

Development Control Committee 5 August 2020

Planning Application DC/19/2335/HYB – Council Depot, Olding Road, Bury St Edmunds

Date Registered: 29.11.2019 **Expiry Date:** 07.08.2020 (EOT)

Case Officer: Julie Barrow **Recommendation:** Approve Application

Parish: Bury St Edmunds Town Council **Ward:** Minden

Proposal: Hybrid Planning Application - 1) Planning Application - Alter and extend existing warehouse/depot to create a new public/private sector hub with new sports and leisure facilities including new energy centre, surface car parks, a multi-storey car park, sports pavilion, associated landscaping and highways improvement works (following demolition of existing leisure centre, retail clearance building and ancillary buildings associated with former operational depot) 2) Outline Planning Application - Early years nursery

Site: Council Depot, Olding Road, Bury St Edmunds

Applicant: Mr Alex Wilson - West Suffolk Council

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:

This application is referred to the Development Control Committee as the development is a major strategic site and the applicant is the Council.

A request for a Screening Opinion under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 was received by the Local Planning Authority (LPA) on 20 June 2019. A Screening Opinion was subsequently issued on 7 August 2019, which concluded that the development was not Environmental Impact Assessment Development and as such an application would not require the submission of an Environmental Statement.

Amendments have been made during the course of the application to address landscape and ecology and highway matters. Additional information has also been submitted by the applicant in the form of a Transport Assessment Addendum, Cycleway Review and Addendum and additional plans in respect of the junction of Newmarket Road and Western Way.

1.0 Proposal:

- 1.1 The application seeks full planning permission for the alteration and extension of the existing warehouse/depot building to create a new public/private sector hub with new sports and leisure facilities including an energy centre, surface car parks, multi-storey car park, sports pavilion and associated landscaping and highway improvement works. The proposal includes the demolition of the existing leisure centre, former retail warehouse clearance building, and ancillary buildings associated with the former operational depot. The application also seeks outline planning permission for the construction of an early year's nursery. West Suffolk House will be retained, and a connection constructed at first floor level bridging the existing vehicular access to West Suffolk House.
- 1.2 The development of a public/private sector hub adjacent to the existing council offices at West Suffolk House offers a collaborative approach to the delivery of public services and centres public services to the Western Way area of Bury St Edmunds. Details of the future occupiers are still indicative at this stage, however it is envisaged that the hub building will host council and government services, the NHS, leisure facilities, an advice centre, third sector organisations and community and education services together with shared flexible space. The building will also deliver new employment space for commercial lease.
- 1.3 The hub design has developed around the idea of a 'Street' occupying the central bay, providing access and support facilities to public services and offices occupying the north and south bays. An additional 'South Street' connects the north and south entrances, creating a full height voided space that combines with the main foyer to form a singular entrance space. The main foyer is the first of four, full height, atrium spaces along Main Street, which stretches almost the length of the hub connecting the different functions and levels of the building. A café and all public services will be visible from the foyer. A large, tiered stage/seating area is proposed at the end of Main Street providing opportunities for events such as markets, exhibitions and sporting events.

- 1.4 The majority of the first and second floor accommodation consists of commercial and public sector office space. Four bridge-like breakout areas span across the atrium.
- 1.5 The leisure centre will occupy the extension proposed at the western end of the depot building and will be accessible from both Western Way and Olding Road. A key feature of the leisure centre will be a large pool hall comprising a main 10-lane, 25m pool. The pool will usually be configured to offer a separate learners pool with moveable floor and a main pool separated by a boom that can be removed to enable the use of the full ten lanes. A destination leisure zone will be provided that includes a beach pool, splash park with slides, jets, water cannons and water slides. A leisure café and soft play area are also proposed.
- 1.6 The first floor will contain the health and fitness suite with up to 150 stations, with views across the external plaza as well as down into the pool hall and South Street. Four flexible studios will accommodate fitness classes and other activities and three treatment/consultation rooms will also be provided.
- 1.7 A four-court sports hall will cater for a range of indoor sports and activities.
- 1.8 A new pavilion is proposed adjacent to the existing athletics track. The existing skate park adjacent to Olding Road will be retained in its existing location but will be reconfigured and enlarged as part of the development.
- 1.9 Vehicle access will be retained to the west of the site via Olding Road where hard surface car parking will be increased to include the current depot yard area with additional car decks over the existing footprint of the Olding Road car park. A new vehicle access is to be constructed to the east of the proposed deck car park onto Beetons Way. Following the demolition of the existing leisure centre additional surface car parking will be provided in its place and the existing parking to the west of the existing leisure centre will be reconfigured. Additional parking is proposed a short distance to the north of the main Western Way site on the site of the former retail warehouse clearance building. The existing access to this area off Anglian Lane will be replaced by a new access onto Beetons Way and this car park will be reserved for staff working at West Suffolk House and in the new Hub building. A total of 1391 vehicle parking spaces are proposed across the application site.
- 1.10 The proposal includes the construction of car shading solar arrays over parts of the car parks.

