

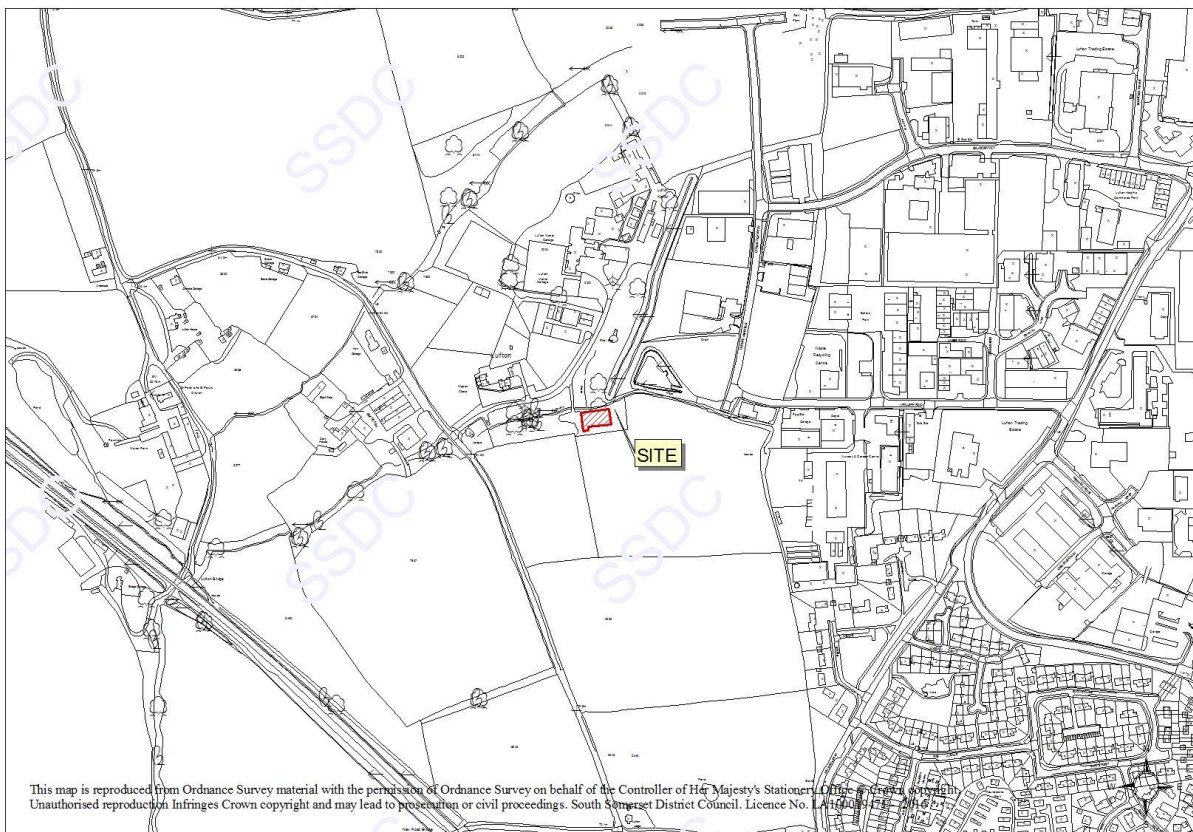
## Officer Report on Planning Application: 16/02464/S73

