

Area North Committee – 23 April 2014

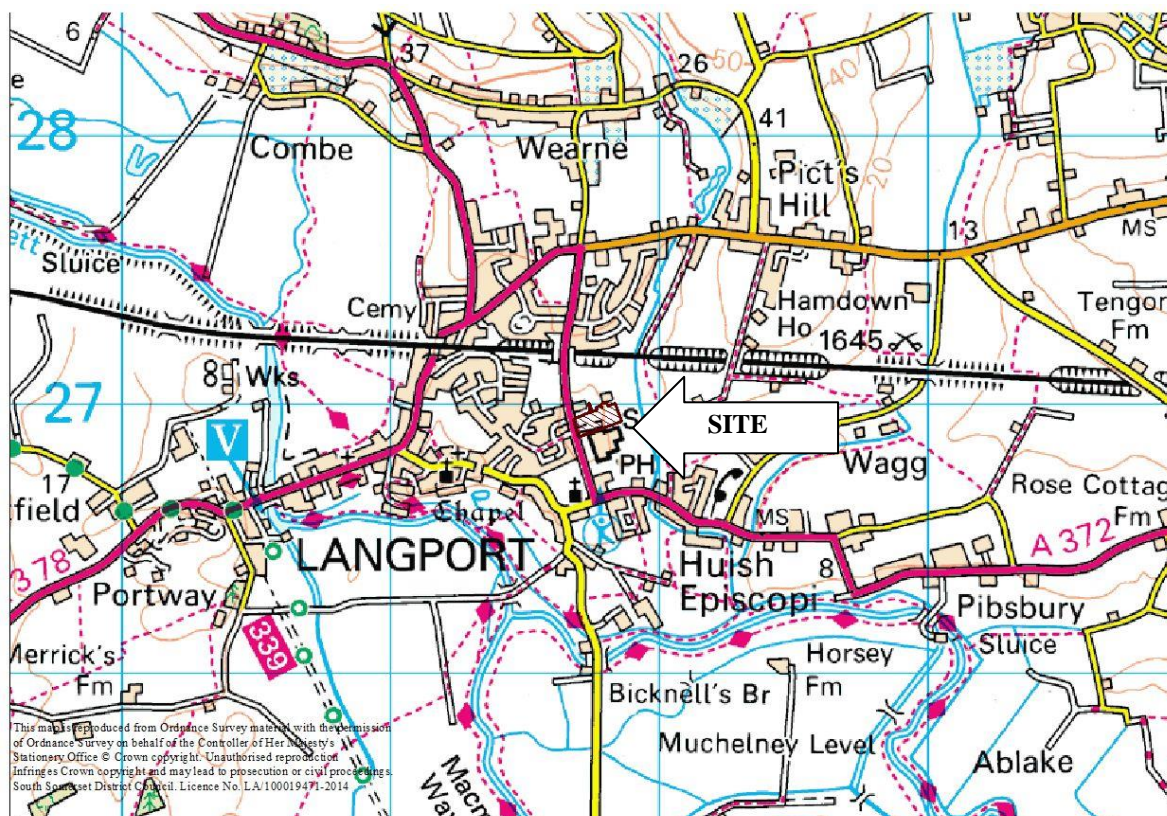
## Officer Report On Planning Application: 14/00249/FUL

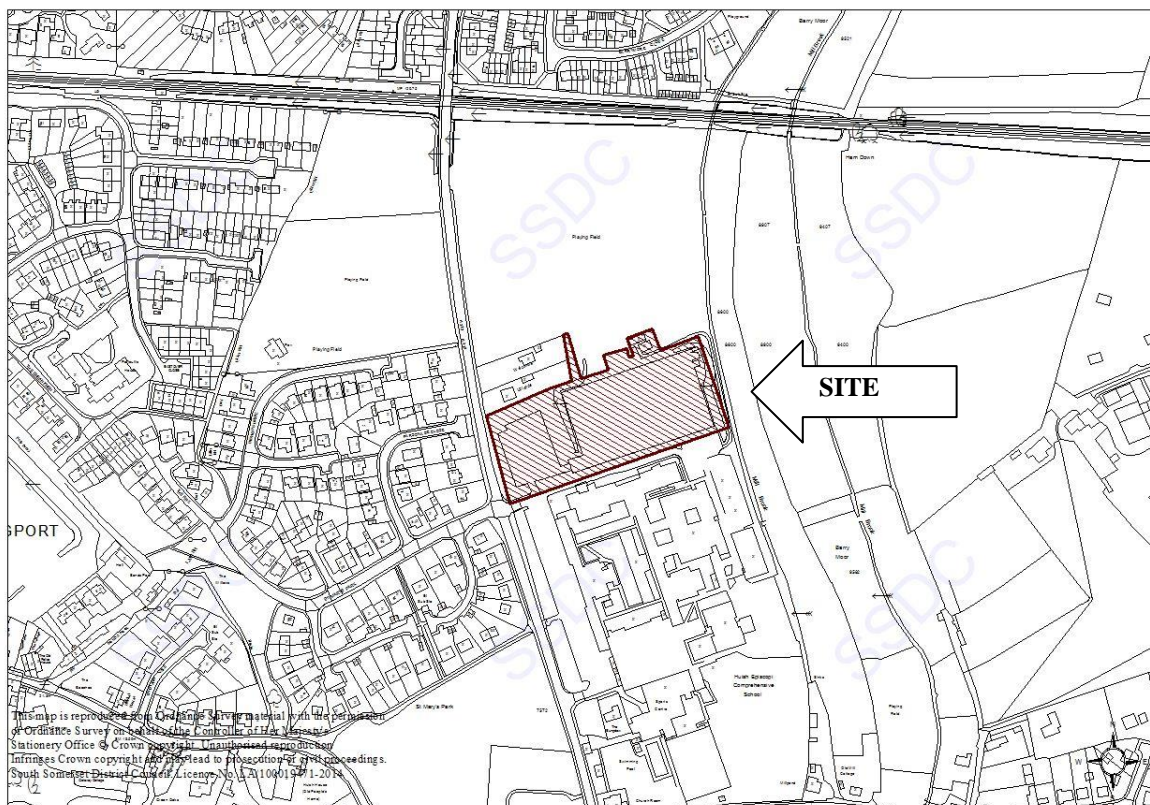
<b>Proposal :</b>	Construction of an artificial grass pitch, creation of a permanent car park, erection of fencing, floodlighting and associated landscaping and engineering works (GR:342761/126819)
<b>Site Address:</b>	Huish Episcopi Academy, Wincanton Road, Huish Episcopi.
<b>Parish:</b>	Huish Episcopi
<b>LANGPORT &amp; HUISH Ward (SSDC Member)</b>	Cllr Roy Mills
<b>Recommending Case Officer:</b>	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
<b>Target date :</b>	28th April 2014
<b>Applicant :</b>	Ms Amanda Eastwood
<b>Agent: (no agent if blank)</b>	Mr Paul Ellingham, Alliance Planning, 54 Hagley Road, 3rd Floor, Edgbaston, Birmingham B16 8PE
<b>Application Type :</b>	Major Other f/space 1,000 sq.m or 1 ha+

### REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee with the agreement of the Vice Chairman to enable the issues raised by the Parish Council and local residents to be fully debated by Members.

### SITE DESCRIPTION AND PROPOSAL





The site is an Academy that provides secondary education and a community leisure facility, located between Huish Episcopi and Langport. The buildings are a combination of single storey and two storey, constructed from a mix of different materials. The building complex fronts a road to the west, and is surrounded on other sides by playing fields, sports courts and a sports hall.

This application relates to an existing clay sports pitch on the north side of the existing buildings and a gravelled area between the pitch and the adjoining public highway, which has until recently been used as a temporary car park. The site is bounded by open countryside to the east, playing fields to the north, the main academy buildings to the south and the neighbouring development of Parsonage Close to the west. There are also a pair of detached houses to the north west, with the nearest, Uplands, being located immediately adjoining the application site. The topography of the site slopes gently downwards from north to south, with a sharper drop from west to east. The existing temporary car park and adjoining properties are located on higher ground, with the existing pitch and playing fields to the north being around 2m lower. The site boundaries include an earth bund to the west, behind an existing hedge to the road frontage and there is a 3m mesh fence along the southern boundary of the neighbouring property Uplands, which is supplemented by the neighbour's own domestic planting.

The proposal seeks to install a Third Generation (3G) all-weather sports pitch (AGP) with fencing and floodlighting. It is also proposed to provide a permanent 61 space car park to replace the existing temporary area. The surface area of the playing facility extends to an area measuring approximately 88m by 60m, enclosed by a 4.5m perimeter fence, with a marked pitch measuring 82m by 50m. There is a 3m runoff area provided around the pitch, with a dug out to the south and spectator area behind a 1.2m fencing, also to the south of the pitch. In total eight 10m high floodlighting columns are proposed. It is also intended to carry out further works to re-contour the existing bund along the frontage of the site, extend it further to the east and carry out a comprehensive planting scheme. A 2.5m acoustic fence is also proposed along the southern and eastern boundaries of the

neighbouring dwelling to the north west.

The facility is proposed to be used primarily for football playing and training. It is stated that the pitch will provide high quality facilities that meet an identified shortfall in artificial pitches locally, as well meeting a need for floodlit facilities too. It is intended that a variety of formats will use the pitch including, full-size, under 13/14, five-a-side and junior football

The application is supported by:

- Design and Access Statement and Planning Statement
- Flood Risk Assessment
- Transport Supporting Document
- Noise Impact Assessment
- Lighting Report and Light Spill Diagram
- Phase 1 Habitats Survey
- Phase 2 Ecological Surveys Report
- Archaeology and heritage Desk Based Assessment
- Arboricultural Impact Assessment
- Statement of Community Involvement

## HISTORY

- 12/02162/FUL: Erection of a new two storey classroom building to provide five classrooms and associated WC provision - Permitted with conditions.
- 12/00336/FUL: Installation of photo-voltaic panels to roofs of school buildings - Permitted with conditions.
- 11/00324/FUL: Erection of a secure perimeter fence and gate adjacent to the student guidance and learning centre - Application refused.
- 10/03093/R3C: Installation of a security fence, gate and pedestrian guard rail adjacent to the student guidance and learning centre - No objections raised (County planning application withdrawn).
- 10/003838/R3C: Single storey extension to be used as a new dining area - No objections raised (permission granted by County Council).
- 08/05347/R3C: Erection of two storey extension and single storey science extension with associated works alterations to visibility splay and car parking arrangement and new play court - No objections raised (permission granted by County Council).

Various additional planning history relating to the on-going improvements and development at the Academy site.

## 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 decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

### Relevant Development Plan Documents

South Somerset Local Plan 2006:  
 ST5 - General Principles of Development  
 ST6 - The Quality of Development

EC3 - Landscape Character  
 EC8 - Protected Species  
 EP2 - Pollution and Noise  
 EP3 - Light Pollution  
 EP6 - Demolition and Construction Sites  
 EP9 - Control of other Potentially Polluting Uses  
 EU4 - Drainage  
 CR1 - Existing Playing Fields/Recreation Areas

### **Policy-related Material Considerations**

National Planning Policy Framework (March 2012):  
 Core Planning Principles - Paragraph 17  
 Chapter 4 - Promoting Sustainable Transport  
 Chapter 7 - Requiring Good Design  
 Chapter 8 - Promoting Healthy Communities  
 Chapter 10 - Climate Change and Flooding

