



St Edmundsbury  
BOROUGH COUNCIL

# DEV/SE/18/042

## Development Control Committee 6 December 2018

### Planning Application DC/18/0464/FUL – King Edward VI Upper School, Grove Road, Bury St Edmunds

<b>Date Registered:</b>	04.04.2018	<b>Expiry Date:</b>	04.07.2018 EoT until 13.09.2018
<b>Case Officer:</b>	Marianna Hall	<b>Recommendation:</b>	Approve Application
<b>Parish:</b>	Bury St Edmunds	<b>Ward:</b>	Risbygate

**Proposal:** Planning Application - Provision of sixth form college with new access from Beetons Way and associated parking and landscaping; provision of new signalised junction; improvements to existing playing fields and replacement of existing all-weather pitch with 3G pitch for King Edward VI Upper School. As amended by plans and documents received on 16th August, 5th October and 1st November 2018.

**Site:** King Edward VI Upper School, Grove Road, , Bury St Edmunds

**Applicant:** Wates Construction Ltd

#### Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

#### Recommendation:

It is recommended that the Committee determine the attached application and associated matters.

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## **Background:**

**The application is referred to the Development Control Committee at the request of one of the Ward Members (Risbygate).**

## **Proposal:**

1. Planning permission is sought for the provision of a new sixth form college, referred to in the application as 'Abbeygate', within the grounds of King Edward VI Upper School in Bury St Edmunds. The new college comprises a detached four storey building together with a multi-use games area (MUGA) and car park and would be sited on an area of playing field associated with the existing Upper School. The college building would front onto and be accessed from Beetons Way and would accommodate up to 1,700 students with approximately 200 teaching staff.
2. The proposed college would be operated by the Suffolk Academies Trust which was set up in 2015 as a collaboration between One Sixth Form College in Ipswich and West Suffolk College in Bury St Edmunds. The development forms part of the Education & Skills Funding Agency's (ESFA) Priority School Building Programme. The ESFA is an Executive Agency of the Department for Education and supports the delivery of building and maintenance programmes for schools, academies, free schools and sixth form colleges. Academies are free, state-funded schools run by charitable trusts and are not controlled by local authorities.
3. The proposed college building would have a total floor area of 12,948m<sup>2</sup> and is arranged as a C-shaped block. The central section of the building contains the main entrance and reception area, general offices, kitchen, dining and study areas and the double-height assembly and sports halls. The teaching areas are predominantly provided within two four-storey wings that extend eastwards from the central section. The design incorporates areas with central voids to create connections between floors. There are a variety of formal learning spaces including classrooms, laboratories and studios and more informal spaces including study zones and 'open classrooms' for tutorials and group work. The assembly hall on the ground floor would provide a communal space for college performances, presentations and showcase events. The sports hall on the second floor together with two activity studios would be used for recreational sports and fitness activities for students and for formal exams in addition to delivering the PE curriculum. The building has been designed to be fully accessible and inclusive with level floors and thresholds and a lift serving all floors. The principles of Secured By Design have also informed the design process, and this is covered in detail in Section 4.8 of the submitted Design and Access Statement.

4. In terms of external materials the central section would be finished in dark 'blue' facing brickwork with dark blue render above. The assembly and sports halls project forward of the main face of the building and it is proposed to clad this area in yellow panelised metal cladding to contrast with the rest of the building and create visual interest. For the two rear building wings it is proposed to use the same dark brick base as the central block but with light grey coloured render above. The application documents indicate that the development would achieve a BREEAM rating of 'Very Good' and would include the provision of a solar PV array on the roof of the building.
5. The proposals include the provision of a new vehicular access onto Beetons Way for the proposed college together with the replacement of the existing mini-roundabout at the junction of Western Way and Beetons Way with a signalised junction. The main car park for the college is proposed to be sited on the lower area of playing field to the north of the building itself and this would provide 245 no. spaces. Directly in front of the building a drop-off layby and minibus/coach turning area are provided together with 12 no. disabled parking spaces, 2 no. visitor spaces and 13 no. powered two-wheeler (PTW) spaces. Within the site and on the southern side of the college building is a separate area for commercial vehicles and servicing, close to the substation, plant room and bin store.
6. A separate entrance to the site for pedestrians and cyclists is proposed to the north of the new vehicular access, providing access from Beetons Way to the main front entrance of the building and the cycle store areas. A second pedestrian and cycle access is provided from the north of the site through the new car park, with this linking to the existing public footpath along the northern site boundary. Cycle storage is provided on the north side of the college building for 70 cycles with a further 30 spaces for cycles on the southern side of the building. An additional pedestrian connection is proposed between the new college and the existing upper school to facilitate the movement of staff between the two sites.
7. In terms of outdoor space for the college the scheme includes a landscaped courtyard area to the rear of the central block between the two rear wings together with a multi-use games area (MUGA) immediately adjacent to the college building. The MUGA aims to support informal sport and recreational activities. On the southern side of the building an additional social space is provided with terraced seating within the existing embankment. It is proposed to make the MUGA and parts of the college building available for use by the local community, including the assembly hall, sports hall, activity studios, and areas for ICT training.

8. The existing playing fields at King Edward VI Upper School are described within the application documents as the 'upper field' and 'lower field', reflecting a significant change in levels between these two areas. A treed embankment marks the change in levels between the upper field in the southern part of the site and the lower field in the northern part of the site. The proposed college building would be sited on part of what is currently the upper field, with the remainder of the upper field being outside of the application site and not affected by the development. The car park for the college would be sited on part of the lower field. As part of this application it is proposed to carry out improvement works to the remainder of the lower field in the northeast part of the site.
9. These works comprise altering the levels of the lower field to provide a gradient of 1:100, with the current gradient of the lower field being 1:25, and the provision of drainage. The improved area of the lower field would remain part of King Edward VI Upper School, and is included within the application red line solely due to the physical works being carried out in this area. To the east of the upper field is an existing all-weather pitch that also forms part of the Upper School site. The proposals include the upgrading of this pitch to a '3G' ('third generation') rubber crumb artificial grass pitch. Again, this pitch will remain part of the Upper School site and is included within the application red line solely due to the physical works to be carried out.
10. The scheme has been subject to several amendments during the course of the application and additional information has also been provided in respect of highway impacts, the existing and proposed community use of the site, energy efficiency and BREEAM. This is discussed in more detail within this report. In summary the amendments are:
  - The inclusion of the upgrading of the existing all-weather pitch at the Upper School to a 3G pitch as part of this application;
  - extension of the application red line to include additional land around the proposed signalised junction;
  - improvements to the pedestrian and cycle access and approach from Beetons Way;
  - provision of an additional pedestrian and cycle access linking to the existing public footpath to the north of the site and the provision of a clear route through the car park from this access point;
  - improvements to the car park including the provision of a turning circle for buses/coaches and a lay-by for drop-offs;
  - additional landscaping along the site frontage to improve the appearance and setting of the college building within the street scene;
  - the addition of a solar PV array (details of which are to be secured by condition); and
  - a revised drainage scheme that follows the SUDs hierarchy.

## **Application Supporting Material:**

11. Information submitted with the application is as follows:

- Application Form
- Plans
- Design & Access Statement
- Planning Statement including Addendum
- Energy Statement
- Sustainability and BREEAM Technical Note
- Statement of Community Involvement
- Planned and Projected Pupil Numbers
- Environmental Noise Assessment
- Transport Assessment including Addendum
- Transport Assessment Trip Generation Update Technical Note
- Junction Performance Data as existing
- Signalised Junction Input Data & Results including for Future High Level Scheme
- Sketch of Further Upgrade to Proposed Signalised Junction
- Transport Flow Diagrams – robust case and worst case
- Framework Travel Plan
- Car Survey of West Suffolk College
- Emails from bus companies
- Land Contamination Questionnaire
- Preliminary Phase 1 & 2 Desk Study and Site Investigation Report
- Preliminary Ecological Appraisal
- Sports provision Statement including Addendum
- Flood Risk Assessment
- Drainage Strategy
- Soakaway Results

## **Site Details:**

12. The application site comprises part of the existing playing fields associated with King Edward VI Upper School together with an existing artificial pitch also within the Upper School grounds. The playing fields and artificial pitch are designated as Recreational Open Space within the local plan. The application red line also includes part of Beetons Way and Western Way due to the proposed highway works associated with the development to replace the existing mini-roundabout with a signalised junction in this location. The site lies within the defined settlement boundary for Bury St Edmunds. The total site area is 5.69 hectares.

13. The topography of the existing playing fields comprises two distinct levels with an approximate 4 metres difference between the upper and lower fields. There are two grass embankments, one to the southern site boundary with the leisure centre and another between the upper and lower playing fields within the site itself. Both embankments are well treed. The

western boundary of the site with Beetons Way is marked by a tall Leyland cypress hedge. There is an existing gated maintenance access adjacent to the mini roundabout at the Beetons Way/Western Way junction.

14. To the north of the application site is an existing public footpath connecting Beetons Way with Spring Lane, beyond which are the railway line and the A14. Further north are a number of commercial units on Anglian Lane. To the east of the site is King Edward VI Upper School's remaining playing fields and the school buildings themselves. The Spring Lane Allotments/Tayfen Meadows Local Wildlife Site also lies to the east. To the south is the Abbeycroft Leisure Centre and athletics track, beyond which is West Suffolk College. To the west of the site, on Western Way, is the former Vinten's building which has planning permission to become a STEM Academy for West Suffolk College. The Council Offices at West Suffolk House also lie to the west of the site.

