

PROVISION OF STUDENT ACCOMMODATION COMPRISING UP TO 210 BED SPACES, ASSOCIATED PARKING, LANDSCAPING AND PROVISION OF SPORTS PITCHES, INCLUDING AN ALL WEATHER FLOODLIT PITCH, AT SOMERSET COLLEGE OF ARTS AND TECHNOLOGY, WELLINGTON ROAD, TAUNTON

Location: SOMERSET COLLEGE OF ARTS AND TECHNOLOGY,
WELLINGTON ROAD, TAUNTON, TA1 5AX

Grid Reference: 321166.124822 Outline Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

Subject to reference to the Secretary of State concerning the loss of playing field provision and a Section 106 agreement to secure the improvements to Castle School running track and all weather pitch; provision of a community use agreement for all the sports facilities; and linking the timing of the student accommodation provision to development at Canonsgrove.

RECOMMENDED CONDITION(S) (if applicable)

1. Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of three years from the date of this permission. The development hereby permitted shall be begun, not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the provisions of S92 (2) Town and Country Planning Act 1990 (as amended by S51 (2) Planning and Compulsory Purchase Act 2004).

2. The student accommodation hereby approved shall be used only in conjunction with students undertaking higher educational courses and/or students working at the hospital.

Reason: To ensure the accommodation is used in conjunction with the educational use of Somerset College and not as normal self-contained accommodation given the identified local need.

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

4. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that surface water run-off rates from the developed site are restricted to a maximum rate of not more than 2 litres per second per hectare for all storm periods up to and including the 1 in 100 year plus climate change event. The scheme shall include maintenance roles and responsibilities for all drainage infrastructure. The development shall subsequently be implemented in accordance with the approved scheme within a timetable to be agreed in writing by the Local Planning Authority. The development shall subsequently be implemented in accordance with the details approved.

Reason: To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system in accordance with the NPPF and Taunton Deane Adopted Core Strategy Policy CP8.

5. The student accommodation shall not be occupied until a parking scheme for the site, including at least 20 spaces and 8 disabled ones, has been submitted to and agreed in writing by Local Planning Authority and thereafter provided as agreed.

Reason: In the interests of highway safety in accordance with Policy DM1 of the Core Strategy.

6. The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of WYG's Extended Phase 1 Habitat Survey Report dated December 2013, Bat Activity Survey Report dated January 2014, Great Crested Newt survey report dated January 2014, Hazel Dormouse Survey dated January 2014 and an up to date badger survey and include:

- Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;

- Details of the timing of works to avoid periods of work when the species could be harmed by disturbance;
- Measures for the retention and replacement and enhancement of places of rest for the species.
- Details of lighting

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

Reason: To protect wildlife and their habitats from damage bearing in mind these species are protected by law.

7. No development shall commence until a Travel Plan for this development shall be submitted to and approved in writing by the Local Planning Authority. The approved plan implemented within two months of the development being first used or occupied. A person shall be identified as a co-ordinator and point of contact for the purposes of the Plan. The Travel Plan shall be carried out as approved.

Reason: To ensure a transport choice is provided and to ensure that students and staff will travel to and from the site by means other than the private car in accordance with the relevant guidance in Section 4 of the National Planning Policy Framework.

8. Details of the floodlighting of the training pitch including heights and light levels shall be submitted to and approved in writing by the Local Planning Authority and thereafter carried out as agreed. The floodlighting permitted shall be illuminated only between the hours of 14:00 and 22:00 Monday to Saturday and 14:00 and 18:00 on Sundays.

Reason: To ensure that the proposed development does not harm the character and appearance of the area and to protect the amenities of nearby dwellings in accordance with Policy DM1 of the Taunton Deane Core Strategy.

10. (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.
- (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.

- (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

- 11. Before any part of the development hereby permitted is commenced, a scheme of hard landscaping showing the layout of areas with stones, paving, walls, cobbles or other materials shall be submitted to and approved in writing by the Local Planning Authority. Such scheme shall be completely implemented before the development hereby permitted is occupied.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

- 12. Details of the siting of any temporary building(s) construction and materials storage compound will be agreed in writing before commencement of works on site. The above details should also include details of where soil is to be stored on site.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

- 13. Before any part of the development hereby permitted is commenced a plan showing:
 - (a) the location of and allocating a reference number to each existing tree on the site which has a stem with a diameter exceeding 100 mm, showing which trees are to be retained and which are to be removed and the crown spread of each retained tree (in accordance with Section 5 of BS 5837:2012); and
 - (b) details of the species, height, trunk diameter at 1.5 m above ground level, age, vigour and canopy spread of each tree on the site and on land adjacent to the site.

Reason: To safeguard the existing trees and ensure their contribution to the character of development in accordance with retained Taunton Deane Local Plan Policy EN6.

- 14. In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of

the occupation of the building for its permitted use.

- (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with [British Standard 3998:2012 (Tree Work)].
- (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

- 15. Before development commences (including site clearance and any other preparatory works) a scheme for the protection of trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with BS 5837:2012. Such fencing shall be erected prior to commencement of any other site operations and at least two working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 9 and detailed in figures 2 and 3 of BS 5837:2012.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Taunton Deane Core Strategy Policy DM1.