National Planning Practice Guidance (March 2014):  
 Design  
 Flood Risk and Coastal Change  
 Health and Wellbeing  
 Light Pollution  
 Natural Environment  
 Noise  
 The Use of Planning Conditions  
 Travel Plan, Transport Assessments and Statements in Decision Taking

Somerset County Council Parking Strategy (September 2013)  
 Somerset County Council Highways Development Control - Standing Advice (June 2013)

The South Somerset Needs Assessment for Artificial Grass Pitches (updated March 2012)

## **CONSULTATIONS**

### **Huish Episcopi Parish Council:**

The Parish Council have acknowledged that the development will provide a much needed improvement to sport provision for the Huish Episcopi Academy and the local area; however, the following comments are made:

- It will result in an increase of noise with a tannoy system and light pollution in the local area.
- The use of proposed noise reduction acoustic barrier should be extended to cover the Northern, Eastern and South West areas of the development, taking into account the areas of Brookland Road, Pounsell Lane and Portland Close. There is currently ongoing building work at the Academy in the area of the AGP and shouting and traffic movement can be clearly heard in the vicinity of Pounsell Lane and Portland Close.
- The trees/shrub planting at the eastern end of the AGP construction is several metres below the pitch level, and as such will have no impact in reducing the light and noise pollution from the AGP in that direction. Consideration should be given to include an acoustic barrier and further tree planting at pitch level at the Eastern end and South West quadrant of the AGP, thereby, reducing the light and noise

- pollution.
- Any tree planting should be carried out using mature trees, not saplings, to have an instant impact.
- Recycle bins should be provided at the entrance/egress points of the AGP.
- The late use of the AGP should be until 21:00 and not 22:15 (20:00 at w/ends), thereby reducing the light and noise pollution to an acceptable time and allowing the residents of Huish Episcopi (and Wearne and Pibsbury!) to enjoy what remains of the evening.
- Are there enough cycle parking/mobility facilities in the vicinity of the AGP?
- With such a large AGP facility there appears not to be an increase in the number of changing rooms, showers or toilet facilities for those using the AGP, will they be expected to use the surrounding area of the AGP for changing etc? Also are we to be reassured that the facility will be available for community use not just for the academy
- The traffic survey used is 13yrs out of date and fails to include recent accidents; the increased traffic associated with the 6th Form College or the large amount of traffic as a result of the recent completed housing projects in the local area i.e. Kelways, Bartlett Elms and Huish Lea. Also there are future housing projects at Newtown and the Trials ground that will need to be considered. All of the aforementioned will have an impact on the traffic signature that passes/uses the Academy/AGP.
- To manage the increased amount of road traffic there would be support for a traffic calming scheme long Field Road and Wincanton Road.
- Although the light controlled crossing opposite the school is considered essential for crossing the road and gaining access to the AGP facility by foot it has been noted on many occasions that the school pupils actually cross at the junction with St Marys through the school vehicle entrance gates/roadway. A full and up-to-date traffic survey would highlight these concerns and provide acceptable solutions!
- The concerns of the residents of Uplands and Welcombe should also be considered.
- The idea that suggesting that St.Mary's Park could be used for an overspill parking facility would not go down well with the residents. They had enough of that before extra car parking spaces were allocated, not being able to park outside their own homes, visitors unable to park at all and we can assure you that they had enough of that in the past.

### **County Highways Authority:**

As a starting point, the Highway Officer notes that the AGP is replacing an existing pitch, which is already utilised by both the Academy and local groups/teams so there is no objection in principle to that part of the application, particularly as it would reduce the need to travel to alternative venues some distance away from the town.

The Highway Officer advises that specific highway issues have been addressed by the Transport Supporting Document, which examines the impact of the development on the surrounding highway network from both a traffic impact and safety point of view, whilst also exploring opportunities to promote sustainable travel through the use of an updated travel plan.

In regard to the report, it is considered by the Highway Authority that the overall impact on the local network will be negligible in the peak hour between 7pm and 8pm, whilst traffic movements in the Am and Pm peaks are only approximately 6 vehicles and 13 vehicles respectively, which are also considered to be negligible. As such, there are not considered any grounds to object to the application for traffic generation reasons.

In considering the car parking element of the scheme, the report details both current and proposed parking levels and concludes that the level of car parking being provided on site meets the standards laid down in the County Wide Parking Strategy dated September 2013 and as such is considered acceptable.

The findings of the report, in respect to highway safety and the accident data supplied, are accepted by the Highway Authority. The Highway Officer has noted that that a fatal accident has occurred close to the site which has not be included in the figures, however the circumstances pertaining to that accident are not felt to alter the Highway Authority's viewpoint on the application as all potential areas of concern have been satisfactorily addressed in this particular case.

As such, no objections are raised by the County Highway Authority, subject to the imposition of conditions relating to surface water disposal, keeping parking and turning areas clear of obstruction, the carrying out of a condition survey of the existing highway, provision of an updated Travel Plan and approval of a Construction Management Plan.

**Sport England:**

No comments received. An oral update will be given.

**Somerset Football Association:**

Somerset FA support the proposal in that it will enable clubs and people from the surrounding area to access high quality training facilities and additional youth pitches for competitive and non-competitive school and club football. It is advised that Somerset FA have worked closely with Huish Leisure, the Academy and South Somerset District Council to ensure that excellent community use opportunities are available in order to grow local football provision, develop its workforce and raise standards in youth and adult football.

**SSDC Community, Health and Leisure Service:**

In this case, the Community Health and Leisure service response relates specifically to how the proposed facilities may address community needs as identified in local Needs Assessments, rather than to the potential need of the Academy for new artificial grass facilities to meet curriculum needs. They are supportive of the principle of dual use sports facilities, where there is clear community benefit and need. It is noted that Huish Episcopi Academy currently provides important community sports facilities within Huish Episcopi / Langport and the wider area.