2.0 Application Supporting Material:

- 2.1 The following documents accompany the planning application forms and comprise the planning application (including amendments/additional information received after the application was registered):
 - Acoustic Consultancy Report
 - Air Quality Assessment
 - Arboricultural Planning Statement
 - Community Involvement Statement

- Cycleway Review & Addendum
- Design and Access Statement
- Design Statement – Development Brief
- Drainage Strategy
- Energy Statement
- Envirocheck Report
- External Lighting Environmental Strategy
- Flood Risk Assessment
- Heritage Statement
- Interpretive Report on a Ground Investigation
- Landscape & Visual Impact Assessment
- Outline Travel Plan
- Phase I Geo-Environmental Survey
- Phase I & II Geo-Environmental Assessment
- Planning Statement
- Preliminary Ecological Appraisal – Beetons Way
- Preliminary Ecological Appraisal – Western Way
- Recycling and Waste Facilities Technical Note
- Structural Engineers Report & Building Design Strategy Report
- Transport Assessment & Addendum
- Tree Survey and Constraints Plan
- Utilities Statement

2.2 The planning application, plans and documents submitted by the Applicant can be viewed online using the following link:
<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q1ODLLPD02I00>

3.0 Site Details:

- 3.1 The application relates to two separate parcels of land. The first (the Western Way Site) is a site of 7.56ha located at Western Way at its intersection with Beetons Way and within the Western Way Employment Area. It is adjoined to the east, north and west by existing commercial premises including the West Suffolk College STEM innovation campus. To the north-east of the Western Way Site a new 6th form college is currently under construction and to the south-east is West Suffolk College. To the south of the Western Way Site are rear gardens serving residential properties having frontage to Newmarket Road. Adjoining the boundary at the southern corner of the Western Way Site are two residential properties built to provide accommodation for caretaking staff associated with the site but have since been sold to a third party.
- 3.2 There are significant level differences across the Western Way site, with the south-east part of the site approximately 4m lower than the highest part.
- 3.3 The Western Way Site currently takes vehicular access from both Olding Road and Beetons Way and has a vehicular egress onto Western Way. The site is accessible to pedestrians from all directions, including steps between Beetons Way and Olding Road.
- 3.4 Close to the south-east corner of the Western Way Site, on the opposite side of Beetons Way, is a length of wall that originally formed the boundary wall to the Gibraltar Barracks. The boundary walls and keep building were

listed in 1992. Also surviving is the early 20th century curved screen wall of the former shooting range of the Gibraltar Barracks. This is located in the north-east corner of the Western Way Site, part of the existing leisure centre car park. Although not listed, the wall is considered to be a non-designated heritage asset.

- 3.5 Beyond the Gibraltar Barracks complex on Newmarket Road is the Bury St Edmunds Victoria Street Conservation Area.
- 3.6 A bridleway runs the length of Beetons Way, closed off to vehicular traffic beyond the access to West Suffolk College.
- 3.7 The second site (the Beetons Way North Car Park) is a smaller site of 0.86ha located between Beetons Way and Anglian Lane immediately to the north of the A14 and was last used as a discount retail store. It is adjoined to the north by a builder's merchants. At present the site takes vehicular access from Anglian Lane at its north eastern corner.

4.0 Relevant Planning History:

Reference	Proposal	Status	Decision Date
DC/19/1300/EIASC R	EIA Screening Opinion under Regulation 6 (1) of the Environmental Impact Assessment Regulations 2017 on the matter of whether or not the proposed development is considered that there are likely significant environmental impacts for which an Environmental Statement would be required - Redesign and development of Western Way Depot area to create a one public estate for major public services	EIA not required	07.08.2019
E/85/3363/P	Regulation 4 Application - Alterations to exterior of buildings associated with conversion to Council depot	Application Granted	05.02.1986
E/85/2388/P	Regulation 4 Application - Change of use from factory to Council offices and depot with layout of vehicles parking area, storage compound, etc. and formation of two new accesses as amended by memorandum dated 23/8/85 and accompanying revised plans	Application Granted	17.09.1985

5.0 Consultations:

- 5.1 Highways England (July 2020) – Recommend that conditions should be attached to any planning permission that may be granted.

Highways England has been in receipt of the Addendum to the Transport Assessment (Issue No.01, dated 29 May 2020) and has been in contact with Suffolk County Council regarding their discussions with the agent on the proposed junction improvements at Newmarket Road and Western Way.

The results presented in the Addendum, and those from amended models supplied to Suffolk CC appear to indicate that the proposed junction mitigation scheme which comprises replacing the existing signalised junction with a roundabout in addition to an extension of the 2 lane approach from Newmarket Road West, will help towards addressing capacity issues along this corridor, partly attributed to the proposed development as well as background growth.

Highways England is mindful of existing capacity constraints along the Newmarket Road corridor, and the future potential for general traffic to block towards and potentially into A14 junction 42 and slip roads. The modelling presented, Model 2 specifically, appears to indicate that future queues could extend back as least as far as the railway bridge in a 2023 'opening year' scenario and up to the A14 roundabout in a 2030 scenario with development.

Whilst this gives some cause for concern for Highways England, the sensitivities of the modelling are recognised and the underlying assumptions and methods used in assessing the proposed development which, crucially, do not account for potential re-routing of traffic to alternative roads or the impacts of sustainable travel measures. The latter may have diminished effects on the operation of the A14 junction given this will be used predominantly by motorists travelling from a wider area, however the benefits of sustainable travel measures could be experienced to a greater extent along Newmarket Road leading into Bury St Edmunds which in turn could help to mitigate the risk of queues blocking back to the A14.