### **Planning History:**

<b>Reference</b>	<b>Proposal</b>	<b>Status</b>	<b>Received Date</b>	<b>Decision Date</b>
DC/15/1817/CR3	Regulation 3 Planning Application (application on behalf of Suffolk County Council) - Installation of 1 No. double temporary classroom unit	No Objection	08.09.2015	18.09.2015
DC/15/1818/CR3	Regulation 3 Planning Application (application on behalf of Suffolk County Council) - (i) Six class base extension to existing Media Block, with associated toilet facilities (ii) External works to provide additional	No Objection	08.09.2015	24.09.2015

	parking and improved access			
SE/08/0934	Regulation 3 Application - (i) Demolition of single storey link building and (ii) erection of single storey education building infilling existing courtyard to provide extended reception and library with 2 no. individual offices and meeting room	Recommend Approval to SCC	04.07.2008	08.07.2008
SE/07/0244	Regulation 3 Application - Erection of communications suite, provision of car parking and alterations to existing vehicular access	Recommend Approval to SCC	09.02.2007	23.03.2007
SE/06/1697	Regulation 3 Application - Erection of new piers and entrance gates (to replace existing)	Application Granted	11.05.2006	30.05.2006
SE/04/3694/P	Regulation 3 Application - Erection of fitness suite (adjoining sports barn)	Application Granted	21.10.2004	16.12.2004
SE/04/3637/P	Regulation 3 Application - Erection of extension to Science wing and replacement cafeteria plus new pedestrian	Application Granted	13.10.2004	15.12.2004

	concourse to Performing Arts Centre			
SE/03/3492/P	Regulation 3 Application - Erection of detached arts building as supported by artist's impression received 29th October 2003	Application Granted	22.10.2003	20.11.2003
SE/02/2675/P	Regulation 3 Application - Provision of a double classroom unit for temporary period	Application Granted	10.07.2002	09.09.2002
SE/01/1933/P	Regulation 3 Application - Erection of staff I.T. training extension	Application Granted	08.05.2001	07.06.2001
E/98/1649/P	Regulation 3 Application - Infilling of west courtyard	Application Granted	09.04.1998	29.04.1998
E/96/3037/P	Regulation 3 Application - Installation of floodlighting (8 columns) to proposed athletics track as amended by plan received 13/02/97 indicating repositioning of floodlighting on northern side of athletics track	Application Granted	13.12.1996	11.03.1997
E/96/1186/P	Regulation 3 Application - Construction of all weather pitch on existing playing	Application Granted	05.02.1996	11.03.1996



	fields with floodlighting and perimeter fencing (alternative location)			
E/95/2887/P	Regulation 3 Application - Construction of all weather pitch on existing playing fields with floodlighting and perimeter fencing	Application Granted	01.12.1995	16.02.1996
E/91/1959/P	Outline Application - (i) Highway works; (ii) enhancement of sports facilities including regrading of playing fields; (iii) provision of sites for residential, motor showrooms, retail, B1 and B8 developments and wildlife reserve as amended by letter and plan received 21st November 1991	Application Withdrawn	12.06.1991	23.02.1994
E/86/2145/P	Retention of 1 temporary classroom	Application Granted	30.05.1986	25.06.1991
E/85/2365/P	Continued siting of temporary classroom unit	Application Granted	04.07.1985	23.07.1985
E/83/3559/P	Erection of garage for school mini-bus Letter to CCP 29/12/83 - no objection	Application Granted	13.12.1983	29.12.1983
E/84/1104/P	Rebuilding of small link blocks between two workshops	Application Granted	18.01.1984	13.02.1984

E/83/2136/P	Provision of two temporary classrooms to accommodate increased numbers of pupils at school	Application Granted	27.05.1983	20.07.1983
E/82/2079/P	Erection of temporary classroom unit	Application Granted	04.06.1982	30.06.1982
E/80/2629/P	EXTENSION AND REMODELLING OF THE WEST SUFFOLK COLLEGE OF FURTHER EDUCATION	Application Granted	30.06.1980	15.09.1980
E/80/2628/P	EXTENSION AND REMODELLING OF THE WEST SUFFOLK COLLEGE OF FURTHER EDUCATION	Application Granted	30.06.1980	15.09.1980

### **Consultations:**

15.The consultation responses received are summarised below, with the full responses available on the website.

#### **Town Council**

16.Comments 12<sup>th</sup> April 2018:

- No objection based on information received.

17.Comments 24<sup>th</sup> May 2018:

- Supports application subject to consideration of highway concerns and loss of amenity.

18.Comments 13<sup>th</sup> September 2018:

- No objection based on information received.

#### **Bury St Edmunds Society**

19.Comments 13<sup>th</sup> April 2018:

- Support. Welcomes plans but concerned there may not be adequate parking provision given existing problems with parking local to this site.

## **County Archaeological Officer**

20. Comments 6<sup>th</sup> April 2018:

- We have been provided with a results of ground investigation works and advise there does not need to be further works on the site.

21. Comments 8<sup>th</sup> May 2018:

- Previous response stands.

## **Public Health & Housing**

22. Comments 25<sup>th</sup> April 2018:

- No objection. Noise report indicates nearest noise sensitive properties in Grove Road will not experience an increase in noise disturbance. Conditions recommended regarding hours of construction and burning of waste.

## **Environment Team**

23. Comments 17<sup>th</sup> April 2018:

- Based on the information provided we are satisfied that the risk from land contamination is low. Do not require any further assessment in this regard.
- No Air Quality Assessment has been carried out, however, this is unlikely to identify any significant material impacts specifically relating to this development. Condition recommended to secure electric vehicle charge points.
- Note many inconsistencies and inaccuracies in submitted Energy Statement that need to be addressed. Would not support the application based upon the information provided.

24. Comments 15<sup>th</sup> June 2018:

- An updated and corrected Energy Statement has been submitted.
- Building is to be designed to achieve BREEAM Very Good in line with funders' requirements, siting increased cost of Excellent affecting viability.
- Although compliant with building regulations the design lacks ambition and does not represent current best practice.
- Higher ongoing energy costs and environmental impacts will make it difficult for the building to achieve a BREEAM Very Good rating.

25. Comments 18<sup>th</sup> September 2018:

- Welcome updated energy statement.
- Query level of saving reported by provision of solar PV array. Request figures are reviewed and confirmed. Energy credits are important in achieving the BREEAM Very Good rating stated.

- Agree BREEAM Very Good is an acceptable aspiration in this case but would like a commitment to achieving as close to the optimum target of 65.36% Very Good rating as possible.
- Welcome commitment to test and rectify thermal bridging and air leakage prior to handover.
- Welcome thermal modelling of building using projected climate scenarios.
- Conditions recommended regarding BREEAM credits.

### **Environment Agency**

26. Comments 30<sup>th</sup> April 2018:

- Refer to Standing Advice regarding Flood Risk. Your drainage manager should be consulted.
- EA will respond direct to HSE under separate cover.
- No objection to proposed development.
- Site is located in a groundwater protection zone and is therefore vulnerable to pollution as contaminants may contaminate the protected water supply. Conditions recommended.

27. Comments 13<sup>th</sup> August 2018:

- Previous comments remain pertinent.
- Infiltration is proposed as preferred method of surface water disposal. Proposed treatment of surface run-off from car park includes a swale or permeable sub-base. Given environmental sensitivity of the site we recommend additional treatment should be incorporated into the system design.
- Proposed treatment of roof water run-off is acceptable.

28. Comments 31<sup>st</sup> October 2018:

- Unclear whether geotextiles are to be installed beneath all filtration SuDS at the site. If geotextiles are installed beneath permeable paving in the car parking areas we would not object to the surface water strategy for the site.

### **Anglian Water**

29. Comments 4<sup>th</sup> May 2018:

- AW assets are within or close to the development boundary that may affect the layout of the site. Informative recommended.
- Wastewater Treatment: Foul drainage is in the catchment of Fornham All Saints Water Recycling Facility that will have capacity for these flows.
- Foul Sewerage Network: Sewerage system at present has available capacity for these flows.
- Surface Water Disposal: Surface water strategy/flood risk assessment submitted with the application relevant to Anglian Water is unacceptable. No evidence has been provided to show the surface water hierarchy has been followed.

- Trade Effluent: Proposal includes employment/commercial use. Consent required to discharge trade effluent to a public sewer, informative recommended.

30. Comments 16<sup>th</sup> August 2018:

- As per comments above with the exception of Surface Water Disposal: preferred method of disposal would be to a sustainable drainage system with connection to sewer as the last option. From the details submitted the proposed method of surface water management does not relate to AW operated assets. As such we are unable to provide comments on the suitability of the surface water management.

31. Comments 24<sup>th</sup> August 2018:

- No further comments to add to our previous response.

**County Flood and Water Engineer**

32. Comments 19<sup>th</sup> July 2018:

- Holding objection as no drainage strategy has been submitted at this time. Development is over 1000m<sup>2</sup> in roof area, as such a drainage strategy must be submitted to comply with national and local legislation.

33. Comments 13<sup>th</sup> August 2018:

- Holding objection.
- Further clarification on the infiltration capacity of the site is required.
- Planting near perforated pipes is unacceptable and contravenes best practice.
- Information needed regarding where and how the improved drainage for the sports pitches will be delivered, and whether cut and fill techniques are being used to level out the current slope.
- Information needed on how existing drainage features along the northern boundary are going to be protected.

34. Comments 6<sup>th</sup> September 2018:

- Holding objection.
- Strategy does not comply with national and local standards.
- Infiltration should be used in the first instance where ground conditions allow. Report states northern section of the site has good infiltration, as such open or shallow infiltration devices should be used to dispose of all surface water.
- Latest strategy proposes a 75/25 split in favour of discharging to public sewer over infiltration. Connection to public sewer is the last option on the hierarchy. This ratio is unsustainable.
- Require further testing in far NE corner to confirm suitability. Natural fall of site ends here thus lending itself to SuDs features. There is space for a large overflow basin with minimal risks to people and good practice to be employed.

- Request soft landscaping be superimposed on drainage strategy, concerns regarding proximity of trees to pipes.
- Request clarification of drainage system for new pitches as conflicting methods are stated.

35. Comments 1<sup>st</sup> November 2018:

- SCC Flood & Water Management have no further objections, however certain elements of the strategy will need further clarification at detailed design. Conditions recommended.

**Suffolk County Council Highways Authority**

36. Comments 11<sup>th</sup> May 2018:

- Cannot support application at this time.
- Lack of information on the access from Beetons Way. Transport Assessment (TA) indicates traffic signals but application does not show the access in detail. Cannot therefore comment on highway impacts.
- Scheme does not provide any spaces for PTWs.
- Parking spaces do not meet our standards in terms of size.
- More spaces are provided than needed however there is limited on-street parking available if parking is underprovided.
- Other means of sustainable transport need to be encouraged and planned for.
- Cycle parking provision is below our standards and must be increased.
- Query where coaches and busses will drop off. Require tracked path plan.
- New access does not safely provide for cyclists to enter the site.
- New access crosses an existing cycle path, consideration needs to be given to the safety of this. A signalised junction with a crossing phase on this arm would resolve this.
- TA assesses impacts on Tollgate Lane West and Western Way. We have evidence these junctions are already close to capacity, will require modelling to ascertain if mitigation is required.
- Framework Travel Plan is very generic and does not provide any idea of how the vehicular impact of the development will be mitigated. Amendments will be required prior to determination of the application. Conditions and S106 requirements recommended.

37. Comments 21<sup>st</sup> June 2018:

- Holding refusal.
- Lack of detailed design of main entrance in terms of junction alignment, signalisation of junction and replacement of mini-roundabout, how existing cycle path will be crossed and treated and how cyclists are to enter the site. Would expect at least one separate access for pedestrians and cyclists.
- Car parking spaces still do not meet the standards in term of size. Robust justification needed.