- 16. Prior to commencement of trenching works within the canopy spread of existing trees all trenching works shall be agreed with the Local Planning Authority. All trenching works should be hand dug and no roots larger than 20mm in diameter should be severed without first notifying the Local Planning Authority. Good quality topsoil should be used to backfill the trench and compacted without using machinery.

Reason: To avoid potential harm to the root system of any tree leading to possible consequential damage to its health which would be contrary to Taunton Deane Local Plan Policies EN6 and EN8.

- 17. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in

writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to an unacceptable risk of pollution to controlled waters in accordance with the NPPF and Taunton Deane Adopted Core Strategy Policy CP8.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.
2. The condition relating to wildlife requires the submission of information to protect the species. The Local Planning Authority will expect to see a detailed method statement clearly stating how wildlife will be protected through the development process and to be provided with a mitigation proposal that will maintain favourable status for wildlife that are affected by this development.

It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

PROPOSAL

The proposal is seeking outline permission for new halls of residence for students on the Wellington Road campus with up to 210 bed spaces, a new access from the internal road, the provision of floodlit all weather pitch and grass football pitches for 5-a-side and 7-a-side. Following Sport England comments the scheme now proposes an intention to upgrade the existing all weather pitch and track at Castle School to enhance sports provision as part of a wider vision which has been agreed in principle with neighbouring Castle School for the shared use of all of the College's and School's sporting facilities combined. Community access to all of these facilities will also be increased. A smaller floodlit training pitch will also be provided on the College land instead of the full size pitch and newly laid, drained, grass pitches will be retained on the remainder of the site providing a 7 a side football pitch and a larger pitch suitable for 13-14 year old matches. The student accommodation would be in three and four storey buildings and all matters are to be reserved, other than access to the road to Heron Drive.

The scheme is submitted with a Design and Access Statement, Planning Statement, Statement of Community Involvement, Flood Risk Assessment, Habitat Reports, Transport Statement, Travel Plan, Tree survey, Landscape and Visual Amenity Statement and Ground condition survey.

As background Somerset College offers an extensive range of Further and Higher Education courses, as well as skills training to the Taunton Deane community and Somerset generally. Further and Higher Education is a competitive business and each year the demand for improved opportunities and facilities grows increasingly intense. One of the major challenges for the College is to improve what it can offer students who will be living away from home. The College's existing halls of residence at Canonsgrove can accommodate circa 200 students but are located some three miles from the college's main campus on Wellington Road. The location of the existing halls relative to the College's main campus and Taunton town centre is not very appealing to prospective students and the accommodation is becoming increasingly costly to maintain. This weakens the College's prospects for the future because when making decisions about where they plan to learn, students are increasingly looking for accommodation which is close to the college and the town centre. In order to remedy this, the College want to build a new Halls of Residence on its main Wellington Road campus. However, this is only viable if it can dispose of the Canonsgrove site for residential development. A separate application for redevelopment at Canonsgrove is therefore also submitted.

SITE DESCRIPTION AND HISTORY

The site consists of grass playing field to the west of the existing campus and is bounded by the existing access road and Heron Drive to the south. There is a large tree group adjacent and beyond the western boundary of the site and a hedge and fence boundary to the field to the north. The field to the north is set at a higher level as it was where soil was deposited for the creation of Longrun Meadow. The site adjoins the Castle School playing field and running track to the east.

The site has no planning history, although it has been identified in the Preferred Option as a site for educational purposes.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

BISHOPS HULL PARISH COUNCIL - The Parish Council objects because a number of unresolved issues:

Flood Risk Assessment - The Environment Agency states that the site is highly influential on flooding in the Tangier centre of Taunton and has serious concerns over the development. The applicant has put forward a number of options re the treatment of surface water drainage and connectivity but none of these have been fully investigated/tested and no agreements are in place. Outline permission should not be progressed until such time as a specific and deliverable solution to the flooding issue has been agreed with the Environment Agency, Wessex Water and, if applicable, neighbouring land owners. The proposed foul water drainage and connectivity has not been technically tested and similar to the above, this should be carried out and arrangements agreed with Wessex Water before progressing further.

Parking arrangements - There is already considerable problem caused by SCAT

staff and students parking their cars wherever they can on Heron Drive and other Local Roads. As the applicant states that residential students will not be allowed to park vehicles on-campus, this problem will undoubtedly get worse. Although SCAT is aware of the existing problem their application is silent on the issue and some solution needs to be agreed and put in place.

TDBC's site allocations - The application is contrary to the emerging SADMPP, the preferred option stating that the site be reserved for education use and provide additional secondary school places. We would contend that (i) residential accommodation does not come within the criteria re education use and (ii) if development takes place there would be no possibility of resolving the growing need for secondary school places.

Proposed sports pitches - Local residents already have nuisance of light pollution and noise from athletics track/all weather playing area. They should not therefore be faced with further nuisance of a full sized floodlit football pitch even nearer their homes.

Other concerns - except for access and sports provision, all matters are to be reserved but we would add that four storey buildings are considered unacceptable. Will accommodation be offered for use out of term time and what action will be taken to minimise students smoking/congregating around the edge of the development.

