of the trees or boundary vegetation will be restricted by way of condition. Bat boxes will also be provided.
- 8.3.31 The woodland, scattered trees and scrub habitats have potential to support nesting birds and the broadleaved and mixed woodland, scrub and amenity grassland have potential to support nest creation and foraging and commuting hedgehogs. Opportunities to enhance these species are considered by way

of conditions relating to bird boxes, bat boxes, landscaping and hedgehog houses.

8.3.32 Variegated yellow archangel, bamboo and cotoneaster are invasive non-native species which have been found on site and need to be controlled to meet the requirements of Schedule 9 of The Wildlife and Countryside Act (1981). An informative is included relating to this issue.

8.3.33 The proposed works are not considered to impact on the ecological interest of the site including the badger sett to the north-east. An informative is included relating to this issue.

8.3.34 The Ecology Consultee was consulted on the application and did not object to the proposal subject to planning conditions relating to bats, lighting, vegetation removal, badgers, retention of trees and hedgerows, invasive species and the requirement for a Biodiversity Mitigation and Enhancement Plan. With conditions and informatives applied the proposal would protect the biodiversity value of the site and incorporate beneficial biodiversity conservation features and would therefore be in accordance with Policies EQ4 (Biodiversity) and EQ5 (Green Infrastructure) of the South Somerset Local Plan (2006 - 2028).

Trees

8.3.35 Six individual trees, one full tree group and part of one tree group are to be removed to facilitate the proposed development, to achieve the construction and landscaping proposals for the site. All of the remaining recorded trees will be retained and protected. To the west of the site new tree planting is proposed alongside the boundary.

8.3.36 An Arboricultural Impact Assessment Report (March 2020) was submitted in support of the application to identify the likely direct and indirect impacts of the proposed development. A Tree Protection Plan was also prepared to identify trees to be removed or retained and to illustrate how retained trees are to be protected. Outline tree protection measures are considered in Appendix F of the Arboricultural Impact Assessment Report.

8.3.37 On the basis of the measures in place, the proposal is considered to be in accordance with Policies EQ2 (General Development) and EQ5 (Green Infrastructure) of the South Somerset Local Plan (2006 - 2028).

Flooding/Drainage

8.3.37 The development is located within Flood Zone 1 and identified as not being at risk of flooding from surface water or reservoirs.

8.3.38 The application was supported by a Flood Risk and Drainage Statement Technical Note and the Design and Access Statement (March 2020) which outlines the drainage provisions of the proposed development. A Surface Water Drainage Strategy (SWDS) has been devised that sees surface water from the building attenuated on site. The site is considered brownfield for the

purpose of the SWDS. The proposed approach is to discharge to the existing public sewer network. The proposed foul water drainage strategy is to provide a new foul sewer. This will connect to the existing foul sewer to the south-eastern corner of the site area. Localised diversions of the existing surface and foul water sewers located to the north-eastern corner of the proposed building extension will be needed to accommodate the development. The proposed diversion routes are contained within the site boundary.

8.3.39 On the basis of the provisions in place, the proposal is considered to be in accordance with Policies EQ1 (Addressing Climate Change in South Somerset) and EQ2 (General Development) of the South Somerset Local Plan (2006 - 2028).

Conclusion

8.3.42 The school already provides an education for approximately 80 students; aged from 4 up to 19 who are noted as non-ambulant with Severe Learning Difficulty (SLD), Profound Multiple Learning Difficulties (PMLD) and Autistic Spectrum Disorder (ASD). There is significant pressure on the school to accommodate additional pupils from across the Council area and the proposal helps to address this. The proposed development would increase the capacity of the school by 24 from 80 to 104 pupils, providing valuable capacity for SEN in Somerset. This will require an increase in staff of circa 23 FTE, resulting in total of 91 FTE staff at the school. The proposed 5 classrooms are suitable for higher band SEN pupils, connected to the existing main school by creating a new corridor.

8.3.43 The location and design of the extension has been carefully planned, having regard to accommodation needs and the physical layout of the existing school as well as the local residential area and environment.