The South Somerset Needs Assessment that the Community Health and Leisure Service has conducted for Artificial Grass Pitches (updated March 2012) indicates that by 2028 there will be a quantitative shortfall of 5,421m<sup>2</sup> or 0.82 full size pitches in Area North. The mapping of existing facilities within South Somerset and other districts, also identifies that the majority of residents in Area North are outside the catchment of the 20 minute drive time of existing facilities. In addressing these shortfalls, the council has set out a strategic policy proposal (AGP1) to provide a new Third Generation (3G) AGP at Huish Academy School to meet the needs for football in Huish Episcopi / Langport and Area North. The proposed delivery of this application is therefore considered to meet the remaining identified deficiency in community provision that will exist by 2028, without adversely impacting on any existing facilities. It is also advised that the need for a 3G AGP at Huish Episcopi Academy is also identified in the council's Infrastructure Delivery Plan.

It is noted that pitch size is less than the recommended minimum size for a 3G AGP and

will therefore not deliver full size facilities, however the site constraints prevent a larger pitch being provided on this site and it is acknowledged that there would still be a community demand for the facility. It is therefore considered that the benefits of providing a high quality artificial grass pitch for football training and potentially, youth competition in this part of South Somerset, outweigh this issue, and it is supported by Community, Health and Leisure.

**SSDC Ecologist:**

No objection, subject to conditioning the proposed landscaping works along the east boundary of the pitch - The 'Phase 2 Ecological Surveys Report' (Nicholas Pearson Associates, Oct 2013) particularly focuses on assessing the presence and impacts to bats. It didn't identify any actual or potential bat roosts, although the eastern site boundary did have a notable level of bat activity. The only species recorded in significant numbers was common pipistrelle which is regarded as one of the more light tolerant species more often associated with urban environments. While, it's possible that increased light levels from the proposed flood lighting could give rise to some disturbance impacts to bats, there are not considered to be any grounds for refusing due to the species and level of activity recorded. It is recommended that a condition is imposed requiring the implementation of the proposed landscape planting along the east boundary as mitigation towards reducing disturbance to bats.

**SSDC Tree Officer:**

No objections subject to a condition requiring the implementation of the submitted tree protection measures, which will satisfactorily safe-guard the retained trees, both within and adjoining the site.

The potential arboricultural impact of the acoustic fencing upon the trees on adjoining land has been appropriately considered and is deemed to be negligible.

**SSDC Landscape Architect:**

No objection subject to the full implementation of the submitted landscape proposal. It is noted that the site is already characterised by a pitch layout, with the additional temporary parking to the west. The Landscape Architect is satisfied that the intensification of the use of this part of the site and the associated visual effects will be appropriately mitigated by the proposed ground modelling and planting proposals

**Environment Agency:**

No objections subject to conditions covering surface water drainage and informatives concerning surface water drainage, pollution measures during construction and waste management.

The Environment Agency have questioned some of the technical details referred to in the submitted drainage plan and Flood Risk Assessment but are satisfied that these outstanding elements issues can be dealt with by discharge of condition.

**SSDC Environmental Protection Unit:**

No objections subject to the imposition of conditions to minimise light spill and noise impact, such as requiring a revised lighting scheme and limiting the hours of operation for the pitch and floodlighting

The Council's Environmental Protection Officer initially raised concerns about the

potential impact of the floodlighting scheme on the residential garden of the immediately adjacent property, Uplands. In particular it is noted that the submitted lighting report and light spill diagram do not take into account the site levels, the presence of the proposed acoustic fencing or the impact of fitting back-cowls. Nonetheless it is recognised that this information presents a worst case scenario and that the light levels will no doubt be lower than indicated. It is also acknowledged that the light levels indicated before taking the site constraints into account, together with implementing an appropriate curfew, will be below that recommended by the Institute of Lighting Professionals and therefore would not be considered to cause sufficient harm to represent a statutory nuisance. Therefore an updated lighting scheme should be conditioned to minimise light impact as far as possible.

No objections are raised in respect to noise impact, but the limiting of hours is suggested, as requested to limit impact of lighting, and measures to reduce the impact of hockey balls striking the back of the goal. The Environmental Protection Officer has suggested that an appropriate restriction on operating hours would be outside the times of 08:00 to 21:15 Monday to Friday and 09:00 to 18:15 on weekends and bank holidays. The acoustic effectiveness of the proposed acoustic barrier is considered to be satisfactory.

## REPRESENTATIONS

7 individuals/couples have lodged objections and a further observation letter has been received raising some concern in respect to the proposed development. The objectors reside at St Marys, Parsonage Close and in the adjoining property, Uplands. The nature of the objections fall into various categories, these include:

### Floodlighting

- Enough light already comes from the academy buildings at night with little regard given to the impact on local residents. This is primarily a residential area and provision of community/football facilities should not override this.
- Whatever the design of the floodlighting, there will be a significant spread of light over an excessive period, to the detriment of residents. Furthermore, the sports centre opening hours are only until 4pm on weekends so the floodlighting should be restricted to these hours only.
- Can the pitch be lowered by 1.5m to allow a reduction in the height of the floodlighting and associated reduction in height of the acoustic fencing?

### Noise

- The proposed facility will be used principally for football, which requires much audible involvement over a protracted period of time. It is unclear how the extensive hours of operation proposed will assist in mitigating noise impact. The hours of operation should be reduced and strictly controlled.
- The noise of cricket being played on the nearby pitch is clearly audible to local residents so the noisier sports of football and hockey will cause greater noise pollution than presented in the report.
- The increased noise pollution along with extended operating hours will provide widespread intrusion above and beyond that currently encountered in the area and will transmit well beyond the properties identified as being most at risk. This will have a major detrimental impact on the local community beyond normal school hours.
- Consideration should be given to extending the acoustic barrier to the western side of the AGP too.
- It is unclear how "effective management" of the facility will mitigate the noise impact.