DRAINAGE ENGINEER - I accept the proposals outlined in the flood risk assessment and have no objection subject to the following condition:

No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that surface water run-off rates from the developed site are restricted to a maximum rate of not more than 2 litres per second per hectare for all storm periods up to and including the 1 in 100 year plus climate change event and shall include details of phasing and maintenance for all surface water drainage infrastructure. The development shall subsequently be implemented in accordance with the details approved.

HOUSING ENABLING - The proposed scheme is for shared accommodation and does not include self contained units therefore there is no affordable housing requirement.

LANDSCAPE - I generally agree with the findings of the landscape assessment but am concerned that the green wedge designation is given so little weight and only assessed as 'medium' rather than 'high' sensitivity. The areas around the site are generally open to and valued by the public. The area is in an open, level area of the town well used by the public and students. Given its position on the edge of the green wedge lighting could have an adverse impact on the local landscape and ecology. Management of the northern boundary of the site could be significant given its critical position on the edge of the green wedge.

Given the importance of the site on the edge of the green wedge (CP8) I recommend a landscape buffer of at least 20m along the northern boundary of the site. This will help to reinforce the rural character of the landscape to the north, reduce light spillage and help integrate the proposals into what is an open flat,

publicly accessible flood plain. Without the above the proposals will have an adverse impact on the green wedge and river floodplain landscape character area to the north. If the application is to be approved conditions are recommended.

LEISURE DEVELOPMENT - It is regrettable that the construction of an artificial pitch will mean the loss of a full size grass pitch regardless of the whether the community currently has access to the latter. Taunton already has a significant number of artificial pitches one of which is the 3G pitch at the neighbouring Castle School. It is therefore difficult to envisage, given the number and location of the existing ATPs where the demand from the community might come from.

Clarification of both the 7-a-side and 5-a-side football pitches should be sought from the Open Spaces Department along with assurance of their meeting FA regulation for size, run off etc. Given the range of College students it is difficult to see how much use the college will be able to make of these pitches, as use by their students, on pitches this size during winter months may I believe cause significant damage to the ground, which would reduce the number of matches that could be played. Advice of the Open Spaces manager should be sought. Overall this application together with corresponding application 42/13/0079 from the applicant will mean the loss of 2 grass playing pitches and existing open space plus 1 sports hall which had the provision of 1x artificial playing pitch.

BIODIVERSITY - The application is for provision of student accommodation with associated parking, landscaping and provision of sports pitches, including an all weather floodlit pitch. Lighting details have not been submitted at this stage. The site is 2.5ha dominated by amenity grassland with a small area of Broadleaved woodland to the west and scattered trees to the north and south boundaries. The hedgerow and woodland is to be retained within the proposed development, although some scattered trees and scrub is proposed for removal. The River Tone LWS is located 0.6km north of the site. I agree mitigation may be required to minimise any damage to the watercourse posed by the development.

Findings of the Phase 1 and latest survey was as follows:

Bats - A bat activity survey was carried out and the surveyor considered the site to have low potential for foraging and commuting bats. At reserved matters stage I would like to see details of lighting to ensure that bats are not affected by the development. The area surveyed adjoined the site boundary but I agree habitats are similar and findings are reliable. At least 8 species of bat were recorded using boundary features on site for commuting and foraging. The habitats of likely value to bats are to be retained. There will be some loss of scattered trees on northern and southern boundaries but to compensate there will be new native planting. I support additional proposed mitigation. Trees within the site have negligible potential for roosting bats due to lack of holes, cracks and fissures.

Birds - The Eurasian nuthatch was recorded during the field survey. The woodland and hedgerow offer high potential for nesting and foraging habitat for birds. Any removal of vegetation should take place outside the nesting season.

Great Crested Newts - The ditches and pond to the north are potentially suitable habitat for breeding GCN. A survey was carried out May-June 2013 but no great crested newts or their eggs were found in any of the three water bodies. The survey also indicates that the water bodies are either poor or below average suitability for GCN. Although unlikely to be using the terrestrial habitat on site I agree vigilance should be maintained during site clearance and construction. In the event GCN are found work should stop immediately.

Dormice - The hedgerow and woodland offer low potential for hazel dormice. A nest

tube survey was carried out and no signs of their presence were recorded but I agree vigilance should be maintained during site clearance. I also agree the survey remains valid for 2 years, after which if work has not begun a further survey will be required.

Reptiles - The site does not contain habitat that reptiles require.

Badgers - No setts were found on site although there is activity in the area. A badger survey should take place 6 weeks prior to commencement of development.

I suggest a condition for protected species.

SOMERSET WILDLIFE TRUST - We note the submission of survey documents in respect of bats, dormice and great crested newts. We have noted no trace was found of either Dormice or Great Crested Newts was found on the site and it was thought very unlikely that they would be present because of the lack of suitable environments. Bats were present but the development was thought unlikely to be prejudicial to them. As at today's date we have not seen a badger survey which both we and the Authority's Biodiversity Officer considered should be provided. In the meantime we will continue to request that there should be specific Conditions, if it should be decided to grant Planning Permission which would require the use of native species in any planting scheme, external lighting to be designed so as to minimise light pollution and a larger number of bat and bird boxes to be provided.

