



JOINT AREA COMMITTEES IN SOUTH SOMERSET

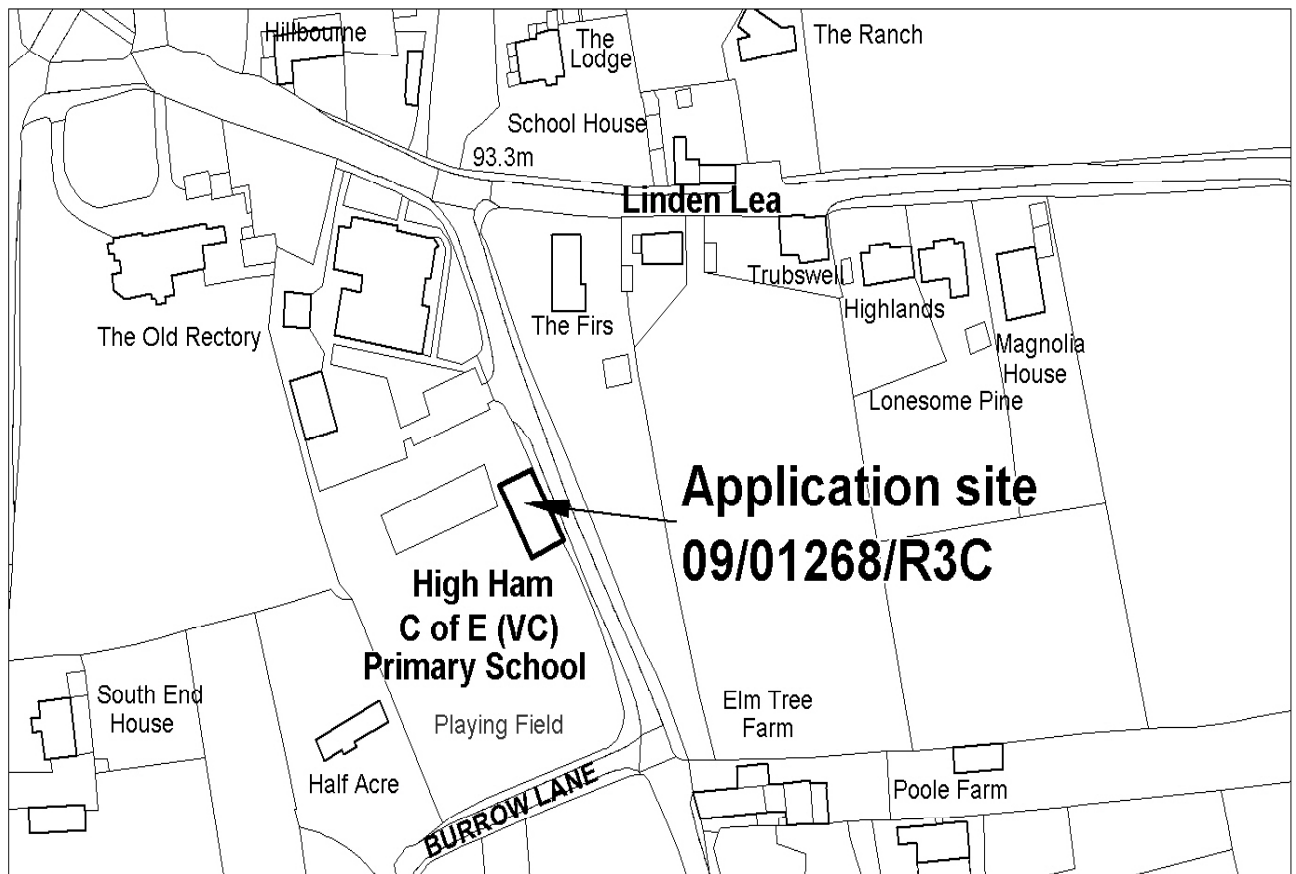


Officer Report On Planning Application: 09/01268/R3C

Proposal:	Erection of a new 3-bay Elliott building for use as a pre-school, on land at High Ham Primary School.
Site Address:	High Ham Primary School, High Ham, Langport, Somerset, TA10 9BY
Parish:	High Ham
Ward/(SSDC Member):	TURN HILL Mr Rupert Cox (Cllr)
Division/(SCC Member):	LANGPORT Mr Derek Yeomans (Cllr)
Recommending Case Officer:	Tessa Bond 01823 356024 tbond@somerset.gov.uk
Date registered:	01.04.2009
Target date:	22.05.2009
Applicant:	Director – CYPD Somerset County Council
Application Type:	Regulation 3

REASON (S) FOR REFERRAL TO COMMITTEE

This application is being reported to the committee for determination due to the objections that have been received from a nearby local resident. The detail of their objections has been discussed below.