- A proposed public address system is indicated on the proposed plans but not referred to elsewhere. No indication is given of measures to control its use. It should be removed as it has no place in a residential area.
- Alternatively the PA system should not be used after 7pm.

### **Other Residential Amenity**

- The proposed 2.5m acoustic fence will cut out a huge amount of light to the downstairs windows of the adjacent property, Uplands. It will also give permanent shade to the garden for large parts of the day, as well as adversely affecting the vegetable plot at the end of the garden.
- The acoustic fence could potentially be lowered in height if the pitch was lowered by 1.5m, which would also allow a reduction in height of the floodlighting.
- Duration and Nature of Use
- The proposed operating hours are excessive and represent a significant increase in usage over that currently taking place on the existing pitch and will provide no respite for local residents affected.
- Opening hours should be aligned to the current sports centre hours and preferable consideration should be given to closure on Sundays and bank holidays.
- Hours of use should be reduced to 9pm in summer and 8.30pm in winter.
- The toilet and changing facilities of the sports centre close earlier than the proposed closing time for the AGP. They are also located away from the pitch, meaning that the potential noise disturbance will be spread further.
- Hours of use don't take into account the period before and after when people arrive and leave.

### **Visual Impact**

- The proposed car park is not an upgrade of an existing facility but a complete change of use as it was approved for a temporary period of time only and was required to be returned to grass within 12 months of the completion of the new 6 form building (i.e. in September 2011). The scheme will therefore mean the change of use of a nice grass area, used by pupils as a recreation area.

### **Trees and Planting**

- There is no mention of the potentially detrimental impact that the 2.5m acoustic fence will have on the existing natural hedge along the boundary of Uplands.
- The Arboricultural Impact Assessment hasn't sufficiently taken account of impact on local flora and fauna.

### **Highways and Parking**

- There are already problems with inconsiderate parking in St Marys Park, which can make it difficult for residents to park and access their properties, as well as being hazardous to pedestrians and vehicle users. There are also concerns regarding emergency access. The proposal will make this existing situation worse, particularly as there will be a reduction in overall parking on site (177 to 143 spaces), which will inevitably lead to increased parking in local residential areas.
- Increased parking provision could be accommodated by removing the banks of soil along the Wincanton Road and the boundary with the neighbouring property, Uplands.
- The Transport Supporting Document utilises old and out of date data, gathered before the current Academy was formed, with increased pupils numbers and traffic generation. As such, only assumptions can be made about the current traffic issues.

- The extent of the site is under-represented in the Transport Supporting Document and fails to include a locally well-known hazardous bridge. Increasing the boundary and have provided worse statistics.
- It is noted that the chosen time scales and length of road used in the Transport Supporting Document mean that several accidents, including a fatality are omitted from the data.

### Local Consultation

- Insufficient consultation has taken place with the wider community, who are likely to be affected. The scheme should be rejected as to allow proper consideration of the views of local people and appropriate mitigation measures considered.
- It is disappointing that although the scheme has taken years to prepare, local residents have only been given three weeks to comment.

In addition 24 letters of support have been received. The main points include:

- The facility would be of benefit to both the school and the wider community.
- It will provide a unique sporting service for the local area and promote health and fitness.
- It will provide a facility for football matches to take place between Taunton and Yeovil.
- Local football clubs find it difficult to find high quality local training facilities. It will also provide additional 5 aside facilities, which are also limited locally. Recent flooding has highlighted the difficulties in having to travel to Taunton, Yeovil, Street or Bridgwater for facilities.
- The provision of an all-weather pitch is important considering the amount of grass pitches rendered unusable, particularly in winters like the one just past.
- There is a huge demand locally from school and adult and junior sports and leisure clubs for facilities such as these.

## CONSIDERATIONS

### Principle of Development

The proposal includes the replacement of an existing clay 'Redgra' pitch with a new Artificial Grass Pitch (AGP), with associated fencing and floodlighting, and the creation of a permanent 61 space car park in the place of an existing temporary parking area. The development will be supplemented by a comprehensive landscaping scheme that includes some ground re-modelling and significant levels of new tree and shrub planting and the provision of a 2.5m acoustic fence alongside the boundaries of the two nearest properties.

In considering the provision of the new pitch first, there is an identified community need as a result of shortfall in sports pitches in the district, with a quantitative shortfall of 0.82 full size pitched in Area North (South Somerset Needs Assessment for Artificial Grass Pitches - updated March 2012). It has also been identified that the majority of Area North residents live outside of a 20 minute drive time catchment area for existing facilities. In commenting on this application, the Council's Community, Health and Leisure Team note that SSDC has set out a strategic policy proposal (AGP1) to provide a new Third Generation (3G) AGP at Huish Academy School, which will meet the needs for football in Huish Episcopi/Langport and Area North. The proposed delivery of this application will meet the remaining identified deficiency in community provision that will exist by 2028, without adversely impacting on any existing facilities. It is also advised that the need for a 3G AGP at Huish Episcopi Academy is identified in the council's Infrastructure Delivery Plan. As such, there is a clear local community need for this facility and therefore its

provision is considered to be acceptable in principle, subject of course to satisfying other relevant planning considerations, such as impact on residential amenity, highway safety, visual amenity, local ecology and flood risk.

In respect to the car park element, it is advised that there are currently 97 formal spaces on site, which does not include a further 80 informal spaces available in the temporary car park, as its use was required to be discontinued and returned to its previous grassed state, following the completion of construction activities associated with planning permission 08/05347/R3C, a scheme which included the provision of a new 6th form building. A rolling programme of improvements at the Academy will result in the loss of 15 formal parking spaces, which falls short of a requirement of 138 parking spaces for the Academy, leisure centre and proposed AGP, as identified by the County Council's Parking Strategy. The addition of a new permanent car park, will increase the levels of parking on site to 143 spaces, which is a slight over-provision of parking above the parking strategy requirements. This is also seen as being acceptable in principle, subject to appropriate consideration of other impacts and assessment against relevant planning policies.