ENVIRONMENT AGENCY - . We have **no objection** to the proposed development subject to the following **CONDITIONS** being imposed upon any permission granted:

CONDITION: No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include maintenance roles and responsibilities for all drainage infrastructure. The development shall subsequently be implemented in accordance with the approved scheme within a timetable to be agreed in writing by the Local Planning Authority.

REASON: To ensure that flood risk is not increased through the use of SuDs in accordance with the NPPF and Taunton Deane Adopted Core Strategy Policy CP8.

CONDITION: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

REASON: To ensure that the development does not contribute to an unacceptable risk of pollution to controlled waters in accordance with the NPPF and Taunton Deane Adopted Core Strategy Policy CP8.

Informative / advice to LPA: Whilst the drainage scheme put forward will require further details to be submitted via condition, we consider that there is a viable and deliverable means of attenuating flows on site and directing them to an appropriate receptor to ensure that flood risk is not increased within the existing floodplain downstream.

It is worth noting that the impermeable area created by the development will be less than 0.5 hectare, despite the overall site area being around 2.5 hectares. There have also been real attempts to further minimise impermeable areas by using permeable paving and reference to enhanced drainage functions for the sports pitches. We welcome sight of the details of these features as they come forward.

The submitted Ground Conditions Desk Study Report concludes that risks to controlled waters from existing contamination are low, and we generally concur given the previous uses of the site. However, we consider that the inclusion of the above condition to deal with unsuspected contamination would be prudent to rule out all risks and ensure that any contamination is remediated appropriately.

SCC - CHIEF EDUCATION OFFICER - No comment received

SCC - DEVELOPMENT CONTROL ARCHAEOLOGIST - no comment received

SCC - FLOOD RISK MANAGER - No comment

SCC - TRANSPORT DEVELOPMENT GROUP - The proposal relates to the erection of student accommodation with associated parking and provision of sports pitches.

Traffic Impact

Part of the proposal saw the submission of a Transport Assessment. The Highway Authority has audited this document and has the following observations to make.

The Transport Assessment (TA) has illustrated the proposed trip generation rates for the development in Table 3.2 for the campus sites and Table 3.3 for the non-campus sites. The Highway Authority has assessed these rates and is satisfied that these are acceptable. In terms of traffic impacts, given the level of trips that has been proposed it is likely that there would be a minimal impact on the local road network. Furthermore it is unlikely that any journeys that would need to be undertaken outside the peak periods.

Turning to accessibility the site is within easy walking distance of the college site. Table 2.1 shown on page 4 identifies the closes services and facilities to the site. The nearest food store is Tesco on Castle Street, which is just under a kilometre from the application site whilst the town centre is approximately 1.8km from the site. As a consequence it is the Highway Authority's opinion that a modal shift would be limited for certain activities. Cycling infrastructure in the vicinity of the site is good. Paragraph 2.3.1 (page 3) indentifies that National Cycle Route 3 (NCR3) exists along Heron Drive, through the campus and along Wellington Road into the town centre. This route along this section is virtually all off-road. An extensive cycling network off-road exists in other parts of Taunton so modal shift to cycling is considered a strong possibility. Paragraph 2.5.2 (page 5) identifies the nearest bus stops to exist on Longrun Lane adjacent to SCAT. Table 2.2 shows the bus services that serves these stops and full timetables are provided in Appendix C. The modal shift is considered to be strong.

The current Parking Strategy does not have optimum standards for this type of land

use. Paragraph 3.4.1 (page 13) states that 8 parking spaces are proposed, which would be controlled by permits to students who have a proven medical condition that requires the use of a car alternatively they would also be used by parents to drop off or collect students and their belongings at the start or end of term. It is the view of the Highway Authority that this type of parking policy, given the location of the site, will not prevent students from bringing their cars as there is little to prevent them to parking on the surrounding streets. This could therefore potentially lead to further problems. The applicant is therefore urged to re-think the parking provision for this proposal.

The Highway Authority has undertaken an examination of similar 'no-car' halls of residence using TRICS datasets. Based on the information the Highway Authority would require 20 parking spaces with the addition of 8 parking spaces for disabled students. Thought should also be given to providing a small pick up/drop off area.

Therefore to conclude, on traffic impact grounds there is no objection in principle but the applicant is urged to increase the level of parking provision.

Travel Plan

The applicant has submitted an updated Travel Plan to include the Halls of Residents. This is been audited by the Travel Plan Team and a copy of the report is attached. Please note that this updated Travel Plan will need to be secured via S106 agreement.

Site Drainage

The applicant provided a Flood Risk Assessment as part of the submission this document has now been audited and the Highway Authority's comments are set out below.

As the location of the proposed single point of vehicular access will be beyond the current limit of the public highway it is assumed therefore that the internal road network will remain private and consequently there will be no prospective public highway drains associated with these proposals. As the proposal will not have a direct access to the highway then the Highway Authority would not have an interest in adopting these access roads.

The surface water management strategy puts forward three options, two of which would have little impact upon the public highway network they propose to take the surface water northwards from the site across private land to discharge into the River Tone. The third option is to outfall into a Wessex Water surface water sewer to the south of the site assumed to run along Heron Drive and any works necessary to achieve this within the public highway can be granted under licence.