SITE DESCRIPTION

High Ham is a village located approximately 3 miles to the north of Langport.

The proposed pre-school is to be located on land at High Ham Primary School. The proposed site is located within the centre of the village, which is within the defined development area outlined by the South Somerset District Local Plan. This area of the village comprises of residential housing. The application site area is outside of the High Ham conservation area.

The application site is located on land to the south east of the permanent school buildings. The application site is currently a grassed area.

To the north of the application site area is the school car park at a distance of approximately 10 metres (m) from the edge of the application site. Mature trees are located within close proximity to the application site. The closest tree from the north of the application site is at a distance of approximately 3 m. The northern school site boundary consists of a small hedgerow and is approximately 60 m from the edge of the application site area.

To the east of the application site area is the eastern school boundary which consists of tall mature vegetation and is at a distance of approximately 1 m from the edge of the application site area. Beyond the school boundary is Long Road; opposite Long Road is the boundary to a residential property. The residential boundary is located approximately 10 m from the edge of the application site area and consists of a tall mature hedgerow. The residential property itself is located to the north east of the application site area at a distance of approximately 35 m from the edge of the application site area.

To the south of the application site area is the school playing field. The southern school site boundary consists of tall mature vegetation and is located approximately 55 m from the edge of the application site area. Beyond the southern school boundary is Burrow Lane. To the south west of the application site area is a residential property located approximately 55 m from the edge of the application site area.

To the west of the application site area is a hard surfaced play area, which is located approximately 2 m from the edge of the application site area. The hard surfaced playground area expands a further distance of approximately 30 m to the west of the application site area. The western school boundary consists of mature vegetation and is located approximately 50 m from the edge of the application site area. Beyond the eastern school boundary is a Grade II Listed residential property located approximately 95 m from the north east of the edge of the application site area.

THE PROPOSAL

The application is for the erection of a new 3-bay Elliott building for use as a pre-school including a small hard surfaced play area, on land at High Ham Primary School.

The existing High Ham pre-school is currently located on the High Ham primary school site. The existing pre-school building currently accommodates the pre-school and also a classroom from the school. A replacement pre-school is required, as the existing building no longer meets the requirements for the Nursery Education Funding regarding the delivery of the Early Years Foundation Stage. The existing building will remain on site as it currently houses one of the school classes.

In order for the proposed unit to be placed in this position, an early mature Silver Birch and a semi - mature Small leaved Alder will need to be removed, however, the applicant has proposed replacement planting. The applicant has provided that there is no other suitable alternative site within the school grounds and Somerset County Council's landscape advisor has confirmed this.

The pre-school operates between Monday to Thursday 0900 to 1300 and Friday from 0900 to 1515. The pre-school is operated entirely independently from the school.

The proposed pre-school building will measure 9.7 m in length and 9 m in width creating a floor space of 87.3 metres squared. The height of the building will be 3 m from ground level. The roof will be of a flat roof construction.

The colour of the external rendered walls will be grey, the windows will be white and the doors will be

coloured dark brown.

The proposed building will consist of a play area, kitchen, store, W.C and a disabled W.C. Access to the building will be from either level ground access on the northern elevation or a ramped access on the southern elevation. The building will therefore be compliant with the relevant statutory provisions within the current Disability Discrimination Legislation.

The hard surfaced playground area will be located to the south of the proposed building and will measure 5 m x 5 m creating an area of 25 metres squared. 1.2 m high fencing on the west and south will enclose the hard surfaced play area; the play area will be enclosed on the north by the proposed Elliott unit and on the east by the mature hedgerow, which aligns the school's eastern boundary.

The applicant has provided that there will be no increase in pre-school pupil numbers due to the development and the applicant has also been able to provide that the school will not be increasing their pupil numbers due to the creation of additional classroom space from the existing Elliott unit.

HISTORY:

- 01/02785/R3C: Proposed erection of temporary classroom:- Conditionally permitted 21/12/2001.
- 02/02483/R3C: Construction of timber pergola to provide shade for school children:- Conditionally permitted 06/11/2002.
- 04/03275/R3C: Construction of a replacement sustainable single classroom to replace a temporary classroom: - Conditionally permitted 05/01/2005.
- 07/00408/R3C: Renewal of planning permission for temporary classroom E676: - Conditionally permitted 19/03/2007.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that the decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise,

Relevant Development Plan Documents

Regional Spatial Strategy (RSS) for the South West (RPG10) (adopted September 2001):

Policy SS 19 - Rural Areas – In accordance:- The proposed development is small in scale and takes place within the existing settlement.