### **Residential Amenity**

Several objections have been received from neighbours and concerns lodged by the Parish Council, in respect to the potential for disturbance of local residents as a result of the increased noise generated by activities on site and the potential for light pollution because of the addition of floodlighting. The impact of the proposed lighting and perception of noise are indeed two significant areas of objection and clearly constitute planning considerations. As such each matter is discussed here, as at all times the key question is whether any one substantive issue would warrant refusal of the application.

The new pitch will be used by the Academy during school hours (up to 5pm) and then will be made available for community use beyond this time and at weekends and outside of term time. The intention to make the facility available for the wider community necessitates the use of floodlighting, particularly given an established high demand for these facilities and the main weekday usage being in the evening. It is therefore important to consider the effect that the lighting will have on the residential amenity of local residents, particularly that of the occupiers of the immediately adjoining property, Uplands.

The Council's Environmental Protection Officer has considered the proposal and the submitted lighting information and while not raising any specific concern about wider impact, did initially have concerns about the impact on the residents of Uplands. In particular, it is noted that the lighting assessment did not take into account the difference in site levels or the presence of the 2.5m acoustic fencing. Notwithstanding this however, it is acknowledged that the information submitted represents a worst case scenario based on a flat site with no trees, fences or other barriers. As a result of this, the actual level of light intrusion will be less than predicted. The Environmental Protection Officer has also accepted that the level of intrusive light into the windows of this nearest property will be below recommended levels and therefore unlikely to be considered to cause a statutory nuisance. It is therefore considered that by imposing a condition requiring the provision of a revised lighting scheme, which will include details of specific measures to minimise the impact of the floodlighting as far as possible and the appropriate restriction of operating hours, the proposed lighting will be acceptable and will not cause unacceptable harm to residential amenity so as to recommend refusal.

In considering appropriate hours of operation, the applicant initially advised that they intend to make the pitch available for use between 8am and 10.15pm on weekdays and between 9am and 9.15pm on weekends and bank holidays. Several objectors have

considered these times to be excessive, as does the Environmental Protection Officer. In order to protect residential amenity it was initially advised that times should be restricted to 8.30am and 9pm on weekdays and 9am to 5pm on weekends and bank holidays. After later negotiation and also accepting the need to maintain a safe closedown of the facility and also maintain the operational integrity of one hour bookings, the Environmental Protection Officer is satisfied with operating times of 8am to 9.15pm (weekdays) and 9am to 6.15pm (Sundays and bank holidays). The applicant has confirmed the acceptability of this approach.

Similarly the noise impact has been considered and while there is an acknowledged increase in likely levels of noise, it is not considered that this will have an unacceptably detrimental impact on the amenities of neighbouring residents. Again the impact will have the potential to impact most on the occupiers of Uplands, although the provision of the acoustic fence is considered to appropriately mitigate against unacceptable harm. It is not considered that the predicted noise levels will adversely impact upon more distant residents, however the restricted hours of use will further mitigate against harm. It is also agreed to condition details of a form of matting to be provided within any hockey goals, which will reduce noise created by the ball hitting the back of the net.

It has been noted that there is a public address system/tannoy shown on the plans, which has also been referred to in some of the objections. It has been confirmed that this is intended primarily for communication purposes during tournaments and to assist with management of unauthorised use of the pitch, in which case its use will be occasional only. It is considered that inclusion of the P A system within the operating hours conditions should offer satisfactory control so as to prevent harm.

Overall, it is considered that appropriate measures are in place to ensure that neither the lighting nor levels of noise proposed by the development will cause unacceptable harm to the residential amenity of local residents.

The presence of the acoustic fence has also led to further concern in respect to loss of light to the windows of Uplands and to the garden, including vegetable plot. Despite these concerns, this is not considered to be a matter of significant concern either. At present there is a 3m mesh fence along the boundary between Uplands and the Academy. Even though this will let light in, the boundary is also well planted on the neighbour's side with trees and shrubs in excess of this height. The proposed 2.5m acoustic fence is set away from the boundary by about 1m and is set away from the house itself by just over 5m. This, along with the presence of the existing boundary treatments, is not considered to lead to any unacceptable harm as a result of overshadowing or general overbearing impact. It has been requested whether it may be possible to move the acoustic fence further away from the boundary, however it is advised that moving it further away from Uplands will reduce its acoustic effectiveness and bearing in mind the limited impact considered likely, this is not considered to be an appropriate action to take. Similarly, other neighbours have suggested the provision of acoustic fencing to the western boundary of the AGP, to reduce noise levels to the west. While this may reduce noise levels further, the distance and proposed time restrictions are considered to make this unnecessary.

### **Highway Safety**

The application is accompanied by a Transport Supporting Document, which examines the impact of the development on the surrounding highway network from a traffic impact and safety point of view, whilst also exploring opportunities to promote sustainable travel through the use of an updated travel plan.

The County Highway Authority has considered the evidence provided and has accepted

its findings. In respect to increased traffic movements as a result of the proposal and the impact on the local network, it is forecast that the trips generated would account for 1.5% of existing traffic volumes on the A372 at peak times. It is advised that the change in traffic flows would be considered negligible and fall within the expected daily variations of traffic flows, a finding that the Highway Authority endorse and therefore raise no objection to.

A clear area of contention appears to be that there would seem to be overspill parking, in relation to the Academy and leisure centre, taking place in St Marys Park, to the West of the site. This is reported to cause inconvenience to local residents and it is considered by several contributors to pose a risk to highway safety, both to pedestrians and car users. Additional concern is raised as it is implied that the levels of parking on the site as a whole will be reduced from 177 spaces to 143, as a result of the replacement of the 80 informal spaces in existing temporary car park with 60 formal spaces and the further loss of 15 spaces elsewhere.