- Number of spaces appear to meet the guidance but more information on staff numbers is required to assess this.
- Still no PTW provision.
- Cycle provision remains well below the guidance and will not encourage sustainable travel. Require more provision initially with scope to add to this in future.
- TA states that parking is available in local facilities but these have restrictions and are not suitable for medium to long term parking.
- Details of coach spaces have yet to be provided, swept path analysis required.
- Request a cycle/pedestrian path is provided linking to the existing footpath along the northern site boundary to remove students and staff from the main access and provide access for those with restricted mobility. This would reduce travel time to the train station and encourage sustainable travel.
- Modelling of Tollgate and Western Way junctions still required.
- Query whether background growth has been applied to Vision 2031 data. If not this is required to be done.
- No information provided regarding student catchment.
- Bus stop facilities are inadequate for the use being predicted.
- Design currently requires pedestrians to cross the access road in two places, this does not minimise pedestrian vehicle conflict.
- Taxis have not been assessed within traffic flows.
- Further information required regarding how vehicle trip impacts have been calculated as this is unclear.
- Model of signal junction is not evidenced in terms of frequency of pedestrian stage and could result in an overestimation of capacity.
- Right turn storage shown is not evidenced and looks tight.
- Query how parking will affect operation of junction given proximity of first car parking spaces to the access. This could result in queueing back onto the highway.
- Number of car parking spaces meets the guidance however the demand is stated as being higher than this.
- Assessment does not appear to include all of the growth associated with the Bury 2031 Vision.
- Drawing does not show the northern arm tying in.
- Impacts on Newmarket Road and Tollgate junctions are notable but have not been modelled in the report.
- Statement that there are no capacity issues across peak-hour bus services is not evidenced. Given the reliance on public transport in the TA this must be evidenced.
- Travel Plan seems to underestimate the number of trips generated by the site during peak periods.
- No evidence of engagement with local bus companies to provide suitable services to the college.

- Extra traffic flows onto Newmarket Road and Tollgate may be able to be mitigated however the proposed signalised access would be over capacity and in its current design cannot be supported.

### 38. Comments 19<sup>th</sup> July 2018:

- Holding objection.
- These comments are offered following our meeting in response to the points raised. Model has now been reviewed in detail and we would reserve the right to do so once all remaining elements of the assessment are resolved.
- Signals to main entrance are not suitable to obtain approval from our traffic signals team. There should be no traffic islands in the junction as there is no method to maintain these without road closure under current guidance. If all other issues are resolved the design of the signals could be conditioned for approval. All other small amendments to the local design could also be conditioned with the detailed design checked at S278 stage.
- There is poor pedestrian connectivity from the car park to the main entrance. There is one footway link behind parked cars but no way of accessing it. This needs to be addressed together with how persons with mobility issues access the main entrance from the car park.
- The TA states 15 DDA spaces however only 7 are shown on plan.
- Submitted parking survey suggests a higher percentage of vehicles using the site are likely to be middle-sized vehicles and below. Whilst the parking space sizes are below standards we accept in this location and based on the information provided that cars will have space to park and people to alight in a reasonable manner.
- The car parking numbers comply with our guidance.
- Previous queries regarding PTW provision, cycle storage, bus tracking, improvements to existing junctions, access for mobility impaired persons and catchment information have all been resolved.
- Response to concerns regarding off-site parking are accepted, this can be mitigated in the travel plan by way of a S106 contribution.
- Remains poor pedestrian connectivity through the site.
- Content that future scenarios have been assessed up to 2024 plus the Western Way Masterplan.
- Still concerns regarding the bus use predicted given the existing bus stop facilities. Walking distance between site access and Newmarket Road bus stops is over the recommended distance which may deter some students. Bus service on Western Way is also inferior to Newmarket Road. Is not therefore appropriate to use the modal split data from West Suffolk College in this respect. This point is not resolved.
- Assessment assumes all students and staff being on site at any one time which would not be the case. If a more realistic but robust assessment may show a reduced impact even if a lower percentage of students were to travel by bus.



- It is accepted that the inclusion of taxis in the traffic flows will make a negligible difference to the assessment.
- Vehicle trip calculations have now been provided.
- Concerns regarding capacity for vehicle stacking remain unresolved.
- Still awaiting information regarding capacity of bus services.

39. Comments 17<sup>th</sup> September 2018:

- Recommends conditions to be attached to permission if granted.
- Further work has been undertaken by the applicant to resolve previous issues and queries.
- Mitigation is required on three main junctions and bus provision is required to be improved.
- Following the original TA an additional assessment has been carried out of the potential impacts to address concerns about the anticipated number of students travelling by bus.
- Worst-case results indicate that proposed arrangements would function better than the existing layout in this location, albeit the junction will be broadly at capacity for the AM peak hour.
- Results also indicated a range of impacts on links and junctions within the surrounding road network.
- Additional assessment has been undertaken of the proposed junction in relation to the allocated One Public Estate development adjacent to the site. This indicates the junction would be over capacity however there is land available to deliver a larger scheme to accommodate both developments.
- Conditions recommended regarding access, HGV traffic movements, manoeuvring and parking areas, visibility and Travel Plan.
- S106 contributions requested to provide a new bus stop shelter and improvements to Tollgate and Newmarket Road junctions.

**Sport England**

40. Comments 25<sup>th</sup> April 2018:

- Objection.
- Sport England were consulted on this scheme at pre-application stage and raised a number of concerns.
- Proposal would result in loss of approximately 2 hectares of playing field at King Edward VI Upper School.
- Application has been submitted without including existing winter/summer sports pitch layouts in order to allow a comparison to be made.
- Upper School currently has a roll of approx. 1,600 students falling to approx. 1,200 with the construction of the sixth form college. Addition of 1,700 new pupils at the college would increase student numbers to close to 3,000 on the new campus.
- Proposal would result in the loss of the existing artificial cricket wicket which is understood to be used by the school for competitive fixtures.

- Illustrative masterplan indicates north-eastern section of playing field would fall within control of new sixth form college with access maintained for existing school. This would reduce school's playing field within their own control to the existing artificial pitch and adjoining playing field that could accommodate a single 9v9 junior grass pitch.
- It is understood the adjoining primary school (St Edmundsbury) have use of the existing playing field for 7v7 mini soccer matches. Site is also used for football tournaments for the Suffolk WAYS League, for the Suffolk Youth Games, and by two local running clubs for training (West Suffolk AC and St Edmund Pacers).
- Benefits from the scheme would be a two court sports hall and Multi-Use Games Area (MUGA) at new sixth form with community access outside college hours, and levelling of the north-eastern part of the playing field to accommodate two football pitches and a cricket wicket. Assessment for this has not yet been carried out therefore it is difficult to quantify the benefits from this proposal.
- The Football Foundation/Suffolk FA have commented on the proposals as follows: Support proposals provided suitable grass football pitch provision is maintained on the remaining grass space as outlined in the Design and Access Statement. Due to age group of children attending the school and proposed sixth form this would need to be in the form of 9v9 and 11v11 pitches to maintain existing and new football activity. School also acts as a hub for local primary school sport and events and due to the low quality surface of the synthetic pitch the remaining grass pitch provision would need to be maintained to ensure there is no reduction in football participation at the site.
- The England and Wales Cricket Board has commented on the proposals as follows: Suffolk Cricket Board have been consulted and although not aware of any community use of the existing outdoor cricket pitch, the school enter a lot of school cricket competitions so would be a concern if cricket pitch provision was lost and no alternative provided.
- Proposal would result in a significant loss of playing field on this site (c. 2 hectares) to a largely non-sporting proposal that would result in c3,000 students on the campus, almost double the existing school population.
- Reduced area of playing field would not allow the school to provide existing levels of sports pitch provision and would reduce potential for community access to the playing field including the primary school access for football matches.
- Proposal would result in loss of existing artificial cricket wicket which is used by the school for competitive matches. It is proposed to replace this with a grass wicket on the improved north-east part of the playing field, however, it is shown to be sited within the run-off area of the two junior football pitches, compromising the quality of this facility. Any new artificial cricket wicket would need to be sited outside the run-off areas for grass football pitches, for health and safety reasons. Sport England considers that a new artificial cricket wicket should be provided as part of this scheme to replace the existing facility to be lost. Such a facility would

need to be provided outside the limits of any grass football pitch (plus run-offs).

- Application documents are inconsistent regarding the orientation of the pitches on the NE section of playing field.
- Scheme would not meet any of the exceptions identified in the Sport England Playing Fields Policy as it would result in a significant loss of playing field for a use that is primarily educational.
- Sport England policy exception E5 permits provision for indoor/outdoor sports facilities where the benefits to the development of sport outweigh the detriment caused by the loss of playing field. In Sport England's judgement, the benefits to sport in terms of the qualitative improvements to the remaining playing field and the proposed two court sports hall and MUGA (including community access at non-college times) would not outweigh the detriment to playing field provision and the subsequent reduction in number of pitches that can be provided to meet the needs of a significantly increased student population. It should also be noted that the site survey in relation to the qualitative improvements has not yet been carried out, therefore it is impossible to quantify the scale or cost of these proposed improvements. It is not considered that any of the other exceptions to Sport England's policy would apply in this instance.
- Conditions recommended should the LPA be minded to approve.

#### 41. Comments 11<sup>th</sup> May 2018:

- Objection.
- Submitted Sports Provision Statement states lower field does not support sports use due to poor drainage and sloping nature. My visit however clearly indicated the lower field is used for competitive sports fixtures and evidence from satellite photography shows this field marked out for pitches. Photograph on submitted TGMS Report also indicates this field is used for siting of football and rugby pitches.
- Accept there will be a qualitative improvement to the remaining playing field.
- Also accept the West Suffolk Playing Pitch Strategy (2015) highlighted need for qualitative improvements to existing pitches rather than additional pitches. King Edward School's pitches were not however included in this assessment on the basis that they were school pitches.
- Chief concern remains the significant reduction in available playing field to meet needs of the secondary school and the 6<sup>th</sup> form centre.
- Benefits in terms of qualitative improvements to remaining playing field and limited community benefits from access to the sports hall and MUGA do not outweigh the detriment caused by the significant loss of playing field provision on the remaining site.
- Still require existing pitch layouts to allow comparison to be made.
- Concerns set out in our comments of 25<sup>th</sup> April remain.
- Should also be noted that submitted agronomist report highlights some additional issues with regard to proposed pitch layouts that do not meet

our requirements and the issue regarding the new cricket provision remains.

- Playing Pitch Strategy also identified need for an additional 3G artificial pitch in the Bury St Edmunds area and an opportunity may exist to convert the existing sand based pitch at the school to meet this requirement. Unless the scheme was amended to make such provision however this cannot be considered within the scope of the current proposal.
- Conditions recommended should the LPA be minded to approve.