Policy EN 4 – Quality in the Built Environment – In accordance:- The proposed building is of a purpose built design, however, the building will be coloured to match the existing buildings within the school site and is of a size and scale which is compatible with the character of the area.

Somerset and Exmoor National Park Joint Structure Plan (adopted April 2000):

STR1 – Sustainable Development – In accordance:- The proposed development will be accessible to people with disabilities and ensures continued access to services.

STR3 – Rural Centres and Villages – In accordance:- High Ham is identified as a village in the saved policies of the South Somerset District Local Plan; within which the principle of development is appropriate.

STR5 – Development in Rural Centres and Villages – In accordance:- The proposed development will sustain the role of the village; and, will be proportionate to the size, accessibility, character and physical identity of the village.

Policy 49 – Transport Requirements of new Developments – In accordance: - The proposal is consistent with the existing highway infrastructure.

The Saved Policies of the South Somerset Local Plan (adopted April 2006) (Saved policies April 2009):

ST2 – Villages – In accordance: - Policy ST2 identifies High Ham as a village, within which the principle of development is appropriate.

ST5 – General Principles of Development – In accordance: - The proposed development satisfies the criteria outlined in Policy ST5. Notably, the proposed development makes efficient use of land from within the school site and respects the form, character and setting of the locality.

ST6 – Quality of Development – In accordance:- The proposed development satisfies the criteria outlined in Policy ST6. Notably, the proposed development respects the form, character and setting of the settlement, does not cause unavoidable harm to the built environment and does not unacceptably harm the residential amenity of occupiers of adjacent properties.

CR1 – Loss of Playing Fields – In accordance: -The proposed development will result in the loss of open space. However, the majority of sports and playing field space will be retained and the remainder of the playing space will be adequate to meet statutory requirements.

EH1 – Conservation Areas – In accordance: - The proposed development is outside of the High Ham conservation area, it is not considered that the proposed development is in close enough proximity to affect the settings or views in or out of the area.

Policy-related Material Considerations

Draft Regional Spatial Strategy for the South West (Proposed Changes June 2008):

Development Policy C – Development in small towns and villages – In accordance: - The proposed development supports small-scale economic activity; ensures the continued access of services; does not significantly increase traffic on local roads; and, strengthens local communities.

Development Policy E – High Quality Design – In accordance:- The proposed development is considered to be compatible with the rural area due to its size, scale, and positioning within the school site.

PPS's/PPG's

Planning Policy Statement 1 – Delivering Sustainable Development – In accordance:- The proposed development ensures continued access to services and will be accessible to all. The development is considered to be sustainable.

Planning Policy Guidance 13 – Transport – In accordance:- The proposed development would allow for a range of transport services and is considered to be sustainable.

Planning Policy Statement 7 – Sustainable Development in Rural Areas – In accordance: - The proposed development is suitable for the rural area and is considered to be sustainable.

South Somerset Sustainable Community Strategy

The proposed development is in accordance with the South Somerset Sustainable Community Strategy and is notably prevalent in concurring with the goals to achieve strong social networks in communities, and enabling access to community facilities for everyone.

CONSULTATIONS

South Somerset District Council: South Somerset District Council raised no objection to the proposed development and recommended that the building be granted a temporary permission in order to ensure that the appearance and condition of the building can be reviewed.

High Ham Parish Council: High Ham Parish Council raised no objection to the proposed development, but did ask for clarification on the provision of parking.

The Highway Authority: The Local Highway Authority raised no objection to the proposed

development, as the proposed development is unlikely to result in an increase in the number of traffic movements to and from the site over and above that presently generated.

Somerset County Council's Landscape Advisor: SCC's landscape advisor raised no objection to the proposed development. She has suggested that a landscaping condition be attached to the permission, requiring the planting of trees in the vicinity of the lower playground to compensate for the trees lost.

Disabled Network: No response was received at the time of writing this report.

Avon and Somerset Police Constabulary: No response was received at the time of writing this report.

Sports Council: Sport England raised no objection to the proposed development as they were satisfied that the proposals met with the requirements of their playing field policy "A Sporting Future for the Playing Fields of England."

Wessex Water: Wessex Water raised no objection to the proposed development.

REPRESENTATIONS

One letter of representation has been received objecting to the proposed development. The objector made the following comments:

- The transport impact of the proposed development needs to be addressed as the proposal could worsen an existing traffic problem, which is associated with the school.
- The issue of the visual impact on the adjacent conservation area needs to be addressed.