Conclusions & Recommendation

To conclude, having processed the information set out in the Transport Statement the Highway Authority is satisfied that the proposal would not have a significant impact on vehicle movements furthermore it is envisaged that it is likely that the vast majority of the trips will be outside peak periods. The only issue the Highway Authority does have is that the applicant has not provided a sufficient level of parking.

In terms of the Travel Plan there are a number of points that need to be addressed

by the applicant. Furthermore this updated Travel Plan will need to be secured via a S106 agreement. Finally the Highway Authority is satisfied that the proposed drainage works will not occur on adopted highway and will remain private.

Therefore based on the above details the Highway Authority has no objection to this proposal subject to a revised parking allocation being submitted.

SPORT ENGLAND SOUTH WEST -

Sport England has therefore considered both applications in the light of its playing fields policy. The aim of this policy is to ensure that there is an adequate supply of quality pitches to satisfy the current and estimated future demand for pitch sports within the area. The policy seeks to protect all parts of the playing field from development and not just those which, for the time being, are laid out as pitches. The Policy states that:

‘Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or any part of a playing field, or land last used as a playing field or allocated for use as a playing field in an adopted or draft deposit local plan, unless, in the judgement of Sport England, one of the Specific circumstances applies.’

Reason; Development which would lead to the loss of all or part of a playing field, or which would prejudice its use, should not normally be permitted because it would permanently reduce the opportunities for participation in sporting activities.

Government planning policy and the policies of Sport England have recognised the importance of such activities to the social and economic well-being of the country. The policy identifies five exceptions to our normal position of opposing development, which would result in the loss of playing fields, as follows:

E1 - A carefully quantified and documented assessment of current and future needs has demonstrated to the satisfaction of Sport England that there is an excess of playing field provision in the catchment, and the site has no special significance to the interests of sport.

E2 - The proposed development is ancillary to the principal use of the site as a playing field or playing fields, and does not affect the quantity or quality of pitches or adversely affect their use.

E3 - The proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facility on the site.

E4 - The playing field or playing fields which would be lost as a result of the proposed development would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of the development.

E5 - The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.

Additionally when considering proposals affecting sport and recreation including playing fields, the Government’s National Planning Policy Framework (paragraph 74):

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus of requirements; or

The loss resulting from the proposed development would be replaced by equivalent or better provision in term of quantity and quality in a suitable location; or

The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

The Proposal on the Wellington Road Site

The existing playing field which accommodates a couple of grass playing pitches would be significantly reduced in size to accommodate new student housing (displaced from the Canonsgrove) on the site. The proposal includes an 'Artificial Grass Pitch' (AGP). The type of AGP surface has not been specified, there is no proven strategic need and no long term business plan (annual maintenance and new carpet sinking fund). In the playing field 'left over', it is proposed to mark out 2x mini soccer, presumably grass, pitches.

Given the nature of the planning applications we have sought comments from The FA, RFU and England Hockey (EH), which are set out below:

FA

The FA have consulted with the Somerset County FA and has the following comments: There has previously been football use of both sites and at present there is limited community use on either site. Further comments are:

Is this the best location for a Full Size 3G Football Turf Pitch (3GFTP)? – given that Castle School Full Size 3GFTP is right next door! Can some joint working between SCAT and Castle School take place to ensure a current 3GFTP is fully utilised and sustainable?

o The need for a 2nd Full Size 3G should be informed through the Playing Pitch Strategy – there is potential for displacement from the Castle 3GFTP?

o What are the technical specifications of the 3GFTP – proposed size and surface detail not provided

o Do they propose to fund the 3GFTP and grass pitch provision solely from the sale of Canonsgrove? This would not be a CFA priority to fund (if seeking funding), as other areas in the county are.

o Is there a business case for this facility? Including maintenance and a sinking fund.

o No detail on the management of the 3G or grass pitches and if they would be available to the community?

Whilst a concern over loss of pitches – The FA is unsure on current community access? (high cost if there is community access) – There is not a high demand at present in the area for the 5v5 and 7v7 size grass pitches proposed but there could be in the future with Taunton being the largest Town area for housing growth! The older youth size pitches as noted in the 2010 PPS which could be marked out are essential to be retained. Can further details on the exact size of the pitches and construction method be supplied?

o SCAT – Loss of Adult pitch and 9v9

o Loss of Canonsgrove, Adult site that could be used for football – Trull area noted in 2010 PPS as having an undersupply of Adult pitches.

Extremely poor parking on site – has this been considered and are there any possible solutions?

Changing room provision? Toilets? Current provision to far a distance away and The FA are unsure on the design of these so cannot comment on the technical compliancy.

EH

Somerset College is not a priority area for England Hockey. Within Taunton there are currently 9 hockey specific AGP's, although primarily on Independent School sites (6 AGP's). There are only two hockey clubs based in Taunton and so the community hockey demand is more than adequate.

Taunton Vale HC is an asset owning club who primarily use Taunton Vale Sports Club for training and matches, occasionally some fixtures are played at the neighbouring Taunton School AGP. The sand AGP will be refurbished (carpet and lighting) in the next 6 months, following successful grant funding applications.