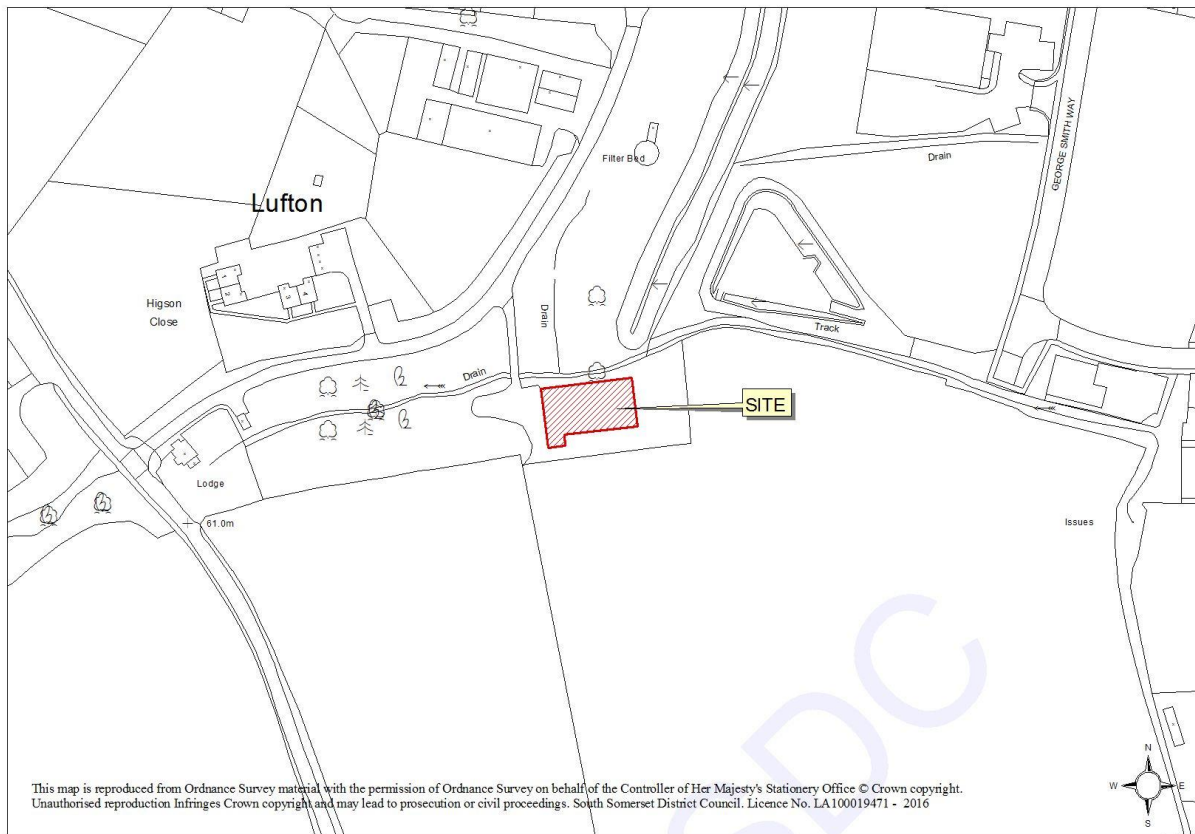
<b>Proposal :</b>	Application to vary planning condition 3 (number of day students) of approval 01/00897/COU
<b>Site Address:</b>	Lufton Manor College, Lufton Manor Road, Brympton
<b>Parish:</b>	Brympton
<b>BRYMPTON Ward (SSDC Member)</b>	Cllr S Lindsay Cllr P Seib
<b>Recommending Case Officer:</b>	Andrew Collins Tel: 01935 462276 Email: andrew.collins@southsomerset.gov.uk
<b>Target date :</b>	2nd August 2016
<b>Applicant :</b>	Cambian Plc
<b>Agent: (no agent if blank)</b>	Planning Potential Ltd Magdalen House 148 Tooley Street London SE1 2TU
<b>Application Type :</b>	Other Change Of Use

### REASON FOR REFERRAL

This application is referred for Committee consideration at the request of both Ward Members, in agreement with the Chairman, due to the traffic implications of the proposed additional movements on the lanes approaching the site and the affect this has on safety.

### SITE DESCRIPTION AND PROPOSAL





The site is located on the eastern side of Lufton Lane opposite Dairy House Farm to the east of Lufton village north of the A3088.

Lufton Manor is a historic grade II listed building. Surrounding the building are a number of more modern agricultural buildings, teaching buildings residential properties associated with the educational uses on the site. The residential training use of the site has been in place since the 1960's.