8.3.44 Whilst it is recognised that there are some specific site issues such as vehicle access, “drop off” and “pick up” congestion and car parking, it is important to recognise that the proposed development cannot solve the existing site constraints and the occasional queuing of taxis and mini buses at the entrance to transport the SEN students to and from the campus. However, recognising this, the STP helps to mitigate the potential harm associated with increased pupil and staff numbers. The school will also continue to manage and monitor vehicle traffic attracted to the site and car parking and there is a commitment to review the STP within 5 years.

8.3.45 Additional planting has been proposed to mitigate the loss of 6 trees and the small tree group as well as the retention and long term management of existing trees and boundary vegetation. Additional ecological enhancement also help to offset impacts such as the provision of bird and bat boxes. With regards to the badger sett; they will be unaffected by the proposals.

8.3.46 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.**

1. Commencement of Development

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:-

- Site Location Plan (February 2020);
- Existing Site Plan (February 2020);
- Existing Ground Floor Plan of Main Building (February 2020);
- Existing Site Elevations (February 2020);
- Proposed Site Plan (February 2020);
- Bike Stores (October 2019);
- Proposed Ground Floor Plan (February 2020);
- Proposed Roof Floor Plan (February 2020);
- Proposed Building Elevations (February 2020);
- Proposed Building Sections (February 2020);
- Proposed Site Elevations (February 2020);
- Topo survey (509-11174-1A) (October 2019);
- Topo survey (509-11174-1B) (October 2019); and
- Topo survey (509-11174-1C) (October 2019).

and the specification of materials and other details in the Design and Access Statement, Arboricultural Impact Assessment Report (March 2020), Flood

Risk and Drainage Statement Technical Note, Preliminary Ecological Appraisal (March 2020), Phase 1 Environmental Site Assessment Part 1, 2, 3, 4 (March 2020) Transport Statement and associated Transport Statement – Appendices (March 2020), School Travel Plan and associated School Travel Plan – Appendices (March 2020), Landscape & Visual Appraisal Report and associated Landscape & Visual Appraisal Report - Appendix C and D (March 2020) 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 to ensure 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. For the duration of the development, a 'soft fell' methodology must be employed for the felling of the line of small-leaved lime trees or group of trees identified as having low bat roost suitability and required for removal. This methodology entails felling the tree in sections, with the following precautions:
- Cutting above or below (rather than directly through) a potential roost feature;
 - Lowering of cut sections gently to ground level by rope; and
 - Cut sections are then to be left on site, with any potential roost feature entrances left unobstructed, for 48 hours prior to chipping or removal from site.

A qualified and experienced ecologist will supervise the felling operations, and provide confirmation in writing to the Local Planning Authority of the successful completions of felling works. In the unlikely event that a bat is discovered during the felling works, operations must cease immediately and Natural England contacted for advice.

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. 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).

10. 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).

11. 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 include 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.

The plan shall be implemented as approved.

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

12. The Privacy Willow fencing hereby approved shall be erected prior to the occupation of the development and thereafter maintained for the life of the development.

Reason: To improve the appearance of the site in the interests of visual amenity in accordance with Policy EQ2 (General Development) of the South Somerset District Council Local Plan (2006 - 2028).

13. The development hereby permitted shall be carried out in accordance with the approved Arboricultural Impact Assessment (March 2020) including Appendix F 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).

14. 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).

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.

10 Relevant Development Plan Policies

- 1 The following is a summary of the reasons for the County Council’s decision to grant planning permission.
- 2 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 the decision on this application should be taken in accordance with the development plan unless material considerations indicate otherwise. The decision has been taken having regard to the policies and proposals in:-
 - The South Somerset Local Plan (2006 - 2028).

The policies in the development plan 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);

- Policy EQ1 (Addressing Climate Change in South Somerset);
- Policy EQ2 (General Development);
- Policy EQ4 (Biodiversity);
- Policy EQ5 (Green Infrastructure); and
- Policy EQ7 (Pollution Control).