#### 42. Comments 25<sup>th</sup> June 2018:

- Objection.
- An amended Sports Provision Statement has been submitted and we have also received a letter from West Suffolk Council regarding their intention to replace the current all-weather pitch with a rubber crumb 3G surface in 2019. It is also proposed to review the current arrangements for all the leisure facilities on the 'education campus' including the leisure centre and athletics track.
- We acknowledge that there will be a significant benefit to sport in the town through the replacement of the artificial pitch surface with a 3G pitch. This does not however form part of this current application and cannot therefore be taken into account.
- Key issue is whether the school and proposed college will retain sufficient playing field provision to meet its requirements as well as the existing community access highlighted in the Sports Provision Statement.
- We are also concerned that no provision for outdoor sport apart from the MUGA will be made for the students attending the 6<sup>th</sup> form centre.
- The benefits to sport from the proposed development will not outweigh the detriment caused by the loss of playing field/open space and the proposal is not therefore considered to meet exceptions E4 or E5 of our policy.
- Conditions recommended should the LPA be minded to approve.

#### 43. Comments 18<sup>th</sup> September 2018:

- Remain concerned with loss of playing field/open space but accept there will be benefits to sport that marginally outweigh the detriment caused.
- Do not wish to object to application.
- Application has been amended to include the existing all-weather pitch and further information provided on existing users of the site and proposed links between the proposed college and existing school and leisure centre.
- Revised plans and additional information put forward following benefits to sport from the development: inclusion of resurfacing existing all-weather pitch with a 3G surface enabling the timescale of this to be conditioned; qualitative improvements to remaining playing field; community access to proposed hall, activity studio and floodlit MUGA; replacement of existing artificial cricket wicket with a new facility which

comprises a qualitative improvement; links between proposed college and adjacent leisure centre in terms of work placements and apprenticeships; and assurance that none of the existing community uses of the site will be displaced.

- Accept strong support for new educational facilities in revised NPPF.
- Football Foundation/Suffolk FA have been re-consulted and are supportive of the 3G pitch.
- Is important that new MUGA is floodlit to allow evening use by the community during the winter months.
- Conditions recommended regarding surfacing of existing artificial pitch, a sports pitch implementation scheme, community use agreement, design and layout of replacement artificial cricket wicket and floodlighting of new MUGA.

### **Ecology and Landscape Officer**

#### 44. Comments 18<sup>th</sup> September 2018:

- Proposals represent a significant change in the character of this area.
- Removal of leylandii hedge is not contested however replacement tree planting to the site frontage would be beneficial in landscape and ecological terms (this has now been included).
- There were not sufficient replacement trees to soften the development, this appears to have been addressed.
- The frontage was dominated by car parking and drop-off areas at the expense of a safe and attractive pedestrian approach and provision for cycling. There was also no clear route for pedestrian access between the car park and building entrance. This has been addressed. Request slight amendment to disabled parking area to provide continuity to pathway.
- Electricity sub-station should be softened with appropriate planting (this is addressed).
- Tree protection will be required during construction period.
- Native hedge to the front of the site has been added. Tree species for car park has been amended.
- Recommend hedge between playing fields and car park. A fence is shown here but will not soften the car park. A number of small trees are proposed but will have a minimal effect and may conflict with the drainage channel. Lime species should be amended due to proximity to car parking.
- Query why fencing needs to be so high and whether close-boarded fencing around MUGA will attract anti-social behaviour.
- Proposals may impact perception of safety for users of the PRow to the north. Planting here should be amended to be more visually permeable e.g. low shrubs with trees with a high canopy. Mix has been amended but some clear stemmed trees would have been of benefit.
- Biodiversity report fails to identify the site's location as being adjacent to the Springfield Nature Reserve however avoidance and general mitigation

measures protect boundary features and require precautionary measures to be implemented on site.

- Measures in ecological report should be conditioned including a lighting strategy and enhancements.
- An ecology and landscape management plan should also be conditioned, including monitoring of the enhancement features.

### **Representations:**

45. Representations have been received from the following properties:

91 Wesham Park Drive Preston  
King Edward VI Upper School Grove Road Bury St Edmunds  
122 Horringer Road Bury St. Edmunds  
109 Kings Road Bury St Edmunds  
8 Highbury Road Bury St Edmunds  
20 Creed Walk Bury St Edmunds  
West Suffolk College Out Risbygate Bury St Edmunds  
55 Scarlin Road Bury St Edmunds  
Abbeycroft Leisure Centre Beetons Way Bury St Edmunds  
20 Longacre Gardens Bury St Edmunds

46. The comments received are summarised as follows:

- Concerned about impact of additional traffic.
- Concerned about impact of traffic on existing access to West Suffolk College.
- Concerned about impact of traffic on access to and from Bury St Edmunds Leisure Centre.
- Proposal does not comply with adopted county parking standards.
- Site is used by local primary school for sports day and weekly football matches and training. Primary school does not have a playing field, removal of this facility would be detrimental to the school's sporting offer and opportunity to pupils.
- Concerned about erosion of facilities for outdoor PE at King Edward Upper School.
- Lower field has been used for formal sport and has never been unfit for use due to poor drainage.
- Remaining pitches will be available for community use leading to increased wear and tear and reducing their quality.
- There are few quality accessible green spaces in the town and they should be protected.
- Site boundary has been amended to include an existing astro turf pitch however this is already available to the school and works to upgrade this to a 3G surface were already planned and cannot therefore mitigate the impact of the development.

- Support proposal, will improve the educational offer for young people in West Suffolk.
- King Edward VI School has reviewed its PE curriculum and facilities to be retained will be amply sufficient to meet our curriculum demands and honour the vast majority of our current community use arrangements. There is no intention to reduce community use of the site outside of school hours.
- Proposal will improve prospects for young people which will in turn support the local economy.
- Query whether new road will bisect the nature reserve.
- Query whether possible to utilise the old Vintens site.
- If there is a need for a college it should be provided on the outskirts of town.
- Alternative sites should be considered including Moreton Hall, Western Way site or the former site of St James Middle School.
- There has been a lack of consultation with parents of pupils at King Edward's.

**Policy:**

47. The following policies have been taken into account in the consideration of this application:

St Edmundsbury Core Strategy (December 2010):

- Policy CS1 - St Edmundsbury Spatial Strategy
- Policy CS2 - Sustainable Development
- Policy CS3 - Design and Local Distinctiveness
- Policy CS4 - Settlement Hierarchy and Identity
- Policy CS7 - Sustainable Transport
- Policy CS14 - Community Infrastructure Capacity and Tariffs

Bury St Edmunds Vision 2031 (September 2014):

- Policy BV1 - Presumption in Favour of Sustainable Development
- Policy BV14 - General Employment Areas - Bury St Edmunds
- Policy BV15 - Alternative Business Development within General Employment Areas
- Policy BV24 - Safeguarding Educational Establishments

Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document (February 2015):

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM6 Flooding and Sustainable Drainage
- Policy DM7 Sustainable Design and Construction
- Policy DM11 Protected Species

- Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM13 Landscape Features
- Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- Policy DM20 Archaeology
- Policy DM41 Community Facilities and Services
- Policy DM42 Open Space, Sport and Recreation Facilities
- Policy DM44 Rights of Way
- Policy DM45 Transport Assessments and Travel Plans
- Policy DM46 Parking Standards

Other Planning Policy/Guidance:

- National Planning Policy Framework 2018
- Planning Practice Guidance
- Suffolk Guidance for Parking Technical Guidance (Second Edition - November 2015)

Other Relevant Policy/Guidance:

- Policy Statement – Planning for Schools Development (August 2011)
- Sport England Playing Fields Policy and Guidance (March 2018, updated August 2018)
- West Suffolk Playing Pitch Strategy (January 2015)

**Officer Comment:**

48.The issues to be considered in the determination of the application are:

- The Revised National Planning Policy Framework (NPPF)
- Principle of Development
- Design and Impact on Character
- Sustainable Design and Construction
- Impact on Open Space, Sport and Recreation
- Highway Matters
- Flood Risk and Drainage
- Contamination and Air Quality
- Biodiversity Impacts
- Amenity and Noise Impacts
- Heritage Impacts

**The Revised National Planning Policy Framework (NPPF)**

49.The NPPF was revised in July 2018 and is a material consideration in decision making from the day of its publication. Paragraph 213 of the revised NPPF is clear however that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised Framework. Due weight should be given to them according to their



degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework, the greater weight that may be given.

50. The Policies set out within the Joint Development Management Policies Document have been assessed in detail and are considered sufficiently aligned with the provisions of the 2018 NPPF that full weight can be attached to them in the decision making process.

### **Principle of Development**

51. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for St Edmundsbury comprises the Core Strategy, the three Vision 2031 Area Action Plans and the Joint Development Management Policies Document. Policies set out within the NPPF and the presumption in favour of sustainable development contained at its heart are also material considerations.
52. Core Strategy Policy CS1 confirms the towns of Bury St Edmunds and Haverhill as being the main focus for the location of new development. This is re-affirmed by Policy CS4 which sets out the settlement hierarchy for the district.
53. Strategic Objective D of the St Edmundsbury Core Strategy is to maintain and develop leisure, cultural, educational and community facilities, including access to green space, commensurate to the level of housing and employment growth to meet the needs of residents and visitors in the borough. The Vision for St Edmundsbury within the Core Strategy states that the educational offer of Bury St Edmunds will be increased with the expansion of West Suffolk College and the provision of both further education and higher education to retain skills and talent within the borough. Objective 9 of the Bury St Edmunds Vision document seeks to ensure that residents have access to schools, further and higher educational opportunities, vocational and technical training. The Vision document recognises that that Bury St Edmunds is playing an increasingly important role in education provision.
54. Paragraph 94 of the NPPF indicates that the Government attaches significant importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education. This reflects the Government's Policy Statement on planning for schools development (August 2011) which sets out its commitment to support the development of state-funded schools and their delivery through the planning system.

55. The national Policy Statement on planning for schools development states that the Government is firmly committed to ensuring there is sufficient provision to meet growing demand for state-funded school places, increasing choice and opportunity in state-funded education and raising educational standards. State-funded schools include Academies and free schools. The Statement sets out the Government's desire to enable new schools to open, good schools to expand and all schools to adapt and improve their facilities to allow for more provision and greater diversity in the state-funded school sector to meet both demographic needs and the drive for increased choice and higher standards. It states that the creation of free schools remains one of the Government's flagship policies, enabling parents, teachers, charities and faith organisations to use their new freedoms to establish state-funded schools and make a real difference in their communities. It is stated that by increasing both the number of school places and the choice of state-funded schools, educational standards can be raised which will help children to reach their full potential.
56. The Statement sets out the Government's view that the creation and development of state-funded schools is strongly in the national interest and that planning decision-makers can and should support that objective in a manner consistent with their statutory obligations. It is stated that the answer to proposals for the development of state-funded schools should be "yes" wherever possible. The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools. It is stated that there should be a presumption in favour of the development of state-funded schools and that local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions. The Statement sets out that the Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before him for decision. A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority. Given the strong policy support for improving state education, the Secretary of State will be minded to consider such a refusal or imposition of conditions to be unreasonable conduct, unless it is supported by clear and cogent evidence. Where a local planning authority refuses planning permission for a state-funded school, the Secretary of State will consider carefully whether to recover for his own determination appeals against the refusal of planning permission.
57. In this case the Planning Statement accompanying the application for the proposed 6<sup>th</sup> form college sets out how the scheme will broaden and enhance education provision in the local area. The college aims to replicate the success of One Sixth Form College in Ipswich which has been rated "outstanding" by Ofsted, and will offer over 40 A-level courses to pupils.