With this in mind, and in recognition of the increase in road capacity proposed as part of the junction mitigation scheme, it is considered that this will inevitably provide some benefit to Newmarket Road which in turn will help mitigate against impacts at A14 junction 42.

- 5.2 Environment Agency (Jan 2020) – The site is located within a groundwater Source Protection Zone (SPZ) 2. This means it lies within the catchment of a groundwater abstraction used for public water supply and is hence vulnerable to pollution as contaminants entering groundwater at the site may pollute the protected supply.

The site overlies Lewes Nodular Chalk/Seaford Chalk/Newhaven Chalk/Culver Chalk bedrock strata classified as a Principal aquifer. Principal aquifers are geological strata that exhibit high permeability and provide high levels of water storage, supporting water supply and river base flow on a strategic scale. The site also overlies superficial deposits classified as Secondary aquifers. It is considered that elements of the site history, especially the former council depot facilities for vehicle refuelling and service/repair, present a high polluting potential.

The regional use of groundwater in this area makes the site vulnerable to pollution. The site is considered to be of high sensitivity and could present potential pollutant/contaminant linkages to controlled waters.

The Environment Agency consider that planning permission could be granted subject to conditions relating to the submission of a remediation strategy, the reporting of unexpected contamination, submission of a scheme for surface water disposal and the prevention of penetrative methods for foundation designs and investigation boreholes without consent.

- 5.3 Anglian Water (Dec 2019) – There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. The foul drainage from this development is in the catchment of Fornham All Saints Water Recycling Centre that will have available capacity for these flows. The sewerage system at present has available capacity for used water. The surface water strategy/flood risk assessment submitted with the application relevant to Anglian Water is acceptable. Consent to discharge trade effluent from trade premises to a public sewer vested in Anglian Water requires consent. Recommend a planning condition in relation to surface water disposal.
- 5.4 Cadent (Jan 2020) – Have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The applicant must ensure that proposed works do not infringe on Cadent’s legal rights and any details of such restrictions should be obtained from the landowner in the first instance.
- 5.5 Sports England (Dec 2019) – The application relates to the provision of new strategic sports facilities for Bury St Edmunds, which will be connected to a new public/private hub building, thus promoting the co-location of facilities as promoted within Sport England’s ‘Active Design’ guidance. The strategic evidence to support this proposal was set out in the West Suffolk Indoor Sports Facilities Strategy (2016).

Consider this proposal addresses an identified need for this facility type and has the potential to be of benefit to the development of sport and physical activity in the Bury St Edmunds area. This should be accorded appropriate weight in the decision reached. Sport England has been working with West Suffolk Council to develop this project to make sure it best meets the local needs identified and is designed to meet Sport England/National Governing Body (NGB) requirements. Comments highlighted from the Football Foundation/Suffolk FA, Badminton England and England Netball. Sport England is satisfied that the design of this facility meets Sport England/NGB technical guidance.

- 5.6 Historic England (Jan 2020) – Do not wish to offer any comments. Suggest the views of the specialist conservation and archaeological advisors is sought.
- 5.7 Natural England (Jan 2020) – No objection. The proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

- 5.8 SCC Highways (Dec 2019) – Request further information in respect of the following:
- Arrangements for the northern car park;
 - Off-site mitigation (Newmarket Road Option 4 and Olding Road option 5 (preferred option));
 - A signing strategy should be considered;
 - Internal layout – further detail required on cycle and powered two-wheeler parking;
 - Sustainable travel links – including bus services; and
 - Travel Planning.
- 5.9 SCC Highways (July 2020) – SCC Highways have requested further information from the applicant, which has been analysed over the period of the consultation. SCC Highways are now in a position to recommend approval with conditions.

Traffic modelling and junction assessment

- Additional evidence has been provided to indicate that the development traffic generation and distribution assessment is acceptable.
- The modelling of the two junction layouts for Newmarket Road / Western Way suggests that the signal junction would be within capacity in the without development scenario and broadly at capacity on all arms with the development scenario. The proposed roundabout functions with capacity with limited queuing in isolation.
- There are minor risks associated with the modelling and these risks have been considered.
- In traffic capacity terms the roundabout layout is the preferred option given the significant difference in modelled queues.
- Two options were presented for the roundabout – a shorter widening option and longer widening option. The additional flare length of the western approach would offer some traffic capacity benefit, but the benefits are likely to be limited to the very busiest times of the day and SCC are mindful of the environmental impacts of implementing them for limited benefits.
- Generally, the proposed Olding Road roundabout is shown to function with capacity; albeit with some queuing on the Western Way western approach, which may at particularly busy times affect the operation of the Asda roundabout.
- The Modelling indicates that queues back from the Asda roundabout will negatively impact the Newmarket Road junction, with queues up and down this corridor (to the A14 and towards the town centre). The space does not exist to widen this approach to two lanes at this location, however any additional widening that can be achieved at this location is likely to improve the operation of the network.
- The committed Western Way / Beetons Way signal junction is down to be at capacity on three of its arms in the AM peak hour and within capacity in the PM peak hour. Drivers are likely to experience delay at this location.
- As with all traffic modelling there is an element with the results that the robust nature of the assessment has attempted to minimise, however all results should be treated as indicative rather than absolute. It is necessary to consider the results in the context of the aims for greater numbers of people travelling by sustainable modes.