Taunton Civil Service HC train at Kings College and play their matches at Heathfield School, as Kings is not available due to Saturday school fixtures. Heathfield School are looking to refurbish the sand carpet in the next 1 to 2 years dependant of funding, to continue hockey participation at the site.

There is limited access to the AGP's on Independent School site due to school commitments, however the following schools are accessible for community club or County hockey for some evening and weekend use – Kings College, Taunton School and Queens College.

Currently a new sand AGP is being laid at Bishop Foxes School, as far as I am aware there is no commitment from either community hockey club to use this facility at present. I have not been contacted by the school and so I am unaware of their business plan for the facility.

RFU

The playing field identified within this proposal is not used for Rugby Union to my knowledge. My understanding of the site is that it's predominately used for football and summer sports i.e. rounders. There is no club activity on the playing fields through community use agreements. The playing fields are used by Somerset College for academic sporting activities, and rugby is a low profile sport at the college.

The proposal of an AGP on this site is interesting. Additional details of the technical specification are requested for this proposed surface.

Within the locality, there is an existing 3G AGP some 200 yards away located at The Castle School. This is used for community football use, and is not IRB compliant restricting rugby activity. Has a full business plan been developed to support this provision?

Currently, there is no IRB compliant 3G surface in Taunton Deane, so this provides an opportunity for the applicant to consider.

There is no objection from the RFU as the proposal does not affect rugby. However, further details are requested on the technical specification of the surface.

The Proposal on the Wellington Road Site

The proposal for the Wellington Road site should be viewed in two parts.

1. A significant part of the playing field will be lost to a non sporting use in the form of student accommodation (to replace that lost at Canonsgrove). The indicative design doesn't attempt to minimise the impact on the playing field.
2. The second part of the proposal is the inclusion of an Artificial Grass Pitch (AGP) to offset the loss of playing field. The AGP specification is unknown, there is no proven strategic need and there is no business plan showing how annual and long

term maintenance will be achieved to keep this facility to a high quality standard. In essence this is an artificial intensive use surface sports facility (with fencing and floodlights??) on a concrete base and the chances of it ever returning to grass is remote.

For a significant part of the site (the proposed student accommodation), this will lead to the permanent loss of playing field land useable for sporting activity and clearly the proposal does not meet any of the exceptions to our Playing Fields policy.

The remaining part of the playing field site will have an AGP (fencing and lighting?) and 2x grass mini soccer pitches. The flexibility of playing sports like cricket on the site will also be lost. The proposal does not meet any of the exceptions to our Playing Fields policy, as explained below:

E1 – a Playing Pitch Strategy does not identify this site for a new AGP

E2 – the proposal is not a sporting ancillary development to serve the playing field e.g. a pavilion

E3 – the land lost is capable of being used for sport

E4 – there is no like for like (or better) replacement playing fields

E5 – the development is for an alternative sporting facility however the specification of the AGP is unknown, there is no proven strategic need (there are numerous AGPs in Taunton, with one next door at Castle School), and there is no business plan. More work and evidence is needed to prove meeting E5.

In light of the above, Sport England objects to the two proposals because they are not considered to accord with any of the exceptions in Sport England's playing fields policy.

Should your Council be minded to grant planning permission for the development then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, and the DCLG letter of 10 March 2011, the application should be referred to the National Planning Casework Unit (NPCU).

WESSEX WATER - Please refer to the attached extract from our records showing the approximate location of our apparatus in the vicinity of the site. There are a number of apparatus located in the south western corner of the site, including:

- 450mm diameter public combined sewer
- public sewer overflow
- 450mm diameter public rising main
- Private water main

Layout drawings submitted with the planning application show appropriate easements from these apparatus. There are no buildings indicated to the west of these apparatus. The proposed buildings are closest to the rising main, from which a 5 metre easement from the centreline of the pipe must be observed for the purposes of maintenance and repair. Pipelines must be accurately plotted on site and marked on construction drawings. There must be no tree planting within 6 metres.

Agreement will be required for the protection of these apparatus during construction and twenty four hour access maintained.

There is current available capacity in the foul sewerage system for the predicted foul flow only from 210 student beds. Point of connection to be agreed. It is assumed that the new on site drainage will not be offered for adoption and will be owned and maintained as a singly managed site by the management company.

A point of connection can be agreed for foul water disposal to the 600mm dia public sewer to the south of the site. We are aware that the public sewer surcharges under storm conditions and the developer should ensure that a gravity connection can be made with minimum floor levels above the level of the connecting manhole to avoid sewer flooding. Where floor levels are planned below this level we advise that pumped connections should be provided.

Surface Water discharge will be in accordance with NPPF Guidelines, with Wessex Water providing assistance as necessary.

Wessex Water is currently assessing available capacity in the water supply network in the light of other proposed development in the area. The results of network modelling will be communicated to the applicant in due course.

SCC - ECOLOGY - No comment.