The college will also offer the Extended Project Qualification (EPQ) to challenge students and provide the opportunity to gain additional UCAS points. The Planning Statement explains that the curriculum will be timetabled to allow students to study specialist vocational qualifications at West Suffolk College alongside their A-levels, with this partnership allowing students to benefit from combined academic and vocational qualifications. Students will also have access to West Suffolk College's new STEM (science, technology, engineering and mathematics) Academy at the nearby former Vinten site on Western Way. The Planning Statement states that this option of combining both A-level and vocational qualifications is currently not available elsewhere in West Suffolk.

58. Having regard to the Government's aim of widening choice in education and strong support for the creation of new state-funded schools to drive higher standards, together with the strategic objectives set at the local level to develop educational facilities in the borough and Bury St Edmunds in particular, the principle of development is considered to be acceptable in this case.

### **Impact on Open Space, Sport and Recreation**

59. The proposed college and associated development would be sited on part of the existing playing fields at the adjacent Upper School, resulting in the loss of an area of approximately 2 hectares of playing field. The playing fields are designated as Recreational Open Space within the local plan. Policy DM42 of the Joint Development Management Policies Document states that development which will result in the loss of existing amenity, sport or recreation open space or facilities will not be allowed unless:

a) it can be demonstrated that the space or facility is surplus to requirement against the local planning authority's standards for the particular location, and the proposed loss will not result in a likely shortfall during the plan period; or

b) replacement for the space or facilities lost is made available, of at least equivalent quantity and quality, and in a suitable location to meet the needs of users of the existing space or facility.

Any replacement provision should take account of the needs of the settlement where the development is taking place and the current standards of open space and sports facility provision adopted by the local planning authority.

60. The NPPF emphasises the importance of access to a network of high quality open spaces and opportunities for sport and physical activity for the health and well-being of communities (paragraph 96). Paragraph 97 of the Framework states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

61. Sport England are a statutory consultee on applications for development that affects playing fields. Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- All or any part of a playing field, or
- land which has been used as a playing field and remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of the following five specific exceptions:

Exception 1 - A robust and up-to-date assessment has demonstrated, to the satisfaction of Sport England, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.

Exception 2 - The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.

Exception 3 - The proposed development affects only land incapable of forming part of a playing pitch and does not:

- reduce the size of any playing pitch;
- result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
- reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;
- result in the loss of other sporting provision or ancillary facilities on the site; or
- prejudice the use of any remaining areas of playing field on the site.

Exception 4 - The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- Of equivalent or better quality, and
- Of equivalent or greater quantity, and
- In a suitable location, and
- subject to equivalent or better accessibility and management arrangements.

Exception 5 - The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the

development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.

62. Paragraph 21 of Sport England's Guidance explains that their Playing Fields Policy is in line with the Government's commitment to the protection of playing fields set out in paragraphs 96 and 97 of the Framework. Sport England's policy and supporting guidance provides clarification and additional guidance to assist all with assessing planning applications affecting playing fields. Exceptions 1, 4 and 5 to Sport England's Playing Fields Policy relate to the three criteria within paragraph 97 of the Framework. Exceptions 2 and 3 provide additional reasons why Sport England, in its response to a local planning authority on a planning application, may not raise an objection to a proposed development.
63. Local planning authorities are required to refer certain planning applications to the Secretary of State for Communities and Local Government (now the Ministry for Housing, Communities and Local Government) where they are minded to grant planning permission despite an objection from Sport England. This referral must take place prior to a local planning authority granting any planning permission. The applications subject to this referral process are those on a playing field owned by a local authority, or used by an educational institution as a playing field at any time in the five years before the making of the application. In the case of this application Sport England originally objected to the development due to the resulting loss of playing field and none of the five exceptions listed above being met. As outlined in paragraphs 39 to 42 of this report Sport England submitted two further objections following the applicant's submission of a Sports Provision Statement in April and a revised Sports Provision Statement in May. Sport England's most recent consultation response, dated 18<sup>th</sup> September 2018 and summarised in paragraph 43 of this report, confirms that they no longer object to the application. This follows the amendment of the application to include the upgrading of the existing artificial pitch at the Upper School and the submission of an Addendum to the Sports Provision Statement in August 2018. This is discussed in more detail later within this report at paragraphs 69 to 71. The removal of the objection from Sport England means that referral of the application to the Secretary of State would not be required in the event that Members resolve to approve the development.
64. The submitted Sports Provision Statement (revised May 2018) states that the area of playing field described as the upper field is primarily used for sports, but that the lower field 'does not support sports use satisfactorily' due to poor drainage and inappropriate levels. It is noted that the existing levels do not comply with Sport England recommendations due to the slope of this lower area. The lower field does nevertheless form part of the existing playing fields and historically has been used for sport and recreation, with pitch markings being clearly visible on aerial photographs. The Statement considers the development to meet Exception 3 of Sport

England's Policy, i.e. that the proposed development affects 'only land incapable of forming part of a playing pitch'. This is not agreed by Sport England or officers for the reasons set out above.

65. The submitted Statement makes reference to the West Suffolk Playing Pitch Strategy (January 2015), stating that this confirms there is sufficient provision for the current and future levels of demand for 'playing pitch' sports in West Suffolk. The Strategy does conclude that for grass pitches facility provision for football appears to meet demand in West Suffolk, and that for Bury St Edmunds there is also a sufficient supply of rugby pitches to meet demand. A significant undersupply of rugby pitches was however identified elsewhere in the wider West Suffolk area, and as such this statement is not entirely accurate. Notwithstanding this point, the Strategy does not appear to indicate a surplus of provision that may have otherwise supported a reduction in the existing playing field area.
66. The Sports Provision Statement states that King Edward VI Upper School has an excess of sports facilities, currently having access to the upper and lower playing fields, the running track and football pitch to the south of the site, a 4-court sports hall, gym, fitness suite, 4 tennis courts and a MUGA. It explains that the existing sports provision is based upon a pupil roll of 1400 which is expected to reduce to 1200 when the sixth form pupils transfer to the proposed new college. It is furthermore explained that the loss of part of the existing playing fields will not have any impact on the ability of the Upper School to provide a full PE curriculum within the remaining facilities. The facilities are listed in paragraph 4.1.2 of the Statement. This statement is supported by comments that have been received from the Chair of Governors of King Edward VI School regarding the application. Whilst this information similarly does not demonstrate a 'surplus' in the terms set out within Policy DM42 or within the NPPF, it is useful as background information in terms of the impact of the development on the existing school.
67. The Sports Statement explains that the construction of the college building will result in the loss of one football pitch on part of the upper field. The improved part of the lower field would be altered to provide a gradient of 1:100 (currently 1:25 with Sport England's maximum recommendation being 1:80) and drainage installed. This would provide a 123mx114m sports field that can accommodate a cricket pitch, 1 no. 79mx52m football pitch, 1 no. 97mx61m football pitch and 1 no. 104m x 55m rugby pitch. The improvements would increase the playing time available on this part of the playing fields. These improvements to the retained part of the lower field are clearly beneficial, both to the existing school and to any members of the public and community groups that will be permitted (by the school) to use them. The West Suffolk Playing Pitch Strategy notes that the majority of grass pitches in West Suffolk are of standard quality with only a small percentage marked as 'good' or 'poor' and that there are often issues of

waterlogging following extreme weather due to the primarily clay-based pitches in the area. It is also important to recognise however that the improvements to the remaining lower field are required, at least partially, to mitigate the loss of the existing football pitch on the upper field, which the Sports Provision Statement notes is currently used for competitive fixtures.

68. The submitted Statement also considers that the development complies with Exception 4 of Sport England's Policy. This requires the area of playing field being lost to be replaced by a new area of playing field of at least equal quality and quantity, in a suitable location and subject to at least equivalent accessibility and management arrangements. Again, this position is not agreed by Sport England or officers. The area of playing field associated with the Upper School being lost in this case is not being replaced by a new area of playing field. Instead, the remaining playing field – which is already existing – is being improved. Whilst this improvement is welcomed, and is necessary due to the loss of a football pitch on the upper field as a result of the development, there remains an overall loss of playing field in terms of quantity. Reference is made to the college's proposed MUGA, sports hall and activity studios, however, these do not form part of the Upper School site and are not in any event a 'new area of playing field' as set out in Exception 4.

69. The application was amended in August to include the replacement of the existing all-weather pitch at King Edward VI Upper School with a '3G' pitch. This existing pitch is to the east of the playing fields and close to the school buildings themselves. This is currently a sand-filled artificial pitch and it is proposed to replace the underlay and surface with a rubber crumb filled surface. The West Suffolk Strategy document explains that these third generation artificial grass pitches are becoming increasingly important to service the needs of football for both competitive play and training. The Strategy identifies full-size 3G artificial grass pitches as a key gap in facility provision and a priority for the County Football Association. The existing all-weather pitch is leased to St Edmundsbury Borough Council until 2047 and is sub-leased to Abbeycroft Leisure until 2020. The upgrade works are programmed to take place during the summer of 2019 and to be carried out by St Edmundsbury Borough Council at its own expense, funded by the Council's Leisure Capital Assets Renewal Fund. The management of the existing pitch is governed by a Management Agreement between Suffolk County Council, The Governing Body of King Edward VI Upper School and St Edmundsbury Borough Council. Whilst these works are already programmed to take place next year, the inclusion of the pitch within the application enables its delivery to be secured through the planning system with a condition requiring such within a set timescale and in accordance with details to be approved by the LPA in consultation with Sport England.