S106 Contributions

- Traffic regulation orders:
 - Olding Road double yellow lines - £10,000
 - Risbygate Street for removal of parking bays - £10,000
 - Creation of right turn ban on Western Way - £5,000
- Tollgate was one of the locations within the Transport Assessment. A current scheme for improvements to this area is not within the scope of this development to provide the full mitigation for this and future growth. The Transport Assessment, which has been scrutinised by SCC Strategic Transport, accepts that this development will put a peak time 25% more traffic onto Tollgate junction. Therefore, SCC request 25% of the scheme. *N.b SCC's formal comments refer to a 7% contribution in error and it has been confirmed to the LPA that the contribution is 25%.*

- 5.10 SCC Floods & Water (Dec 2019) – The proposed drainage philosophy is split into three main parts. Areas A, B & C are to mimic the existing drainage set-up locally and drain to the public sewer network whereas Areas D and E are to provide betterment by utilising infiltration type Suds. No objection to the proposals for Areas D and E.
- 5.11 SCC Floods & Water (Feb 2020) - The information supplied within the addendum to the drainage strategy has been reviewed and it provides suitable evidence that Anglian Water has accepted the drainage strategy as it was. Overall, the drainage strategy satisfies local policy in terms of a 30% reduction over the existing brownfield conditions for the whole development. Approval recommended subject to conditions to secure detailed drainage schemes.
- 5.12 SCC Growth (Dec 2019) – Colleagues in the Early Years and Childcare Service have been informed of the application. No further comments to make.
- 5.13 SCC Early Years and Childcare Service (Jan 2020) – Supportive of new Nursery provision as part of the Olding Road development.
- 5.14 Suffolk Fire and Rescue (Dec 2019) – Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations. No additional water supply for firefighting purposes is required. Recommend that proper consideration be given to the benefits of an automatic fire sprinkler system.
- 5.15 SCC Archaeology – No requirement for a formal programme of work.
- 5.16 Planning Policy (Jan 2020) –The proposal is considered to be acceptable in principle in terms of satisfactorily addressing planning policy and other material considerations, subject to matters in relation to the transport and travel plan being addressed.
- 5.17 Urban Design Officer (Dec 2019) – The Community Involvement Statement and results of the Western Way Development survey indicate the importance of sustainable links to the site. There are discrepancies in the on-site cycle parking provision between the Landscape Masterplan and Design and Access Statement. It is recommended that the larger facility is located at Olding Road to create a visible 'cycle hub' and reinforce the importance of sustainable travel.

- 5.18 Landscape and Ecology Officer (Feb 2020) – The proposal essentially reuses the existing depot footprint and frame, relocates the leisure centre and provides ancillary infrastructure within the existing urban landscape. On balance, the proposals will enhance the urban landscape. The area is considered to be of low biodiversity value, and this would not change if the recommendations of the ecological report are implemented in full. There are some matters of detail that should be resolved in relation to:
- Lighting strategy
 - Beetons Way access road
 - Levels for footpaths and ramps close to existing trees
 - Access via a cycle route
 - Removal of the southern section of tree belt (south of new access).

- 5.19 Public Health & Housing (Jan 2020) – Considered the impact of this proposal from a nuisance control perspective. No objection in principle subject to a condition requiring the submission of a Construction Method Statement to protect the amenity of nearby residents and businesses. Suggest that the final lighting scheme is developed through future design stages and submitted for approval. Full details of any noise sources associated with the leisure centre such as details of the plant room and the location of any mechanical ventilation equipment, boiler flues and vents should be submitted for approval.

Acoustic report states that some noise mitigation and a ventilation scheme will be required for the nursery to ensure internal noise criteria can be achieved. The orientation/design of the building will also need to be considered to ensure maximum protection from road noise/A14.

- 5.20 Public Health & Housing (July 2020) – Previous comments apply. A condition is recommended in relation to restricting noise when all plant is operating on site.

- 5.21 Environment Team (Jan 2020) – Contaminated land – The application is supported by three reports relating to contaminated land. The reports provide a reasonable assessment of the site and do not identify any areas of significant contamination. However, investigation in the location of the decommissioned underground fuel tanks has not been sufficiently thorough. It is recommended that a condition is attached to ensure the required investigation is undertaken. It will also be necessary to ensure that the removal of underground tanks and fuel infrastructure is appropriately monitored, and it is expected that appropriate method statements are produced for these activities.

Air quality – The Air Quality Assessment identifies moderate adverse impacts from the energy centre on properties on Newmarket Road as well as slight adverse impacts from additional traffic at the nursery on Newmarket Road. Both locations require further assessment. It is understood that a sensitivity analysis is being undertaken on the energy centre prior to determination and the further assessment at the nursery can be conditioned.