Currently operating from the site is Bridgwater College's Yeovil Centre and Cambrian's existing Lufton Manor College site. Located near the entrance of the site is an existing building previously used for motor mechanic training. This building is being converted to an additional school

Under planning application 01/00897/COU for the change of use of Lufton Manor and Manor Farm from a C2 use to a mixed C2 and D1 use a condition was imposed. This condition states;

*"3. The number of day students using the site shall not exceed a daily maximum of 25 unless otherwise agreed in writing with the Local Planning Authority.*

*Reason: In order that the Local Planning Authority can exercise control, in the interests of highway safety and residential amenity and in accordance with Policy H2 of the Yeovil Area Local Plan and Policy ST5 of the South Somerset Local Plan Deposit Draft 1998."*

It has been confirmed by the agent that Cambian's Manor Farm site has 11 day students and 28 residential students and Cambian's Lufton Manor College has 10 day students and 31

residential students. There are no movements between the two sites for lessons. It has also been confirmed that;

*"The new school proposed will be separate from the existing college and will provide education for children between the ages of 7 and 17 who have suffered trauma in their lives. Initially the school will be for 10-12 children and could have a maximum capacity of 16 subject to demand in the future. The school will follow the national curriculum and there will be a range of lessons from core subjects (English, maths and science) to art/design, food technology, humanities and music."*

It is detailed in the covering letter that the applicant's wish to increase the number of day students to 40.

The application is supported with a travel plan and transport statement.

## **HISTORY**

Original permission in 1967 was granted for residential training, a C2 use. The use has changed over time with non-residential students using the site.

Of particular relevance to this application is;

01/00897/COU - Change of use of land and premises at Lufton Manor and Manor Farm from residential school / college (use Class C2) to include day students (Use Class C2 and D1) i.e. residential and non-residential school / college - Application permitted with conditions - 06/09/01

## **POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

South Somerset Local Plan (2006 - 2028)

On the 5th March 2015 this new local plan was adopted and constitutes the development plan. The most relevant policies are:-

SD1 - Sustainable Development  
TA4 - Travel Plans  
TA5 - Transport Impact of New Development  
TA6 - Parking Standards  
EQ2 - General Development  
EQ3 - Historic Environment  
EQ4 - Biodiversity

National Planning Policy Framework

Chapter 1 - Building a Strong Competitive Economy  
Chapter 4 - Promoting Sustainable Transport

Paragraph 32 - Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

## **CONSULTATIONS**

Brympton Parish Council - *"REFUSAL - there has been no demonstrated improvement in highway safety since this limit was imposed, so to now increase the number of students to 40 would not be appropriate."*

County Highway Authority - *"The application is to vary planning condition 3 of approval 01/00897/COU to allow a new day school for 10 students (with a maximum of 16).*

*This proposal is likely to generate approximately 4 vehicle movements per student per day which could potentially mean that a total of 64 extra vehicle movements for the students per day. Based on these higher end figures, should the maximum of 9 teachers be needed, then this will mean potentially an additional 18 vehicle movements per day, totalling potentially 82 vehicle movements per day. However, it is highly likely that the vehicle movements for the teachers will be before the morning peak and after the afternoon peak hours, as mentioned in paragraph 1.9 of the travel plan. There are informal passing spaces available along Lufton Manor Road which will help with the flow of traffic along this road.*

*It is likely that the students will arrive by car, as mentioned in paragraph 1.10 of the Travel Plan. The likelihood of parents/carers dropping off the students is high meaning that there is likely to be individual transport to the site. The Travel Plan discussed the possibility of car share and minibus travel, but this is dependent on the proximity of the students living to one another, the same is also valid for the minibus travel. This will also vary year to year depending on where the students who would attend the college reside. However, the appointment of a Travel Plan coordinator will assist with the planning of car sharing and minibus travel to Lufton Manor College.*

*From the junction of New Road with Lufton Manor Road to the entrance to the college is approximately 500 metres in length. The transport statement lays out the average vehicle movements which are deemed acceptable by the Highway Authority. It can therefore be assumed that the majority of vehicles will travel the 500 metres between the college entrance and the junction with New Road.*