Representations

13 letters of objection on grounds of

- noise levels
- increase in traffic
- increase in use of Heron Drive/Silk Mills intersection
- Silk Mills junction unable to cope at peak times
- problems of parking in Heron Drive
- will increase danger on Heron Drive and junction should have traffic lights
- staff parking is a problem
- very inadequate parking provision
- will impact on parking of local residents
- noise and light pollution
- loss of peace and quiet for care home and hospice
- no security regarding student behaviour affecting residents
- set precedent
- unnecessary
- will increase flooding
- an all weather pitch will restrict type of activities
- loss of grass
- floodlights will affect residential property
- loss of privacy
- noise and disturbance at evening and weekends
- disruption of construction
- smoking and litter
- wildlife impact
- no place to expand in future
- loss of view of Quantocks
- loss of property value

1 letter of no objection

1 letter of support from Somerset Activity & Sports Partnership.

PLANNING POLICIES

NPPF - National Planning Policy Framework,

SD1 - SD 1 TDBC Presumption in Favour of Sustain. Dev,
CP1 - TD CORE STRAT. CLIMATE CHANGE,
CP5 - TD CORE STRATEGY INCUSIVE COMMUNITIES,
CP6 - TD CORE STRATEGY - TRANSPORT AND ACCESSIBILITY,
CP7 - TD CORE STRATEGY - INFRASTRUCTURE,
CP8 - CP 8 ENVIRONMENT,
SP1 - TD CORE STRATEGY SUSTAINABLE DEVELOPMENT LOCATIONS,
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
DM2 - TD CORE STRATEGY - DEV,
C3 - TDBCLP - Protection of Recreational Open Space,
C5 - TDBCLP - Sports Centres,

LOCAL FINANCE CONSIDERATIONS

The development of this site would not result in payment to the Council of the New Homes Bonus.

Community Infrastructure Levy

In the event that planning permission is granted for this development after 1st April 2014, the development may be liable for CIL at a rate of £70 per square metre.

DETERMINING ISSUES AND CONSIDERATIONS

The proposal is an outline for the erection of up to 210 units of student accommodation on existing land at Somerset College in order to replace accommodation at Canonsgrove which is considered by students as unattractive due to its location and condition. Consequently there has been a decrease in numbers of higher education students applying to attend the College which is affecting its reputation and ongoing viability. If not addressed this could impact over time with knock-on effects for the local economy and for the perception of Taunton as a centre for higher education study. The further impacts of the proposal are considered below:

Policy

The starting point for the determination of any planning application is Section 38(6) of the Planning and Compulsory Purchase Act 2004. S.38(6) requires all planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

The site is on land owned by the College and education is a key element of sustainable development as recognised by the Core Strategy and the purpose of the proposed development is to relocate the student accommodation into a far more sustainable location than their current site which lies approximately 3 miles from the town centre. The use is considered to comply with policies SD1, CP1 and CP6 of the Core Strategy.

Policy C3 of the Local Plan is still a retained policy and states:

Proposals involving the loss of recreational facilities, including allotments, public, private and school/college playing fields, sports grounds, indoor sport and recreational facilities, areas for informal public recreation and children's play areas will not be permitted unless:

- (a) there is an excess of good quality recreational facilities of the type which would be lost, sufficient to meet local demand; or
- (b) the proposed development provides recreational or community benefit greater than the long-term recreational value of the recreational facility that would be lost; or
- (c) equivalent provision in a convenient location is made to at least an equal standard and with equal community benefit; or
- (d) in the case of a school or college playing field only; the land is needed for the development of school buildings and/or associated facilities, and adequate playing fields to meet statutory requirements would be retained or provided.

The Council's Playing Pitch Strategy was produced in July 2010. It identifies that there is a surplus of senior football and rugby pitches within the Taunton Deane area; there are sufficient pitches across the borough to cater for senior football and rugby fixtures but there is a significant under-provision of junior facilities; without full access to existing and future education sites, the existing deficit of junior pitches is likely to grow; there is a lack of training non-grass facilities for football and there is a need for the provision of new 3G pitches that can be used for both training and match play for football and rugby. The proposal as revised is considered to comply with the criteria (b) of policy C3 in that the recreational and community benefit is considered greater than that that would be lost and so therefore would comply with the development plan. The revised sports provision is supported by the Somerset Activity and Sports Partnership.

This view has to be considered in light of Sport England's initial objection that the development would result in a deficiency of provision of playing fields and that the alternative or replacement does not match that which would be lost. In order to address this the applicant has amended the proposal to provide a commitment to investing in the up-grade of the athletics track and 3G pitch to enhance sports provision as part of a wider vision which has been agreed in principle with neighbouring Castle School for the shared use of all of the College's and School's sporting facilities combined. Community access to all of these facilities will also be increased. The 3G pitch will be re-laid and up-graded to comprise a pitch suitable for competitive football (match size and training) but also Rugby and American football. The displaced hockey training (which the existing pitch has been inappropriately used for) will be provided for on a new sand-based all weather pitch alongside it and will complement the specialist centre at Taunton Vale, which provides the full-size hockey pitches suitable for competitive matches. It will also be suitable for tennis and netball. Newly laid, drained, grass pitches will be retained on the remainder of the site providing a 7 a side football pitch and a larger pitch suitable for 13-14 year old matches.

This improvement to sports facilities and community access is considered to weigh in favour of the development but it is ultimately for Members to determine whether this improvement outweighs the objection to the loss of part of the grass playing field at the site.

In the absence of a Site Allocations Document the application should be considered against the National Planning Policy Framework (NPPF) and the development plan unless material considerations indicate otherwise. Paragraph 14 of the NPPF emphasises the presumption in favour of sustainable development and indicates planning permission should be granted unless:

“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.”