3 The County Planning Authority 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)

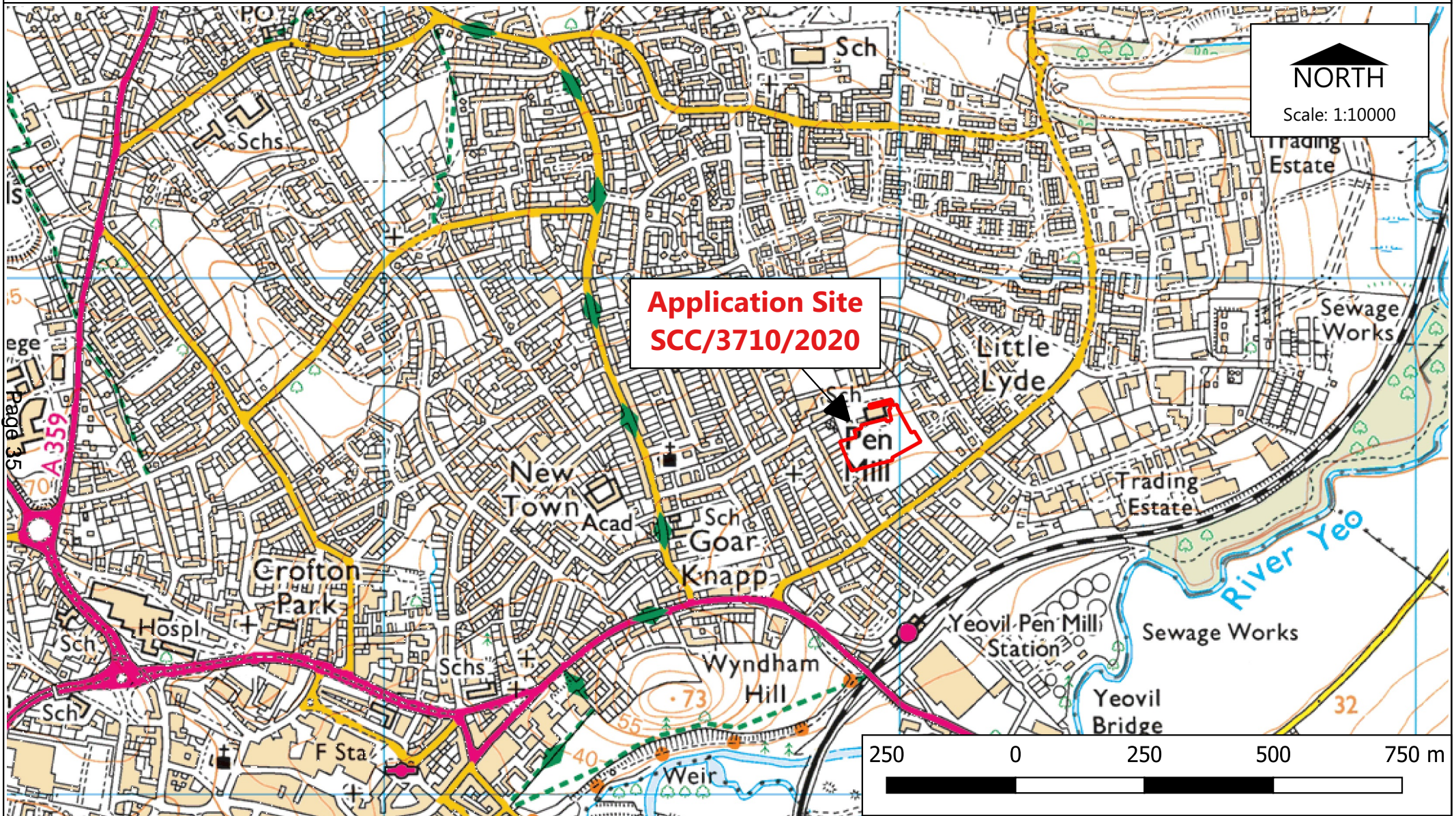
The standards below apply generically to primary and secondary schools but are not specific to Special Education Needs (SEN) School proposals.

- 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.

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.



SOMERSET
County Council

Paul Hickson,
Strategic Commissioning Manager
Community & Environmental Services
Somerset County Council
County Hall, Taunton, TA1 4DY

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Planning Control
Drawn by: K Blackmore

LOCATION PLAN

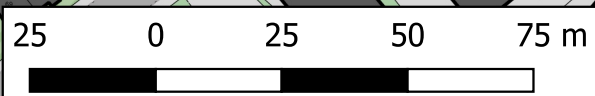
Dated:02/07/2020

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Application Site
SCC/3710/2020

NORTH
 Scale: 1:1500



Paul Hickson,
 Strategic Commissioning Manager
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 Somerset County Council
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SITE PLAN

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