*Although there will be extra vehicle movements to Lufton Manor College it can be considered that the level of parking within the site will not dramatically increase. It is unlikely that vehicles will be parked on the highway which would lead to a major highway safety concern.*

*It is the opinion of the Highway Authority that the proposal will not result in a significant increase of traffic and therefore have no objections to the proposal to vary condition 3 of planning permission 01/00897/COU."*

## **REPRESENTATIONS**

Two letters of objection has been received raising the following comments;

- Vehicles passing the site have increased significantly over the last 3 years.
- The site is also used by other visiting students.
- Lufton Lane is a narrow, rural lane with no restriction on speed. During term time the traffic is noticeably increased during weekdays especially.
- Traffic build up in the area commences from 06:30 and mini buses are used transport

- students between the sites during the day.
- Lufton Lane is also used as a 'rat run' shortcut for people travelling to Yeovil from outlying villages.
  - The writer had been involved in a car accident in the lane and a neighbour has had a narrow escape.
  - Unable to walk along the lanes anymore.
  - The proposal is direct conflict with a s106 signed in 2003.
  - The road name used to publicise the application is incorrect (Lufton Lane, rather than Lufton Manor Road)
  - There is also the threat of more traffic from the sports field proposed (applic 15/02535/FUL).

In addition one of the Ward Members has commented on the application raising concerns over the increase of vehicles visiting the site and concerns over the proposed changes to the highway network as part of the Lufton Key Site application.

## **CONSIDERATIONS**

### Principle

The existing building has been used for educational use and was included within the redline of the 2001 application. Therefore in principle the use of this building for additional educational use is established.

### Highways

As detailed previously and as is evident in the course of this application the key consideration in this application is increased vehicle traffic in the roads approaching the site and associated amenity concerns.

As part of this application a transport assessment and travel plan has been submitted. This includes a travel survey undertaken at the site.

During the course of the application additional information has been provided detailed the number of day students at the 2 sites and the number of residential students at the existing Cambian sites. Information has also been provided on the Bridgwater College on the same site.

The Transport Assessment concludes that the current use of the site generates very little traffic in the peak hours and the proposed development would also generate a negligible amount of traffic (maximum of 16 vehicle movements).

The NPPF is clear in respect of the dealing with the impact of a development. NPPF states that "development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe". The assessment has demonstrated that there is likely to be a minimal impact on the network in relation to this proposed development.

In addition a travel plan has been submitted indicating ways in making travel to the site more sustainable as detailed by the NPPF.

The highways assessment and travel plan has been assessed by the County Highways Authority and they agree with the findings and conclusion. The Highways Authority conclude by stating that the proposal will not result in a significant increase in traffic and therefore have no objection to the variation of the condition.

On the basis of this expert opinion and the information being submitted, it is considered that the proposal complies with Policy TA5 of the South Somerset Local Plan.

Plans have been submitted during the course of this application to show that parking can be provided on the site at an appropriate level. On this basis the proposal is considered to comply with Policy TA6.

#### Residential Amenity

In addition to the impact upon highways the condition was originally imposed to assess residential amenity. Concern has been expressed in the letters of representation the increase traffic and the inability to walk safely along the surrounding lanes. The traffic survey indicates that the majority of vehicle movements to and from the site are from the south and the Yeovil direction. The lane along this stretch is approximately 9 metres wide with a small verge either side and a hedge on either side close to the road. For its main the road is relatively straight until just before the entrance to the college site. Road signs are in place indicating a school. As such visibility splays are good and therefore there is a clear opportunity to see any vehicle or pedestrian or cyclist in the road. Highways standard school signs are located in the highway before the college. Subject to driving laws of this country the slowing down at corners when there is no visibility is good practice.

Concern has been expressed over the use of Lufton Lane as a 'rat run' to gain access to and from Yeovil. There are no restrictions on the use of this road and therefore this application cannot take this into consideration.