70. Following re-consultation as a result of this addition to the application, Sport England no longer object to the scheme and advise that it meets Exception 5 of their Policy: *The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.* Sport England remain concerned about the substantial loss of playing fields but recognise the following benefits to sport arising from the development:
- The inclusion of the resurfacing of the existing all-weather pitch to a 3G surface which allows the delivery of this to be secured by condition within a set timescale;
  - qualitative improvements to the remaining playing field to reduce the slop and improve drainage;
  - community access to the proposed sports hall, activity studio and MUGA as part of the 6<sup>th</sup> form college;
  - the replacement of the existing artificial cricket wicket with a new facility, representing a qualitative improvement to this facility;
  - the siting of the sixth form college adjacent to the existing leisure centre which will aid students enrolled on the Active Leisure and Tourism course, including work placements, students studying for lifeguard qualifications and students entering into apprenticeships; and
  - the continuation of the existing community use of the site.
71. Exception 5 to Sport England's Playing Fields Policy relates to criteria C of Paragraph 97 of the NPPF: *"Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless... (c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use."* Whilst the sixth form college has been acknowledged by Sport England as being a 'largely non-sporting proposal', the benefits to sport arising largely from other aspects of the application are considered to 'marginally outweigh the detriment caused by the loss of playing fields.'
72. Notwithstanding Sport England's view that the development now complies with the NPPF, meeting Exception 5 of their Policy, applications are required to be determined in accordance with the development plan unless material considerations indicate otherwise in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended). The NPPF is a material consideration in planning decisions but does not change the statutory status of the development plan as the starting point for decision making. As such the loss of part of the existing playing fields must also be assessed against Policy DM42 of the Joint Development Management Policies Document.
73. It is important to highlight that where development will result in the loss of existing sport open space or facilities, Policy DM42 requires the space or facilities lost to be replaced (officer emphasis added). This must be of at



least equivalent *quantity and quality* and in a suitable location to meet the needs of users of the existing space or facility. Whilst the development includes qualitative improvements to the retained playing fields and the artificial pitch, and these are clearly welcomed and of significant benefit to sport, the development will still result in a quantitative loss of approximately 2 hectares of existing playing field. The NPPF also makes reference to the requirement for replacement provision under Paragraph 97 criteria B, but crucially there is also the alternative criteria C which supports schemes where the benefits to sport outweigh the loss of the current use. Policy DM42 does not include this third criteria. As such there is a difference between the NPPF and Policy DM42 when considering proposals that result in a loss of sports open space or facilities. There is clearly a conflict with Policy DM42 in the case of this development for the reasons set out above. This must be acknowledged as weighing against the scheme in the planning balance.

74. Officers have considered the amount of weight that should be given to Policy DM42 in terms of its degree of consistency with the revised NPPF. Policy DM42 could be interpreted as being more restrictive than the NPPF as it does not expressly provide for a more nuanced assessment of the benefits to sport and whether these outweigh any loss. The now superseded 2012 NPPF however contained almost identical wording to the current 2018 NPPF in respect of building on existing open space, sports and recreation land. Policy DM42 forms part of the Joint DM Policies Document that was adopted post the 2012 NPPF, and as such the Policy was found by an Inspector to be sound and in accordance with the NPPF at that time. Given the near-identical wording of the relevant paragraph of the revised NPPF, it is entirely reasonable and appropriate to consider Policy DM42 as remaining highly consistent with the Framework. It is therefore also appropriate to give it full weight in the assessment of this application.
75. The submitted Sports Provision Statement and Addendum include details of the existing community uses of the facilities at King Edward VI Upper School, including by other schools. The Table set out on page 2 of the Addendum (dated 8<sup>th</sup> August) indicates that all of these will still be accommodated despite the loss of part of the playing fields, albeit there will be some disruption during the construction of the college. The Addendum also confirms that the Upper School are already signatory to an agreed and established community use agreement, although no further details are provided.
76. In terms of the proposed 6<sup>th</sup> form college, the application documents confirm that its sports facilities will be available for use by members of the public and community groups when not required by the college or the existing school. This can be secured via a planning condition requiring a community use agreement prepared in consultation with Sport England. This would apply to the new sports hall, activity studio and MUGA and include details

of pricing policy, hours of use, access by non-school users, management responsibilities and a mechanism for review. This accords with Aspiration 23 of the Bury Vision for education facilities to fulfil a wider community role by making greater use of facilities through sharing with local communities. The community use of the new 6<sup>th</sup> form sport facilities is recognised as a clear benefit of the scheme.

77. It is noted that Sport England has not requested a community use agreement in respect of the improved playing fields or the artificial pitch that will be retained as part of King Edward VI Upper School. Officers have considered whether this would be appropriate, noting the concerns that have been raised previously both by third parties and Sport England regarding a potential reduction in community access to the playing fields in particular. Given however that these facilities form part of the existing school and in planning terms are not currently obligated to provide any community use (albeit there are likely to be existing agreements in place that fall outside of the planning system), it is not considered to be reasonable to obligate the Upper School to provide this via this application. If this had been offered as part of the application package this would have been an additional factor that weighed in favour of the development, however, in the absence of such officers are of the view that it is not something that can be insisted upon having regard to the relevant tests regarding the imposition of conditions. As outlined in paragraph 75 of this report, information has been provided which indicates that the existing community uses of the Upper School site can and will continue to be accommodated and there is nothing to the contrary to suggest that this will not be the case.

### **Design and Impact on Character**

78. The proposed college building would have a substantial footprint and be four-storeys in scale. The introduction of a building of this size together with the construction of a large car park represents a significant change in the character of the site, which is currently playing fields and devoid of any buildings. The scheme also includes the removal of the existing tall leylandii hedge along the site frontage with Beetons Way. Whilst the removal of the hedge is not in itself contested, this will open the site up to views from both Beetons Way and Western Way and the development will undoubtedly be visually prominent in this location.

79. Officers previously raised concerns regarding the layout of the frontage and approach to the college building due to this being dominated by car parking with limited strategic soft landscaping – both to mitigate the loss of the existing leylandii hedge and to provide an appropriate setting for a development of this scale. Concerns were also raised regarding the pedestrian access from Beetons Way as originally proposed. This access was narrow, stepped, located between parked cars and required users to

cross the internal access road at two points in order to reach the main building. The scheme has been amended in order to address these concerns. The majority of the car parking was removed from the area in front of the college building, with only the disabled parking spaces, two visitor spaces and powered two-wheeler (PTW) parking now proposed in this area. This has benefitted the layout in several ways. A spacious and attractive pedestrian and cycle access is now provided from Beetons Way. Whilst this still crosses the internal access road this is now at a single point and the layout has also been designed to prioritise pedestrian movement. The additional space has also enabled new soft landscaping to be provided within the frontage to the college building including groups of trees which will help to filter and frame views of the building from Beetons Way and Western Way. These changes have significantly improved the scheme and are considered to have addressed the concerns previously raised regarding this aspect of the scheme.

80. Concerns were also raised by officers regarding the lack of permeability of the layout due to the absence of a clear and safe pedestrian route through the main car park in the northern part of the site to the college building. Officers requested an additional pedestrian/cycle access to be provided at the northern boundary of the site to link to the existing public footpath here that leads to Spring Lane and onwards towards the town centre and railway station. The scheme has been amended to address these concerns, providing a second pedestrian/cycle access from the public footpath to the north and a safe route through the car park that follows desire lines and is made clear to pedestrians via appropriate crossing markings on the car park surface and a line of tree planting. This has significantly improved the permeability of the site and its connectivity to its surroundings.
81. The proposed college is a substantial building at four storeys in height but would be viewed in the context of existing development on Western Way and Beetons Way including the nearby former Vintens building which is three storeys and West Suffolk House which is four storeys. Adjacent and nearby land uses are educational, commercial, leisure and public sector facilities and as such the proposal would not be out of keeping in this respect. The building would be set back from Beetons Way by approximately 30 metres at its closest point and around 45 metres at its furthest point and, as outlined above, benefits from a more spacious and landscaped frontage as a result of the changes made to the scheme. The landscaping scheme also includes new hedge and tree planting along the eastern boundary of the site with Beetons Way which will further help to soften the appearance of the development in the street scene and provide an appropriate setting for the building. With the exception of the conifer hedge and a single tree, the existing trees within the site are to be retained as part of the development. New tree planting is also proposed within the site in the car parking areas, the rear courtyard, to the area in front of the substation and bin store and between the attenuation pond adjacent to the main car park and the public

footpath to the north. In addition, details have been submitted to demonstrate that important off-site trees to the south and east of the site are not harmed by the proposals.

82. The main car park serving the college would be sited on part of the playing fields on the northern part of the site. This area of playing field is set at a lower level than the location of the college building itself. There is a substantial grassed bank between the site boundary and Beetons Way, above which is also an established hedgerow which is to be retained. Beetons Way continues to slope downwards heading north from the application site. Given this topography and existing boundary landscaping, it is considered that the visual impact of the car park is of an acceptable level from this vantage point.
83. The site is open to views from the public footpath adjacent to the northern boundary of the site which leads to Spring Lane via the local wildlife site. The northern boundary is currently marked by palisade fencing. This is to be retained with the exception of a small section where an access gate is to be provided to link the footway through the new car park with the existing footpath. In terms of the improvement works to the retained areas of playing field and artificial pitch, these are not considered to have a harmful visual impact. The retained area of playing field is proposed to be altered in terms of levels and the drainage provided will be beneath the pitches. The car park will be visible from the public footpath and it is proposed to provide low level planting between the footpath and the new attenuation pond at the northern end of the car park. This together with the provision of a hedgerow along the eastern boundary of the car park with the improved playing field will help to mitigate the visual impact of the car park as far as possible. Views of the college building will also be available from the public footpath, however, these would be more distant and would also be interrupted by the embankment with established trees that lies to the immediate north of the new building. Distant views of the King Edward VI Upper School buildings are similarly available from this vantage point beyond the playing fields and artificial pitch. When securing new planting in the areas of the site close to the footpath, officers have sought to strike a balance between softening the appearance of the development with landscaping and ensuring that the public footpath retains its current open aspect for safety reasons. Whilst extensive tree planting along the northern site boundary could further mitigate the visual impact of the development from the public footpath, it would also alter the character of this route and make it more secluded and therefore less safe for users. Overall officers are satisfied that the visual impact of the development has been mitigated to an acceptable degree having regard to the constraints of the site.
84. In terms of the design of the college building itself, the building is arranged in a C-shape with the central block forming the principal elevation facing Beetons Way and providing the main entrance. Variations in the building

line and roof line here, with the projecting assembly and sports hall elements, together with the mix of materials and colour finishes helps to create visual interest. The two rear wings are of a simpler form and a change in colour finish here again helps to break up the visual bulk of the building. Officers consider the building to be of a good standard of design that reflects its educational purpose.