Firstly, it has been identified that the 143 spaces expected to be left over the whole site, will be in excess of the County Council's Parking Strategy requirements of 138 spaces for the existing Academy, leisure centre and the proposed AGP and therefore, it is deemed that the proposed levels of parking are in fact satisfactory and as a result it would not be appropriate to object on these grounds. Furthermore, the parking level of 177 spaces, includes the temporary car park, which as advised earlier, should have been removed by now, in accordance with planning permission 08/05347/R3C. It is therefore appropriate to consider that the cessation of the temporary parking would leave the onsite parking provision well below the required level and likely to have an increased detrimental impact on highway safety as a result of potential increased parking on the public highway. The proposed formalising of this parking area will ensure that the appropriate levels of parking are provided and the Parking Strategy requirements are met.

Some local residents have questioned the accuracy of the accident data supplied as part of the report, however the Highway Officer again accepts its findings. As referred to in some of the comments received, the Highway Officer has also commented on the fatal accident occurring close to the site, however he advises that circumstances pertaining to that accident do not alter the Highway Authority's view and all potential areas of concern have now been satisfactorily addressed in respect to that case.

In light of the above considerations, the Highway Authority have raised no objections subject to the inclusion of conditions relating to surface water disposal, the car park being kept clear of obstruction and available for parking only, the submission of a framework for the preparation of an amended Travel Plan for the Academy and submission of a Construction Management Plan, all of which are considered reasonable and acceptable.

The Highway Authority have also requested a condition survey of the existing highway in order that any damage caused during construction can be put right, however it is not considered appropriate to impose such a condition as this is not a matter that can be controlled under planning legislation. Notwithstanding this, there are no objections raised by the Highway Authority and it is not considered that the proposal will have any detrimental impact on highway safety.

### **Trees and Ecology**

The proposal includes ground re-modelling works, mainly to improve and add a bund to the west boundary of the site and to the north, adjacent to Uplands, and to compliment this with a substantial planting scheme that will include tree planting to the north, west

and east boundaries of the car park and pitch. This scheme has been considered by the Council's Landscape Architect, who is satisfied that will provide appropriate mitigation against the increased use of the site as a result of the pitch, floodlighting and the provision of a permanent car park. Therefore, subject to conditioning the implementation of the proposed landscaping scheme, the proposal is considered to enhance the appearance of the site and have no adverse impact on its surroundings.

The Tree Officer has also considered the proposal, which is supported by an Arboricultural Impact Assessment. In this, only one existing tree is identified for removal and appropriate tree protection measures are proposed. The Tree Officer has also considered the concerns of the immediate neighbour in relation to the impact of the acoustic fence on existing trees and hedge along the domestic boundary of Uplands. It is his view that the effect ought to be negligible, with no adverse impact.

In considering local ecology, an ecology survey report was commissioned, which focussed particularly on assessing the presence and impact to bats. It did not identify any actual or potential bat roosts on site, although it was noted that there was a notable level of bat activity to the eastern boundary of the pitch. The Council's Ecologist has however confirmed that the only species recorded insignificant levels was the common pipistrelle, which is a more light tolerant species, often found within urban environments. While it is considered that the proposed floodlighting could potentially give rise to some disturbance of these bats, this would not be considered significant enough to warrant refusal. Additional tree and hedge planting is proposed to the eastern boundary of the AGP, at pitch level, which will have an additional benefit in reducing this disturbance, and is therefore considered appropriate mitigation. This enhancement is able to be controlled by the earlier suggested condition requiring the full implementation of the submitted landscaping scheme.

### **Flooding and Surface Water Drainage**

The site is located within a low risk flood area (Flood Zone 1), although a water course (Mill Brook) runs close to the eastern boundary of the Academy site. It is understood that there is no active drainage system on the existing 'Redgra' pitch or the adjoining gravel car park, with drainage likely to be via ground infiltration and surface run-off to adjacent ground.

In order to ensure that the proposed development does not cause any increase in water run-off rates, it is proposed that the surface of the AGP and the car park will be largely permeable, with a drainage system provided in the form of gravel-filled infiltration trenches along the edges of the pitch, which will in turn allow dissipation into the ground. It is also proposed to include a high-level overflow that will be connected to an existing controlled outfall, which discharges to Mill Brook.

In principle, there are no objections to the proposed drainage scheme, however in their comments, the Environment Agency have questioned some of the drainage details, including some of the technical specifications and calculations. Nonetheless, these do not constitute an objection and the Agency is satisfied that these questions can be addressed by discharging a condition requiring the agreement and subsequent implementation of an appropriate drainage scheme. As such, it is not considered that the proposed development will lead to any increased risk of flooding within the site or to land beyond its boundaries.

### **Conclusion**

Overall, the proposed development is considered to address an identified community need. Despite several areas of concern being identified, it is considered that these

issues are able to be satisfactorily mitigated against by the provision of protective measures and imposition of appropriate conditions. It is therefore considered that the proposal will not lead to unacceptable harm to the amenities of local residents or have any detrimental impact on the character of the area, highway safety and ecology or increase the risk of flooding locally.

## RECOMMENDATION

Approval with conditions

01. Notwithstanding the objections received the proposal maintains the visual characteristics of the area, adequately safeguards residential amenity, causes no detrimental impact to highway safety, local landscape character or local ecology and meets a proven special recreational need, in accordance with the aims and objectives of the National Planning Policy Framework, Somerset County Council Parking Strategy and saved policies ST5, ST6, EC3, EC8, EP2, EP3, EP9, EU4 and CR1 of the South Somerset Local Plan.

## 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 development hereby permitted shall be carried out in accordance with the following approved plans: 'AN-105-01A', 'AN-105-10H','AN-105-11C','AN-105-15' and 'AN-105-16', received 16th January 2014.