In this instance the proposal would provide new student accommodation in a sustainable location in support of the future growth of the College and would help improve sport facilities with community access in the area, but would result in the loss of playing field, a principle objection by Sport England.

New National Planning Practice Guidance (NPPG) and recently been launched and this includes advice on prematurity. The advice has not significantly changed from before and prematurity in itself is not generally a reason for resisting planning proposals. The development would not prejudice the development of other sites around Taunton and would not be so substantial as to undermining the plan making process given that the emerging plan is not at an advanced stage and is not formally part of the development plan. Advice states "Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process." In this instance it is not considered a prematurity argument could be sustained. The proposal is linked to an educational use and is in a sustainable location.

Viability

The Council has sought independent advice concerning the viability issues of the development. Viability is a material consideration in determining applications. The benefits of relocating the student accommodation onto the main campus has a major benefit in terms of sustainability and helping secure the long term future of higher education in the town. In order to secure the necessary replacement accommodation on the College site it is necessary to secure additional funding to make the development viable. To secure the necessary funding to fill the viability gap the redevelopment of the existing halls site at Canonsgrove is required. A number of scenarios have been considered for the Canonsgrove site, however for any scheme to be considered appropriate it should be limited to the least number of units given the location. The viability assessment has identified 32 units as a minimum across the whole site. Such properties would be large 4 and 5 bed executive properties to secure the biggest return.

Drainage

Foul water drainage will be disposed of via existing sewers in the vicinity and Wessex Water has confirmed that there is capacity within the network to take the

proposed development.

In terms of surface water Wessex Water has also advised that an existing surface water sewer could be utilised or a sewer requisition be undertaken. The concern of the Parish Council over the surface water disposal and proximity and potential impact on the town centre is noted. The site lies within the least risk flood zone and it is considered that a suitable means of surface water disposal can be achieved and both the Environment Agency and Drainage Officer raise no objection to the proposal subject to a suitable condition.

Landscape and Ecology

The site currently lies within an area identified as green wedge but which is proposed to be excluded as identified through work on the forthcoming draft Local Plan as the site has been identified as a Preferred Option site for education purposes. The revised boundary would mean the site would take the line of the fields to the north, so the site would fall outside of the new boundary. The proposal is not therefore considered to be contrary to policy CP8. The concern of the Landscape Officer in terms of impact is noted, however a 20m buffer would render development here unworkable. The land immediately to the north is already around 2m higher and this in itself would reduce the visual impact of any new buildings. A landscaping strip could be provided along the northern boundary as part of any detailed scheme and this would lessen the impact on the boundary of the green wedge and would assist in softening the appearance of any buildings when viewed from the north.

The submitted wildlife survey does not identify any significant impact on protected species which is to be expected given the nature of the field. Tree features which would provide habitat are largely restricted to the perimeter of the site and would largely be retained and where lost would be replaced. The Biodiversity Officer has recommended a condition to address the provision of mitigation and enhancements for the site and this is considered a necessary condition.

Highway Impacts

A Transport Assessment has been submitted with the proposal and the Highway Authority consider the trip generation would have a minimal impact on the local road network and the Heron Drive junction with Silk Mills is adequate to cope with the development. Furthermore it is likely that any journeys that would need to be undertaken would be outside of the peak periods. The site is in a suitably sustainable location close to a bus route, cycle routes and is within walking distance of the town centre. There is local concern over existing parking issues in Heron Drive and concern that the proposal would exacerbate the situation. The Highway Authority has considered the parking provision and considers that 20 spaces are required in addition to the 8 disabled spaces. The College has indicated that this could be met by provision within the campus and a condition to secure the additional parking required by the Highway Authority is considered a necessary one.

A Travel Plan has been submitted with the application and the Highway Authority consider it should be secured through a legal agreement. In this instance it is

considered that a suitable grampian condition to secure agreement before commencement is acceptable.

Other Issues

The proposed lighting of the training pitch has been raised as an issue. However the modern design of such lighting can be controlled to prevent light spillage and this together with the siting of any floodlit pitch would be subject to reserved matters approval and a condition to control timing of any lights would further address neighbour concerns and this element of the scheme is not considered grounds to raise objection. The area already has a sports use and any additional sports use here is not considered to cause such additional disturbance to residents to warrant an objection. The design of the buildings is yet to be determined, however it is not considered that the principle of well designed 3 or 4 storey structures in this location would warrant a principle objection. Clearly if lower scale buildings were considered this would take up more land and playing field which would potentially be unacceptable.

Summary

The development proposed is an opportunity to secure student accommodation in a sustainable location on the College campus and would help secure the future viability of higher education at the site. The revised proposal would also secure enhancements to the sport facilities and community use of the playing facilities at the site and neighbouring Castle School, although sadly this would be at the expense of playing field space. On balance it is considered that the benefits to the College and town as a result of securing the accommodation here outweigh the harm identified in the Sport England objection. The drainage, highway, landscape and ecology impacts are not considered grounds for refusal and suitable conditions are proposed. Subject to an appropriate Section 106 Agreement the recommendation is one of approval.

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

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