### **Sustainable Design and Construction**

85. Policy DM7 of the Joint Development Management Policies Document requires all proposals for new development to adhere to the broad principles of sustainable design and construction and optimise energy efficiency. All major non-residential developments are required to achieve the BREEAM Excellent standard unless at least one of the following conditions apply:

- It is not possible to meet one or more of the mandatory credits for an Excellent rating due to constraints inherent within the site. In this case development will be expected to accrue the equivalent number of credits by targeting other issues while achieving an overall Very Good rating.
- The cost of achieving an Excellent rating can be demonstrated to compromise the viability of the development. In this case applicants will be expected to agree with the Council whether the target should be relaxed, or whether cost savings could be achieved in another aspect of the development.

Developments will also be expected to include details of how it is proposed that the site will meet the energy standards set out within national Building Regulations.

86. An Energy Statement was submitted as part of the application and has been amended and updated following comments from the Council's Environment Team. In this case the building has been designed to achieve a BREEAM rating of Very Good in line with the funding for the project from the ESFA. Concerns were raised by the Council's Energy Advisor that the scheme lacks ambition and does not represent best practice, and that a Very Good rating would be difficult to achieve due to higher ongoing energy costs and environmental impacts. The applicant has subsequently confirmed that a solar PV array will be included within the scheme, details of which can be secured by condition, and a Sustainability and BREEAM Technical Note has also been provided. Our Energy Advisor is satisfied on the basis of the information submitted that a BREEAM rating of Very Good is an acceptable aspiration in this case. An appropriate condition can be imposed to ensure that this is achieved for this scheme.

87. It is noted that the Council's Energy Advisor has queried the level of saving reported for the provision of the solar PV array, and has requested that the development achieves as close as possible to the optimum target of 65.36% within the Very Good BREEAM rating. Our Advisor has also recommended

conditions requiring specific BREEAM credits to be obtained. These requests however are considered to go beyond what can be reasonably required having regard to the provisions and wording of Policy DM7. The BREEAM Pre-Assessment for the development confirms that there are constraints relating to the inherent characteristics of the site and suggests that a number of credits are not achievable for the college which reduces the target potential. With regard to the query raised regarding the output of the solar PV array, the applicant would need to address this as part of BREEAM. Officers are satisfied that the development complies with Policy DM7.

### **Highway Matters**

88. The application is accompanied by a Transport Assessment (including Addendum), a Framework Travel Plan and various supporting technical documents as listed in paragraph 11 of this report. Members will note that Suffolk County Council as Highway Authority originally objected to the application on a number of grounds and that concerns regarding the proposals continued to be raised thereafter. The scheme has been subject to extensive discussion and negotiation in order to address these issues and the latest Highways position is a recommendation of approval subject to conditions and a S106 agreement. Their most recent consultation response is summarised in paragraph 39 of the Consultation section of this report.
89. The scheme includes the replacement of the existing mini-roundabout at the junction of Western Way with Beetons Way with a signalised junction. A new vehicular access onto Beetons Way would also be provided for the proposed college. The submitted Transport Assessment (TA) and associated documents consider the capacity of the junction as existing and provide evidence to support its proposed upgrade to a signalised junction and to demonstrate that this will provide sufficient capacity for transport following the development of the college. Additional details of the new signalised junction, vehicle trip impacts, modal split data and modelling of the impacts of the scheme on the nearby Western Way/Newmarket Road and Tollgate junctions arising from the development have all been provided during the course of the application in order to address the County Council's concerns. In terms of the upgraded junction, Highways are content that the transport flow 'worst case scenario' results indicate that the upgraded junction would function better than the existing arrangement in this location, albeit the upgraded junction will be broadly at capacity for the AM peak hour.
90. In terms of the nearby Western Way/Newmarket Road junction the modelling that has been carried out indicates that the proposal will result in a 5-6% increase in traffic at peak times in this location. For the nearby Tollgate junction the increase is calculated as 4% at peak times. Given that these junctions are already close to capacity Highways have advised that mitigation will be required in order to make the development acceptable.

This would be in the form of S106 contributions, and is discussed in more detail below.

91. The site is located close to the Western Way Development (WWD) site which is proposed to be redeveloped to provide a Public Service Village. The WWD site is identified within the Bury Vision document as a General Employment Area under Policy BV14 and Policy BV15 states that the site has opportunities for re-use or redevelopment for alternative business/mixed activities. Paragraph 6.18 of the Vision document explains that the site, which is centred on West Suffolk House, has been identified as suitable for the development of a Public Service Village, bringing together a linked cluster of public service users on a single site. A masterplan for the development of the area was adopted in January 2007 and the first phase of development was completed in 2009 with the construction of West Suffolk House. An updated masterplan for the site was adopted in 2016 and the Outline Business Case for the development was recently agreed at the St Edmundsbury Borough Council Full Council Meeting held on 30<sup>th</sup> October 2018. The assessments provided to support the proposed sixth form application have taken into background traffic growth up until 2024 and the WWD has also been specifically included within the sensitivity test.
92. Due to the proximity of the proposed sixth form college and WWD sites to each other and the implications for the Western Way/Beetons Way junction and the surrounding road network, the applicant's transport consultants have explored the possibility of a larger signalised junction in this location that would provide capacity for both developments in the future. A sketch plan showing this option has been submitted to demonstrate that there is sufficient space to deliver a larger junction with increased capacity. Whilst it would not be reasonable or appropriate to require this larger scheme as part of this application, as this is solely for the college, the information submitted provides assurance that the sixth form development would not fetter the redevelopment of the Western Way Development site. This is a key point given the importance of the WWD.
93. In terms of the proposed college development concerns were previously raised by Highways and officers regarding the parking layout, space sizes, PTW parking, inadequate cycle parking and inadequate disabled parking. The scheme originally included the provision of parking spaces within the site frontage in close proximity to the new vehicular entrance. These spaces have now been relocated due to concerns that cars manoeuvring in this area could cause queuing on the internal access road, and that this could in turn impact the upgraded junction. The car parking spaces comply with the national standards set out within the Department for Transport's Manual for Streets, this being 2.4m by 4.8m, but do not meet the Suffolk Guidance in this regard which recommends bay sizes of 2.5m by 5.0m. This larger size is recommended to make entering and exiting vehicles as convenient as possible for the widest range of people. Whilst the scheme has not been

amended in this regard, Highways have advised that a larger number of national-standard spaces are preferred to a smaller number of more generous spaces in this case. This is having regard to the potential impact of on-street car parking in the vicinity of the site. For Class D1 further and higher education establishments the Suffolk Guidance requires 1 space per 15 students for staff plus 1 space per 15 students for student parking. Based upon 1700 students the maximum car parking requirement is 227 spaces. The scheme provides a total of 259 spaces which exceeds the maximum standards, and this includes 12 disabled parking spaces and 13 spaces with electric charging points. 13 PTW spaces are also provided together with cycle parking for 100 cycles. It is proposed to further increase the cycle parking provision as the college grows to its full capacity, and this will also reflect cycling uptake. The levels of provision have been agreed with Highways.

94. The changes that have been made to the layout of the car park have also enabled an appropriate turning area for buses/coaches within the site in addition to a drop-off layby. As outlined earlier in this report, significant improvements have been made to the pedestrian and cycle access arrangements within the design, with safe and attractive accesses now provided that are also separate from the vehicular access. This will help to encourage sustainable travel and has greatly reduced the potential conflict between vehicles and pedestrians/cyclists.
95. The site is in a sustainable location with nearby bus stops on both Beetons Way and Western Way and the train station approximately 1.6km from the site. Highways have however identified that a new bus stop shelter is required on Western Way in order to meet the aims of the submitted Travel Plan in terms of encouraging the use of public transport to access the site. A contribution of £10,000 is requested by Highways for this work to be undertaken and this would be secured via a Section 106 Agreement. Contributions are also requested towards improvements to the nearby Western Way/Newmarket Road and Tollgate junctions having regard to the impact of the development on these junctions. Highways advise that there is a current scheme for improvements to the Tollgate junction and have requested a contribution towards this based upon the percentage increase in traffic using this junction as a result of the development. A contribution of £35,000 has been agreed for this. In terms of the Western Way/Newmarket Road junction Highways are currently considering options to improve this, one of which is the relocating of kerb lines on Newmarket Road and on Western Way to provide a longer two-lane approach at these arms. A contribution of £200,000 has been agreed for these works. Officers are content that the obligations are directly related to this development and are fairly and reasonably related in scale and kind to the development, in accordance with the relevant tests under the CIL regulations.



96. Having regard to the above considerations officers are satisfied that the proposals are acceptable in terms of highway matters subject to the above mitigation measures being secured via a S106 Agreement and subject to conditions as recommended by Suffolk County Council. These conditions require, in summary, the following:

- The signalised junction to be implemented in full prior to the first use of the college;
- the agreement of a Construction and Deliveries Management Plan including details of access arrangements during the construction phase;
- All parking and manoeuvring areas to be provided as approved and thereafter retained;
- visibility splays for the new access to be provided and permanently maintained; and
- a Full Travel Plan to be submitted and approved with details of Travel Plan Co-ordinator to be provided.

### **Flood Risk and Drainage**

97. The site is located within Flood Zone 1 defined by the Environment Agency and is therefore classified as being at a low risk of flooding. The application is accompanied by an appropriate Flood Risk Assessment. Members will note that Suffolk County Council as Lead Local Flood Authority initially submitted a holding objection to the proposals as the drainage strategy did not comply with national and local standards. In accordance with the drainage hierarchy, infiltration should be used in the first instance to dispose of surface water runoff where ground conditions allow. The submitted site investigation report indicated that the northern part of the site has good infiltration, and the Flood and Water Engineer therefore advised that open or shallow infiltration devices should be used here to dispose of all surface water. The scheme proposed a 75/25 split in favour of discharging to public sewer over infiltration. Connection to the public sewer is the last option on the hierarchy of runoff destinations. Given the good soakage rates on the northern portion of the site, the ratio was considered to be unsustainable.

98. The drainage scheme has subsequently been amended in order to address the above concerns. A tanked permeable sub-base is proposed under the upper car park and MUGA which will attenuate runoff from these areas. Surface water from the building and external areas will discharge into a new pond located to the north of the site. The lower car park will drain into the new pond and dry swales to the north and a high level overflow from the pond will connect to new cellular soakaways installed under sport pitches. The County Flood and Water Engineer has advised that this is revised scheme acceptable, with conditions recommended in order to secure further details.

99. In terms of wastewater treatment Anglian Water advises that the foul drainage from the development is in the catchment of Fornham All Saints Recycling Centre which will have available capacity, and that the sewerage system also has capacity for the development.