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

03. No development shall commence unless a floodlighting scheme has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include a site specific isolux diagram, taking into account all relevant local factors, showing the predicted luminance in the vertical plane (in lux) at critical locations on the boundary of the site and at adjacent properties. The submitted scheme shall specifically include details of the following measures:

- Light into neighbouring residential windows generated from the floodlights shall not exceed 5 Ev (lux) (vertical luminance in lux).
- Each floodlight must be aligned to ensure that the upper limit of the main beam does not exceed 70 degrees from its downward vertical.
- The floodlighting shall be designed and operated to have full horizontal cut-off and such that the Upward Waste Light Ratio does not exceed 2.5%.

The lighting shall thereafter be fully installed in accordance with those approved details and any future amendments, alterations or replacement lighting equipment shall be first agreed in writing by the Local Planning Authority.

Reason: To minimise any potential nuisance and disturbance to neighbours and to safeguard the amenities of the surrounding area, in accordance with saved policies ST5, ST6, EC3 and EP3 of the South Somerset Local Plan and the provisions of

chapters 7 and 11 and the core planning principles of the National Planning Policy Framework.

04. The floodlights hereby permitted shall not be illuminated and no system of public address used except between the hours of 08:00 and 21:15 hours Monday to Friday and 09:00 and 18:15 hours Saturdays, Sundays and Bank Holidays.

Reason: To minimise any potential nuisance and disturbance to neighbours and to safeguard the amenities of the surrounding area, in accordance with saved policies ST5, ST6, EC3 and EP3 of the South Somerset Local Plan and the provisions of chapters 7 and 11 and the core planning principles of the National Planning Policy Framework.

05. The pitch hereby permitted shall not be used except between the hours of 08:00 and 21:15 hours Monday to Friday and 09:00 and 18:15 hours Saturdays, Sundays and Bank Holidays.

Reason: To minimise any potential nuisance and disturbance to neighbours and to safeguard the amenities of the surrounding area, in accordance with saved policies ST5, ST6, EC3 and EP3 of the South Somerset Local Plan and the provisions of chapters 7 and 11 and the core planning principles of the National Planning Policy Framework.

06. Details of the ball damper board to be installed around the perimeter of the pitch to mitigate the impact of hockey balls shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be fully installed and maintained in accordance with such agreed details prior to the facility hereby approved being first brought into use.

Reason: To minimise any potential nuisance and disturbance to neighbours and the surrounding area, in accordance with saved policies ST6 and EP3 of the South Somerset Local Plan and the core planning principles of the National Planning Policy Framework.

07. The acoustic fence hereby permitted shall be installed in complete accordance with details as specified in the approved plans and submitted supporting information, prior to any part of the development hereby permitted being brought into use. Following its installation the acoustic fence shall be permanently retained and maintained thereafter.

Reason: To minimise any potential nuisance and disturbance to neighbours and the surrounding area, in accordance with saved policies ST6 and EP3 of the South Somerset Local Plan and the core planning principles of the National Planning Policy Framework.

08. The proposed landscape scheme shall be carried out in accordance with details as indicated on approved plans 'AN-105-15', unless otherwise agreed in writing by the Local Planning Authority. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following any part of the development hereby permitted being brought into use or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.



Reason: In the interests of visual and residential amenity and to safeguard local ecology, in accordance with saved policies ST5, ST6, EC3 and EC8 of the South Somerset Local Plan and the provisions of chapters 7 and 11 and the core planning principles of the National Planning Policy Framework.

09. The proposed scheme of tree protection measures shall be carried out in accordance with details as specified within the submitted 'Arboricultural Impact Assessment, dated 4th November 2013, unless otherwise agreed in writing by the Local Planning Authority. Such measures shall be implemented for the duration of the construction of the development hereby permitted.

Reason: In the interests of visual amenity and to safeguard existing trees, in accordance with saved policies ST5, ST6 and EC3 of the South Somerset Local Plan.

10. No development shall commence until a surface water drainage scheme for the site, based on the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how the scheme shall be maintained and managed after completion and measures to prevent discharge of surface water onto the adjoining highway. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: In the interests of highway safety, to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system, in accordance with saved policies ST5, ST6, EC3, EC8 and EP9 of the South Somerset Local Plan and the provisions of chapters 4, 10 and 11 of the National Planning Policy Framework.

11. The areas allocated for parking and turning on the approved plans shall be kept clear of obstruction at all times 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 highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of chapter 4 of the National Planning Policy Framework.

12. Prior to the commencement of the development, a framework for the preparation of an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The updated framework shall set out the proposed contents of the plan, in accordance with the advice contained within 'Somerset County Council Travel Planning Guidance - November 2011'. Within one year of the development hereby approved first coming into use, a Travel Plan shall be submitted to, and approved in writing by the Local Planning Authority. The plan shall include measurable outputs and arrangements for monitoring and enforcement in accordance with the advice given in the County Council's guidance.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of Chapter 4 of the National Planning Policy Framework.

13. The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Somerset County Council). The plan shall include construction vehicle movements, construction operation hours, construction

vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice (including details of measures to prevent pollution of the local water environment and to reduce noise and dust from the site) and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason: To safeguard residential amenity, highway safety and to prevent pollution of the water environment, in accordance with saved policies ST5, ST6, EP6 and EP9 of the South Somerset Local Plan and the core planning principles and provisions of Chapter 4 of the National Planning Policy Framework.

**Informatives:**

01. In carrying out the approved landscaping scheme and associated tree planting, it is recommended that modestly sized container-grown stock is used rather than bare-rooted or root-balled stock and watering is encouraged, particularly during the first Spring, post-installation.
  
02. In relation to conditions 9 and 12, the applicant is reminded of the Environment Agency's comments of 26th February 2014, a copy of which can be viewed on the Council's website.