CONSIDERATIONS

It is considered that the main planning considerations with regard to this proposed development are:

- **Whether the proposal accords with the development plan.**
- **Whether the proposed development is considered to be sustainable and of good design.**
- **Transport impact.**
- **Impact on the High Ham Conservation area.**

Whether the proposal accords with the development plan

The proposed development accords with the relevant development plan policies.

Whether the proposed development is considered to be sustainable and of a good design

Structure Plan Policy (SP) STR1 sets out that sustainable development will be of high quality, good design, minimises the use of non-renewable resources, ensures access to services and enables access for people with disabilities. Local Plan Policy (LP) ST5 details the general principles of development, notably, the development should promote a pattern of land use and transport which reduces the need to travel, minimises the length of journeys, provides a choice of means of transport, makes efficient use of the land, conserves biodiversity and environmental assets, respects the setting of the locality, and makes provision for the infrastructure necessary to service the development. The South Somerset Sustainable Community Strategy details a strong focus on development, which will achieve strong social networks within communities and enable access to community facilities for everyone. The proposed development achieves these goals.

I am satisfied that the proposal accords with the principles of sustainable development. Although the building is of a purpose built design, the Elliott unit is of a compatible design with the existing school infrastructure. The proposed Elliott unit will be coloured grey to match the colour of the existing permanent structure school building. The proposed pre-school building has also been placed in a location alongside the eastern school boundary hedgerow and within close proximity to the existing school buildings and so will not become a prominent feature within the school site. The proposed unit will ensure continued access to services. The existing pre-school unit no longer meets the requirements for the Nursery Education Funding regarding the Delivery of Early Years Foundation stage and so a replacement is needed. If the service were to be taken away parents would need to

drive a further distance to the next nearby pre-school. The ground will also be excavated to allow for level access on the north elevation, a ramped access will also be located on the southern elevation, this will ensure that the building is compliant with the relevant statutory provisions within the current disability legislation. The building is therefore accessible for disabled users and design in accordance with British standard 8300:2001 (Design of Buildings and their approaches to meet the needs of disabled people) and the Building Regulation Document M (Access and use of buildings). An informative will be added to the permission to draw the applicant's attention to the Disability Discrimination Act 1995 and Part M of building regulations.

By housing the pre-school on the primary school site ensures that there is a reduced need to travel for parents who may have children of pre-school and school age. The parents will therefore be able to transport their children in one journey. The pre-school site is also within the centre of the village and so would be accessible by a range of transport modes including walking and cycling.

Planning Policy Statement 7 – Sustainable Development in Rural Areas details that a key principle of sustainable development is to deliver development which raises the quality of life and the environment, through amongst other criteria, good quality sustainable development that respects the countryside, and promoting thriving, inclusive communities, I believe that the development is of a suitable design to meet its function and is of a size and scale appropriate to the rural area. The development will also provide key services to the local community. I am therefore satisfied that the proposal accords with the development plan and Government Policy.

Transport impact

As detailed above, a nearby local resident has written a letter of objection to the proposed development. One of the reasons for the objection is the transport impact of the proposed development.

SP Policy 49 indicates that development should be compatible with the existing transport infrastructure or provision made for improvements to infrastructure to enable development to proceed. Developments should also provide access for pedestrians, people with disabilities and public transport. Development should have safe access to roads of adequate standard.

The objector has detailed that the current problem of parking needs to be addressed before there is an expansion of facilities. The pre-school is operated entirely independently from the school. The applicant has confirmed that neither the pre-school nor the school are intending to increase their pupil numbers as a result of the proposed development, therefore there will be an expansion of buildings on the site but there will not be an expansion of facilities in the sense that there will be a greater pupil intake. A replacement Elliott unit is needed, as the existing pre-school classroom no longer meets the requirements for the Nursery Education Funding regarding the delivery of the early years foundation stage. The current pre-school unit will remain on site as it currently houses one of the schools classes. The proposed development should therefore not cause an increase in traffic.

The hours of operation of the pre-school are 0900 – 1300 Monday to Thursday and 0900 to 1515 on Fridays. Although the pre-school operates the same time as the school in the mornings, this is considered to be reasonable as parents may also be able to drop-off older children to the school at the same time, therefore minimising the number of journeys. The pre-school does finish at an earlier time than the school on Mondays to Thursdays and so the pre-school does not add to the congestion problem during the afternoon.

Planning Policy Guidance 13:Transport, details that a key-planning objective is to ensure that services are accessible by public transport, walking and cycling. This is important for all, but especially for those who do not have regular use of a car, and to promote social inclusion. As the proposed pre-school building is to be located within the centre of the village, the service would easily be accessible by local village residents by both walking and cycling.