### **Contamination and Air Quality**

100. The site is located within a groundwater source protection zone and is therefore within the immediate catchment of a groundwater abstraction used as drinking water supply. The site also overlies a principal aquifer. The Environment Agency (EA) explains that principal aquifers are geological strata that exhibit high permeability and provide a high level of water storage. They support water supply and river base flow on a strategic scale. The overlying soils at the site are classified as having a high leaching potential, meaning they can readily transmit a wide variety of pollutants to the groundwater. The local and regional use of groundwater in this area makes the site highly vulnerable to pollution. The EA has raised no objections to the proposals subject to conditions. Further consultation with the EA was carried out following the revision of the surface water drainage scheme as this has implications for groundwater as a result of the increase in infiltration proposed. The EA has advised that provided geotextiles are installed beneath permeable paving in the proposed car parking areas, they would have no objection to the drainage strategy for the site. The applicant has confirmed that this will be provided, and this detail can be secured by condition.

101. In terms of land contamination the Council's Environment Team has assessed the reports accompanying the application and are satisfied that the risk from land contamination is low in this case. No further assessment is required in this respect. The Environment Officer notes that no Air Quality Assessment has been carried out as part of the application, and that there are potentially significant traffic implications and therefore impacts on local air quality. Given however that residential properties are a significant distance away, these being the relevant receptor locations, impacts are likely to be limited or well below the relevant Air Quality Objectives. Impacts will also be limited to term times only, meaning that annual objectives are less likely to be significantly impacted. The scheme includes the provision of 13 no. electric vehicle charge points which equates to 5% of the total car parking provision. This will help to enhance the local air quality through the enabling and encouraging of zero emission vehicles. Other measures to promote sustainable transport and reduce air pollution will be dealt with through the travel plan.

### **Biodiversity Impacts**

102. The application is accompanied by a Preliminary Ecological Appraisal which identifies the site as being of negligible ecological importance due to the

majority of the area being heavily managed amenity grassland. No further assessments or surveys were identified as being necessary. The Appraisal advises that boundary hedgerows and trees should be retained if possible and that any trees lost to development should be replaced with appropriate species. As one of the suggested measures to enhance the ecological value of the site the Appraisal also suggests the planting of a native hedgerow on the northern boundary.

103. The landscaping scheme submitted for the development reflects the recommendations of the Appraisal, with tree and hedge removal kept to a minimum and appropriately compensated and a native hedgerow proposed along the northwest boundary with Beetons Way. Our Ecology & Landscape Officer notes that the Appraisal fails to make reference to the Local Wildlife Site immediately adjacent to the application site, but is content that the avoidance and general mitigation measures will protect boundary features and require precautionary measures to be implemented on site. Conditions are recommended to secure appropriate mitigation including a lighting strategy, enhancement measures and an ecology and landscape management plan.

### **Amenity and Noise Impacts**

104. The site of the proposed college building and its associated car park is a notable distance away from residential properties. Housing to the northwest of the proposed car park, in Oakes Road, is approximately 100 metres away and beyond the railway line and A14. Housing to the southeast of the proposed college building in Grove Park is approximately 130 metres away with the existing athletics track and artificial pitch between. Having regard to these relationships, the development does not raise any issues in terms of overlooking, overshadowing or having an overbearing impact on residential amenity.
105. The application is accompanied by an Environmental Noise Assessment which considers the operational impact of the development on the surrounding area in terms of noise. This identifies the existing noise climate as being dominated by road traffic noise from the A14 and Beetons Way and concludes that given the urban environment and existing traffic noise, the development is not likely to have an impact. Factors that have been taken into account include the location of the main entrance to the site which is located off Beetons Way towards the western boundary. This area is away from noise sensitive receptors to the east and the building will provide screening, mitigating potential noise impact to noise sensitive receptors. The arrival and departure of vehicles will be concentrated into periods at the beginning and end of the day coinciding with the existing rush hour and less noise sensitive periods of the day. Proposed parking areas are also generally located to the north and west of the site where the noise climate

is already dominated by prevailing road traffic noise on the A14 and Beetons Way and are located away from noise sensitive receptors.

106. In terms of potential noise from external areas including the new MUGA, given the distance from noise sensitive receptors to the east, the partial screening provided by the building and the existing use of the surrounding area (i.e. existing schools and college, playing fields and sports centre) the Assessment concludes that there is no anticipated impact on noise sensitive receptors. The Assessment also demonstrates that the required indoor ambient noise levels for educational facilities can be met in this case. The Council's Public Health and Housing Team has raised no objections to the proposals, recommending conditions regarding hours of construction and the burning of waste.
107. Having regard to the above considerations, the proposals are not considered to give rise to adverse impacts in terms of amenity and noise and are therefore acceptable in these respects.

### **Heritage Impacts**

108. The site is not located within or close to a Conservation Area and there are no listed buildings close to the site that would be affected by the proposals, the nearest being the former barracks, walls, gates and keep at West Suffolk College beyond the leisure centre and athletics track. The County Archaeologist has also confirmed that no archaeological works are required on the site. The development is therefore considered to have no adverse impact on heritage assets.

### **Other matters**

109. Officers have considered the provisions of the Equality Act 2010, including the potential impact of the development on people with 'protected characteristics' in the assessment of the planning application but the proposals do not raise any significant issues in this regard. The Building Regulations would ensure that the development is provided with nationally prescribed minimum accessibility standards as part of the construction.

### **Planning Balance and Conclusions:**

110. The proposed development would deliver a new sixth form college and the National Planning Policy Framework attaches significant importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities are to take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. Core Strategy Policy CS1 confirms the town of Bury St Edmunds as being one of the main focuses for the location of new development and the maintenance

and development of education facilities forms part of Strategic Policy D. The Vision for St Edmundsbury states that the educational offer of Bury St Edmunds will be increased with the provision of both further education and higher education in order to retain skills and talent within the borough. The Bury St Edmunds Vision document recognises that the town is playing an increasingly important role in education provision. Given this national and local policy context, there is clearly strong support for the principle of a new sixth form college.

111. The impacts of the development have been assessed and officers are satisfied that the proposals do not raise any adverse issues in terms of design, the character of the surrounding area, flood risk, drainage, contamination, air quality, biodiversity, amenity or heritage assets. The impact of the scheme on transport, the local road network and upon highway safety has been subject to extensive assessment led by Suffolk County Council as local highway authority and officers are satisfied that the impacts of the scheme will be at an acceptable level following the improvements to nearby junctions which will be secured via a Section 106 agreement.
112. The proposed development will result in the loss of an area of playing fields forming part of King Edward VI Upper School. Sport England now no longer object to the proposal and consider that the benefits to sport of the scheme as a whole, which includes improvements to the remaining playing fields and artificial pitch, outweighs the loss in this case. Notwithstanding Sport England's position the proposals must be considered against Policy DM42 of the Joint Development Management Policies Document and, when so assessed, it is noted that there is a conflict with this policy. Whilst the proposals include the improvement of the lower playing fields and the existing artificial pitch there would still remain an overall quantitative loss of playing field that is not being replaced, leading to the identified conflict with Policy DM42. This weighs against the scheme in the balance of considerations.
113. A number of benefits to sport arising from the scheme have been identified by Sport England and it is appropriate to also afford these weight in the planning balance. The works to the remaining area of the lower field will provide pitches that accord with Sport England's recommendations, therefore increasing the usability of this facility. The existing artificial cricket wicket is to be replaced with a new facility, again representing a qualitative improvement. The new sports hall, activity studio and Multi Use Games Area would also be available for community use outside of teaching time, thereby benefitting the wider community. This enduring community use can be secured by condition. The existing Upper School has confirmed that following the development there would remain sufficient capacity within its site to accommodate the existing community uses of the school facilities in addition to delivering the PE curriculum to its pupils.

114. Taking all of the above into account and as a matter of balance officers are of the view that the significant benefits of delivering a new sixth form college, which will contribute to ensuring a sufficient choice of school places and widening choice in education within the Borough, outweigh the modest conflict with Policy DM42 having regard also to the benefits to sport arising from the scheme as a whole. A recommendation of approval is therefore appropriate, as set out below.

**Recommendation:**

115. It is recommended that delegated authority be granted to Officers to **GRANT** planning permission subject to the applicant first entering into a Section 106 agreement to secure the following:

- a) A contribution of £10,000 to provide a new bus stop shelter on Western Way.
- b) A contribution of £35,000 towards improvements to the Tollgate junction.
- c) A contribution of £200,000 to make improvements to the Western Way/Newmarket Road junction.

Any such approval to thereafter be granted by officers to also be subject to conditions covering the following matters (the full wording of conditions will be provided within the Late Paper for this Item):

- 1) Standard time limit condition.
- 2) Approved plans and documents to be adhered to.
- 3) Details of external materials and colour finishes to be submitted and approved.
- 4) Details of solar PV array to be submitted and approved.
- 5) Development to achieve a BREEAM 'Very Good' rating.
- 6) Existing artificial pitch to be resurfaced with a 3G surface within 12 months of the date of permission in accordance with a specification approved by the LPA in consultation with Sport England.
- 7) Sports Pitch Implementation Scheme to be submitted and approved including details of proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.
- 8) Community Use Agreement to be submitted and approved relating to new sports facilities within the new college site (sports hall, activity studio and MUGA).
- 9) Details of replacement artificial cricket wicket to be submitted and approved.
- 10) Details of floodlighting of MUGA to be submitted and approved.
- 11) Operational Waste Strategy to be submitted and approved.
- 12) Detailed surface water drainage scheme to be submitted and approved, to include provision of geotextiles beneath parking areas.
- 13) Construction Surface Water management Plan to be submitted and approved.

- 14) Contamination Remediation Strategy to be submitted and approved.
- 15) Construction and Deliveries Management Plan to be submitted and approved including details of proposed access for construction vehicles.
- 16) Details of access gates, visibility splays and cycle and pedestrian crossing facilities to be submitted and approved.
- 17) Signalised junction and new vehicular access to be implemented as approved prior to first use of development.
- 18) Visibility splays to be provided and maintained.
- 19) Details of cycle stores to be submitted and approved.
- 20) Parking and manoeuvring areas including cycle storage to be provided prior to first use of development and thereafter retained.
- 21) Electric vehicle charging points to be provided prior to first use of development and thereafter retained.
- 22) Details of Travel Plan Coordinator to be provided.
- 23) Full Travel Plan to be submitted six months following first occupation and to be approved.
- 24) Timescale for implementation of approved landscaping scheme.
- 25) Arboricultural Method Statement (AMS) to be submitted and approved, to include details of any works to existing trees.
- 26) Existing trees to be protected in accordance with approved plans and AMS.
- 27) Ecology mitigation measures to be implemented.
- 28) Lighting strategy to be submitted and approved.
- 29) Ecology enhancement measures to be submitted and approved.
- 30) Ecology and landscape management plan to be submitted and approved including monitoring of enhancement features.
- 31) Details of substation and bin store to be submitted and approved.
- 32) Details of terraced seating within embankment to be submitted and approved.
- 33) Hours of construction restriction as recommended by Public Health & Housing.
- 34) Maximum pupil number of 1700.

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online.