The Air Quality Assessment gives Electric Vehicle (EV) charging facilities as a mitigating measure and the Transport Assessment states that 5% of parking spaces will be equipped with EV charging points at the point of opening, with a further 35% of spaces installed with infrastructure to allow

for future provision. Although it is agreed that 5% provision may be appropriate at the point of opening, there does need to be a detailed plan to ensure provision will increase with demand and that sufficient electrical supply can be secured to ensure the increase in capacity can be accommodated. Recommend conditions relating to EV charging points provision.

5.22 Environment Team (Feb 2020) - Review of additional air quality assessment – the new modelling indicates air quality at receptors impacted by the Energy Centre has improved from a moderate adverse impact to a negligible adverse impact. This is now considered acceptable. Recommend a condition requiring the physical and emission characteristics of the CHP and boiler to be in accordance with the details submitted.

5.23 Energy Advisor (Jan 2020) – Energy statement - The application is supported by an energy statement, which sets out the considerable range of technologies to be included in the development. The aspiration for the site in terms of energy generation and emissions reductions is clear and commendable. Recommend a condition requiring details of Part L compliance to be submitted.

BREEAM Rating – The Design and Access Statement states that “During the pre-application discussions, it was identified that it would be a better investment of limited public fund to invest heavily in a travel plan and energy and renewable energy strategies rather than seeking an overall achievement of Excellent”.

This ambition is clearly demonstrated in the energy strategy however, the Outline Travel Plan and the additional information provided are not consistent with this ambition. The development will have a significant environmental impact which to some extent will be reduced through the successful achievement of the BREEAM criteria. It is acknowledged that further work will be required to develop the travel plan, which can be secured through a planning condition. The developer is also required to submit a certificate demonstrating that the building has gained BREEAM Very Good status within 6 months of first operational use.

5.24 Waste Team (Feb 2020) –

- Comments on existing waste/recycling facilities.
- Currently collect waste from the council buildings using two on-site compactors. Preference is to continue with the use of compactors.
- Proposed waste compound layout and dimensions do not appear to be adequate.
- Recommend a site waste management plan.
- Confirmation required that vehicles can access facility.
- Need to consider restricting unwanted access, ensure the compound is closed sufficiently to avoid accumulation of waste and litter.
- Visual impact of compound.
- Appropriate signage required.
- Current waste collection and recycling arrangements are under review by the government.
- What arrangements are proposed for managing litter across the site?
- Further consideration is required for street cleansing arrangements and the removal of litter and detritus from the external space.

6.0 Representations:

6.1 Site notices posted, advertisement place in the East Anglian Daily Times and 80 addresses notified in November 2019. A further, wider consultation was undertaken in July 2020 following receipt of amended plans in respect of the Newmarket Road junction and 143 addresses were notified

Thirteen responses received:

1 Wilby Close, Bury St Edmunds

- Ensure new pavilion has showering facilities.
- Useful to have direct access to more than one toilet from the outside.
- Ensure that the full 15% quota of EV charge points is being implemented.

12 Newmarket Road, Bury St Edmunds

- Note that applications states that multi-storey car park has the potential to provide visual and privacy concerns.
- Why is site of existing leisure centre not a better option?
- Has a light pollution survey been conducted?
- What are the criteria for starting Phase 4 (multi-storey car park construction)?
- What design feature will ensure privacy and protect woodland

6 Lindisfarne Road, Bury St Edmunds

- In agreement with previous comment regarding showers and accessible toilets.
- Pavilion appears small; will there be provision for it to be a permanent base for the two clubs?
- Disappointing that the opportunity to provide a small stand has been missed.
- Will the council commit to replace the track surface in 2024; the average life span of a synthetic track is about 12 years.

148 York Road, Bury St Edmunds

- The Saint Edmund Pacers and West Suffolk Athletic club train at the track. Many adults use the showers at the current sports centre.
- Athletic/triathlon events can result in 300-500 people that need close-by facilities.
- Ideal time to update facilities.
- No showers and probably not enough toilets.

Onamarsh, Warren Lane, Woolpit

- Contraction of area occupied by athletics track has serious issues.
- Inadequate space to accommodate events; schools would be unable to use the facility for competitions.
- No provision for spectators
- Safety is compromised
- Officials are often elderly and disabled and these plans will reduce access for these officials.
- Starters are required to be in-sight of their vehicles as these often contain additional ammunition and guns.
- Given the planned use of the rest of the site, anticipate very restricted parking for users of the facilities and lack of parking for coaches would make its use for competition problematic if not impossible.

- Application has no underlying understating of athletics and applicants have not engaged with users of the athletics facilities.

31 Hornbeam Drive, Horringer

- The track is probably the best in East Anglia despite its size.
- Areas within the existing track security fencing have been taken for the proposed nursery and car parking.
- There are pinch points where spectators and pedestrian traffic will cause congestion.
- How is access from the disabled parking spaces to the track to be achieved given the difference in levels?
- One coach parking space is not sufficient. As many as 6 coaches coming to some meetings.
- The pavilion will be inadequate.
- Why is it necessary to take space from the athletics area which is already cramped?
- Will the facilities presently provided in the Sports Centre be provided elsewhere before it is demolished?
- Will it be possible to use the track during construction work?

45 Shackleton Road, Ipswich

- If the proposal goes ahead the track will not be able to be used for big competitions or meets. Believe a lot of schools and clubs will be lost.