The Local Highway Authority have raised no objection to the proposed development, they have confirmed that the proposal is unlikely to result in an increase in the number of traffic movements to and from the site over and above that presently generated.

The proposed development therefore accords with the development plan and Government Guidance.

Impact on the High Ham conservation area

The objector has raised issue over the impact of the proposed development on the High Ham conservation area. The High Ham conservation area is located approximately 30 m to the north of the application site area. SP Policy 9 provides that the character or appearance of Conservation Areas should be preserved or enhanced. LP Policy EH1 provides that all development in a conservation area or outside the area, which would affect the settings or views in or out of the area will be required to preserve or enhance the character or appearance of the area by conforming with the historical pattern of development and property boundaries; using landscape design as an active element in the overall design; using materials for buildings, surfaces and enclosures which are appropriate to the buildings function and compatible with its surroundings; and, provide buildings and spaces which make a positive contribution to the character, setting and appearance of the area.

The proposed development is not anticipated to have an adverse affect on the character or appearance of the conservation area due to the distance outside of the area and also the character of the small-scale proposal. The building has a footprint of 87.3 metres squared and has been located along a school boundary which consists of a mature hedgerow. A group of trees are located approximately 3 m to the north of the application site area which affords a good level of screening of the proposed development. The building will be coloured grey to match the existing buildings on the site, which is therefore considered to be appropriate to the character and setting of the school site.

It is considered that the proposed small-scale development will have a negligible impact on the High Ham conservation area.

The proposed development therefore accords with the development plan.

CONCLUSION

I acknowledge that a local resident has placed concern that the proposed development could worsen the existing traffic situation, however, the applicant has been able to demonstrate that there will be no material increase in vehicle movements, as the proposed development would not lead to an increase in pupil numbers. It is also clear that locating a pre-school within the existing High Ham Primary School is a far more sustainable option than placing it in a location which in turn would lead parents to make an extra journey. The applicant has been able to demonstrate that, as the proposed development would not lead to an increase in pupil numbers that the proposed development would not significantly exacerbate existing highways issues.

The proposed development will also have a negligible impact on the High Ham conservation area, as the proposed development is small in scale and is of a compatible nature with the characteristics of the village. The unit has also been placed in a location, which is within an acceptable distance from the conservation area; therefore I do not believe that the development is in a close enough proximity to affect the settings or views in or out of the area.

In all other respects the proposal is in accordance with the relevant policies of the development plan.

Overall, there are no other relevant material considerations that would indicate a refusal and my recommendation is that the decision should be made in accordance with the development plan, hence I recommend approval.

SECTION 106 PLANNING OBLIGATION/UNILATERAL UNDERTAKING

Not applicable

RECOMMENDATION

Grant permission

SUBJECT TO THE FOLLOWING:

Pre-commencement

1. The development hereby permitted shall be commenced within three years of the date of this

permission.

Reason: Pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in strict accordance with the approved specifications and drawing plan numbers, PL-01 and PL-02, and with any scheme, working programme or other details submitted to and approved by the County Planning Authority in pursuance of any condition attached to this permission, unless (in either case) prior written approval is obtained from the County Planning Authority to any variation.

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

Pre-occupation/use:

1. Prior to the commencement of use of the building hereby permitted, an updated travel plan shall be submitted to and approved in writing by the County Planning Authority.

Reason: In the interests of sustainable transport.

2. Before the development hereby permitted is commenced a landscape planting scheme shall be submitted to and approved in writing by the County Planning Authority and shall be carried out within the first planting season following the completion of the development. For a period of five years following their planting the trees shall be protected and maintained, and any trees which die or become seriously damaged or diseased shall be replaced in the following planting season with other of similar size and species, unless the County Planning Authority gives written approval to any variation.

Reason: In the interests of the visual amenities of the area.

On-going:

1. The use hereby permitted shall be discontinued, the building removed and the land shall be reinstated to its former condition on or before 27.05.2014.

Reason: In the interests of the visual amenities of the area.

2. Any trees or shrubs removed without prior written approval of the County Planning Authority, or being severely damaged as a result of operations permitted by this permission, shall be replaced with trees/shrubs of such size and species as may be specified by the County Planning Authority in the first planting season following any such occurrence.

Reason: In the interests of the visual amenities of the area.

INFORMATIVE NOTES

1. Your attention is drawn to the Disability Discrimination Act 1995 and Part M of Building Regulations, which may assist you in ensuring fair access to all.
2. You are advised to contact Wessex Water, prior to the commencement of any works on site, to agree a point of connection onto the Wessex Water Infrastructure.