It is also noted that under applications 05/00931/OUT and 10/01875/REM a large amount of residential development (696 dwellings) have been approved with accesses off Lufton Lane. This is likely to change the character of the lane in the long term and result in it being more useable for all users.

It is considered the proposal complies with policy EQ2 of the South Somerset Local Plan (2006-2028).

#### Historic Assets

Lufton Manor is a grade II listed building and the site is considered to be located within its curtilage. The building currently exists and is well screened by existing mature trees protected by a TPO. As such the proposal will not have an adverse effect upon the setting the listed building.

It is considered the proposal complies with policy EQ3 of the South Somerset Local Plan (2006-2028).

#### Other Matters

As a Section 73 is effectively a new grant of planning permission other previously imposed conditions can be looked and re-imposed if necessary. Also any other information pertinent to the change can also be conditioned.

Application 01/00897/COU was granted subject to the imposition of 3 conditions. Condition 01 was a standard time limit and a new condition should be re-imposed. Condition 02 refers to the single planning unit. This should be re-imposed to reflect current policy wording. Condition 03 is the condition being varied. The original permission referred to 2 sites at Lufton Manor and Lufton Farm but condition 03 refers only to 'the site'. Information has been submitted that there are currently 11 day students at Manor Farm and 10 at the existing Lufton Manor College site. Initially it is proposed that 10 day students would be at the new school identified as 'proposed Somerset Hub' but this could increase to 16. In total the

applicant is seeking to change the number of day students to 40. This figure is 4 more than the current and proposed facilities but this figure has been assessed in the submitted transport assessment and is deemed to be acceptable.

In relation to other considerations a Travel Plan has been submitted to support the application and this should be conditioned in accordance with policy TA4 of the Local Plan. Parking details have been supplied for the new school and again this should be conditioned.

## **RECOMMENDATION**

### **Grant permission for the following reason:**

01. The proposed increase in day students to 40 has been demonstrated would not adversely affect residential amenity or highway safety. As such the proposal complies with Policies TA5 and EQ2 of the adopted South Somerset Local Plan (2006 - 2028) and the aims and objectives of the NPPF.

### **SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The permission hereby granted shall ensure and the use hereby permitted shall continue only for so long as the use for non-residential training shall comprise an integral part of the educational use comprising residential training within the single planning units shown on than approved plans. There shall be no fragmentation of the planning unit to facilitate separation of the uses comprised in the mixed use. The use hereby permitted shall also cease upon the cessation of any of the other use(s) comprised within the mixed use.

Reason: In the interests of highway safety in accordance with Policy TA5 of the adopted South Somerset Local Plan (2006 - 2028).

03. The number of day students using Manor Farm site (as shown on site location plan 1) shall not exceed a daily maximum of 11 and the number of students using the Lufton Manor site (as shown on site location plan 2) shall not exceed a daily maximum of 29 unless otherwise agreed in the express grant of planning permission.

Reason: In order that the Local Planning Authority can exercise control in the interests of highway safety and residential amenity and in accordance with Policy EQ2 and TA5 of the adopted South Somerset Local Plan (2006 - 2028).

04. All the recommendations of the approved Travel Plan shall be implemented in accordance with the timetable therein. Thereafter the development shall operate the approved Travel Plan or any variation of the Travel Plan agreed in writing by the Local Planning Authority.

Reason: In the interests of sustainable transport in accordance with Policy TA4 of the adopted South Somerset Local Plan (2006 - 2028) and the aims and objectives of the NPPF.

05. The area allocated for parking and turning on the submitted plan, drawing number AR107-15 (100)-04 P1 shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of parking and turning in accordance with Policy TA6 of the adopted South Somerset Local Plan (2006 - 2028).

06. The development hereby permitted shall be carried out in accordance with the following approved plans: AR107 - 15 (00)-01 S1, Ar107-15 (100)-01 P1, Ar107-15 (100)-02 P1, AR107-15 (100)-04 P1, Site Location Plan 1 and Site Location Plan 2.

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