16 Croft Close, Wickhambrook

- The application, which in light of economic, social and health related matters, seems restrictive in its lack of strategic planning.
- Plans do not facilitate full season of training and athletics programme whereby 500+ athletes with accompanying entourage descend on a regular basis in numerous cars and coaches.
- Simple adaptations would be feasible and ensure the longevity of athletics within West Suffolk for the next 25 years.

Harram Hill House, Whepstead Rod, Horringer

- Have been told that the athletics track will lose any area for spectators/participants. Understand that West Suffolk College will be taking over this area of land.
- For inter-school competitions through to regional competitions, the grass bank is essential for these to run effectively.
- Without this area team competitions will be impossible to host.
- Important to ensure there is sufficient parking onsite for coaches and mini-buses.
- Important that new gym has natural light and is not aggressive or intimidating in its atmosphere.

2 Ridley Road, Bury St Edmunds

- Agree with other objections. Cannot believe developers have not consulted clubs that will use the track and facilities.
- A single local school sports day would not be able to held through safety and safeguarding.
- Future events would have to be cancelled if facilities are not safe.
- Need to cherish and develop local athletes.

Onamarsh, Warren Lane, Woolpit

- Pick Everard's response to previous objections do not address issues raised.
- With whom at England Athletics has the proposer consulted? While meetings are difficult during Coronavirus no decision should be made about the footprint and design of the athletics facility.
- Difficult to view a plan of the athletics facility on a single document but it is clear that there is still totally inadequate space for the number of users. This lack of space, especially around the track has serious impact on the safety of users. It is unlikely that the facility would achieve EA Trackmark.
- No provision for spectator stands. What spectator flow might be possible around the track is restricted, inadequate and unsafe.
- Whatever commitment is given to safety it is very unlikely that the facility would be used for any activity other than training.
- Facilities for starters - there are at least seven different start lines around a standard 400m track.
- Objections remain that the facility would be downgraded to a training-only facility; no events could be held safely; and no meaningful consultation with experts in this field has taken place.

31 Hornbeam Drive

- Engagement and consultation – will the proposed meeting take place in time for any agreed amendments to be made to the application?
- External space to accommodate users/events have not been improved.
- The car parking as proposed will cause a negative effect on air quality?
- Are there proposals for the car parking management?
- If the surrounding car parks are to be constructed at track level why is it necessary to provide a new stepped access from the path leading to KEGS towards the track?
- Where is the retaining wall?

3 Hutton Close, Bury St Edmunds

- Comments on the revised plans for the Newmarket Road junction.
- Past observations predicted a bottleneck at this location due to the expansion of the area. Vehicles promote an increase in volume, noise level and emissions during the working day and into the evening and a build-up of traffic at peak times. Newmarket Road is also a route for emergency service vehicles.
- A roundabout needs to efficiently regulate the flow of traffic. The volume of traffic will significantly increase with the advent of the public service village.
- A pinch-point in congestion occurs at the junction of Newmarket Road and the eastern entrance to Dettingen Way for vehicles entering the industrial estate/Aldi. This frequently causes a build-up of eastbound vehicles that could be ameliorated by prohibiting a right turn, requiring vehicles to access the industrial estate via the western entrance to Dettingen Way.
- Widening the approaches to the roundabout is welcomed, however, lights to enable pedestrians to cross the roads will dramatically slow down traffic.
- Concerns remain about the footpath on the northern side of Newmarket Road – there is a mix of pedestrians and cyclists which militates against safety.
- Safety concerns also remain regarding vehicles emerging onto Newmarket Road from the junctions at Robinson Close, Douglas Close

and Hutton Close. This is a hazard exacerbated by motorists who do not leave these junctions clear – road markings no longer visible.

- 6.2 Bury St Edmunds Town Council (Jan 2020) – No objection based on information received.
- 6.3 Bury St Edmunds Town Council (July 2020) – Objects on the grounds of insufficient information in application, use of the proposed Halls of Residence as a car park, traffic issues created by the roundabout design and infrastructure issues, lack of EV charging points, lack of facilities available for athletes.
- 6.4 Bury St Edmunds Society (Jan 2020) – Generally supporting of this application, especially the planned re-use of the existing warehouse. However, concerned that the plans will generate a significant increase in traffic on the western approach to the town, which would become unsustainable as the 'Bury West' development at Westley is built out. Suggest a feasibility study is carried out to assess the viability of duelling Newmarket Road from Western Way to junction 42 on the A14 with a tree lined 'green' corridor. The study should also consider the impact on all other principal entrances to the town, as traffic tries to avoid the western approach at peak times.

The Society further suggest the town as a whole would benefit if the new parking facility could be made available for 'park and ride' at weekends and annual events such as the Bury Fayre. There should also be a continuous bus link between Western Way, the town centre and the railway station.

Regarding the detailed design, the Society suggests the design team looks at the possibility of the new leisure complex being built separately from the Business Hub. Calculating a viable business plan for a community leisure facility such as that proposed is especially difficult because of high initial capital costs and high running costs balanced against limited anticipated income.

7.0 Development Plan Policy

On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single Authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by Regulation. The Development Plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies document (which had been adopted by both Councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.

The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy 2010 & Vision 2031 have been taken into account in the consideration of this application:

- Core Strategy Policy CS2 - Sustainable Development
- Core Strategy Policy CS3 - Design and Local Distinctiveness
- Core Strategy Policy CS7 - Sustainable Transport

- Core Strategy Policy CS8 - Strategic Transport Improvements
- Core Strategy Policy CS9 - Employment and the Local Economy
- Core Strategy Policy CS10 - Retail, Leisure, Cultural and Office Provision
- Core Strategy Policy CS14 - Community infrastructure capacity and tariffs
- Vision Policy BV1 - Presumption in Favour of Sustainable Development
- Vision Policy BV14 - General Employment Areas - Bury St Edmunds
- Vision Policy BV15 - Alternative Business Development within General Employment Areas
- Vision Policy BV23 - West Suffolk College
- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM3 Masterplans
- Policy DM6 Flooding and Sustainable Drainage
- Policy DM7 Sustainable Design and Construction
- Policy DM13 Landscape Features
- Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- Policy DM20 Archaeology
- Policy DM30 Appropriate Employment Uses and Protection of Employment Land and Existing Businesses
- Policy DM37 Public Realm Improvements
- Policy DM41 Community Facilities and Services
- Policy DM42 Open Space, Sport and Recreation Facilities
- Policy DM43 Leisure and Cultural Facilities
- Policy DM44 Rights of Way
- Policy DM45 Transport Assessments and Travel Plans
- Policy DM46 Parking Standards

8.0 Other Planning Policy:

8.1 National Planning Policy Framework (2019)

The NPPF was revised in February 2019 and is a material consideration in decision making from the day of its publication. Paragraph 213 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 NPPF. 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. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2019 NPPF that full weight can be attached to them in the decision-making process.

The policies set out in the NPPF are material to the consideration of this planning application and are discussed below in the officer comment section of this report.

How does the NPPF define sustainable development?

The Framework defines the objective of sustainable development as *meeting the needs of the present without compromising the ability of future generations to meet their own needs*. It goes on to explain there are three overarching objectives which need to be pursued in mutually supportive ways:

(i) economic (to help build a strong, responsive and competitive economy),
(ii) social (to support strong, vibrant and healthy communities) and,
(iii) environmental (contributing to protecting and enhancing our natural, built and historic environment)

The Framework explains (paragraph 9) that these objectives should be delivered through plan making and applying NPPF policies. It goes on to advise that planning decisions should play an active role in guiding development to sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

9.0 Officer Comment:

9.1 This section of the report begins with a summary of the main legal and legislative requirements before entering into a discussion about whether the development proposed by this planning application can be considered acceptable in principle in the light of national planning policy, local plan designations and other local planning policies. It then goes on to analyse other relevant material planning considerations (including site specific considerations) before reaching conclusions on the suitability of the proposals.

9.2 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations)

A request for a Screening Opinion under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 was received by the local planning authority on 20th June 2019. A Screening Opinion was subsequently issued on 7th August, which concluded that the development was not Environmental Impact Assessment Development and as such an application would not require the submission of an Environmental Statement.

9.3 Planning and Compulsory Purchase Act 2004 (as amended)

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material planning considerations indicate otherwise. The principle of development with regard to the Development Plan is considered in detail in the 'Principle of Development' section of this report.

9.4 Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states;

In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have

special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72(1) of the same Act states;
...with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

These statutory duties and the impact on the Bury St Edmunds Victoria Street XXXX Conservation Area and nearby listed buildings are discussed in detail in the 'Heritage Impacts' section of this report.

9.5 Natural Environment and Rural Communities Act 2006

The Act places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. The potential impact of the application proposals on biodiversity is discussed later in this report.

9.6 Crime and Disorder Act 1998

Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act 1998 (impact of council functions upon crime and disorder), in the assessment of this application. The proposals do not raise any significant issues.

9.7 Equality Act 2010

Consideration has been given to the provisions of Section 149 of the Act (public sector equality duty) in the assessment of this application.

10.0 Principle of Development

10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan comprises the policies set out in the Joint Development Management Policies document (adopted February 2015), the St Edmundsbury Core Strategy (adopted December 2010) and the Bury St Edmunds Vision 2031 (adopted September 2014).

10.2 Bury St Edmunds Vision Policy BV14 details the various established centres of employment in the town, some of which have opportunities for further development and intensification of use. The Western Way General Employment Area is noted as being designated for B1, B2 and B8 uses. The policy goes on to state that an area of land at the eastern end of Western Way, 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.

10.3 A masterplan for the development of the Western Way area was adopted in 2006 and the first phase of development, being West Suffolk House, was completed in 2009. Policy BV14 states that in considering proposals for public buildings on the site careful consideration will need to be given to the potential to maximise the potential for links between new building uses with

those at West Suffolk House, West Suffolk College and/or Bury St Edmunds Leisure Centre.

- 10.4 Bury St Edmunds Vision Policy BV15 provides for alternative business development within general employment areas. Within a number of general employment areas, including Western Way, the policy states that opportunities for the redevelopment or re-use of sites and buildings for alternative business/mixed activities which do not necessarily fit neatly into B use classes will be considered favourably where they:
- a) do not conflict with policies elsewhere within the Development Plan;
 - b) seek to maximise the sites' potential for economic growth and/or support the continued operation of the existing businesses and industrial activities; and
 - c) do not generate potential conflict with existing or proposed general industrial (use Class B2) activities.
- 10.5 The 2006 Masterplan was solely designed around a public service village concept but worked around the land occupied by the DHL/NHS logistics warehouse. The masterplan set out how the site could be viewed as an opportunity for five public sector partners to be accommodated on the site, including the West Suffolk council offices. It was also envisaged that the site would be served by a multi-storey car park located on the southern boundary of the site adjacent to Beetons Way.
- 10.6 Following confirmation that the NHS Logistics site would be made available and the construction of West Suffolk House the Masterplan was amended in 2016 to take account of the additional opportunities that this created. The revised Masterplan proposes a linked cluster of buildings to house a number of mixed uses including public service uses on a single site. The Masterplan does not include the land on which the existing leisure centre is located nor any of the adjacent land occupied by West Suffolk College. It does however contain a number of references to linkages between the Masterplan site, the leisure centre and West Suffolk College and acknowledges the importance of developing these links. The Masterplan notes that West Suffolk College has expressed an interest in becoming a key occupier on the Western Way site and that a shortage of car parking at West Suffolk College and the leisure centre means that a robust car parking strategy should be considered for the area.
- 10.7 Policy CS2 relates to sustainable development and seeks to ensure that a high quality, sustainable environment will be achieved by designing and incorporating measures appropriate to the nature and scale of development. The policy centres on the protection and enhancement of natural resources and the sustainable design of the built environment. The policy sets out the sustainable development principles that should be followed, including making the most resource efficient use of land and providing the infrastructure and services necessary to serve the development.
- 10.8 Policy DM3 of the Joint Development Management Policies Document states that proposals for development of sites subject to masterplans will be permitted only where proposals accord with Policy DM2 (Creating Places – Development Principles and Local Distinctiveness) and with any relevant design guidance, Concept Statements and Development Briefs approved by the local planning authority.

- 10.9 Policy DM41 relates to the provision and enhancement of Community Facilities and Services and states that the provision and enhancement of community facilities will be permitted where they contribute to the quality of community life and the maintenance of sustainable communities. The policy recognises that community facilities and services in villages, small settlement and suburban areas (such as Western Way) provide a vital role in contributing to the health and wellbeing, social, educational, spiritual, recreational, leisure and cultural needs of the community, an in reducing the need to travel.
- 10.10 Policy DM42 relates to proposals for the provision, enhancement and/or expansion of amenity, sport or recreation open space or facilities and states that they will be permitted subject to compliance with other Local Plan policies.
- 10.11 Policy DM43 relates to leisure and cultural facilities and states that planning applications for new leisure or cultural facilities or improvements and extensions to existing facilities will be permitted provided that:
- (a) the proposals are connected to and associated with existing facilities or located at a site that relates well to (where achievable within or on the edge of) a defined settlement and can be made readily accessible to adequate public transport, cycling and walking links for the benefit of non-car users;
 - (b) there would be no unacceptable impacts on the character, appearance or amenities of the area and the design is of a standard acceptable to the local planning authority;
 - (c) vehicle access and on-site vehicle parking would be provided to an appropriate standard.
- 10.12 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development and in relation to decision-taking this means approving development proposals that accord with an up-to date development plan without delay.
- 10.13 Chapter 8 of the NPPF relates to the promotion of healthy and safe communities. Paragraph 91 of the NPPF states that planning policies and decisions should aim to achieve healthy, inclusive and safe places, which promote social interaction, are safe and accessible and enable and support healthy lifestyles. Paragraph 92 addresses the provision of social, recreational and cultural facilities and services the community needs. Planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities and other local services to enhance the sustainability of communities and residential environments. Local planning authorities are also expected to take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.
- 10.14 Chapter 11 encourages the effective use of land and states that planning policies and decisions should give substantial weight to the value of under-utilised land and buildings.
- 10.15 The application site extends beyond Western Way General Employment Area as defined by Policy BV14 as it includes the existing leisure centre, adjacent car parking area and the Beetons Way North Car park, off Anglian Lane. The proposal does however propose to comprehensively redevelop the

application site in order to deliver a public service hub that provides an opportunity to deliver a range of services and facilities for the wider community, including health care, advisory services, leisure and recreational facilities, meeting and event spaces in one place, alongside the delivery of commercial office space. The application site sits alongside West Suffolk College, including its STEM Campus and the proposal will bring together a vast range of services and facilities that will promote social interaction, are safe and accessible and enable and support healthy lifestyles, as advocated by paragraph 92 of the NPPF and the sub-text to Policy BV14. By incorporating the existing leisure centre site in the proposal, re-using the existing depot building and constructing a new leisure centre on the site the proposal will regenerate and revitalise an existing brownfield site that is within the control of the applicant as promoted by the NPPF. Similarly, the public service village concept makes the most resources efficient use of the land and is considered to be a sustainable form of development, in accordance with Policy CS2.

- 10.16 Whilst general employment areas typically deliver B1, B2 and B8 uses (office, general industrial and storage/warehousing) both Policies BV14 and BV15 support the use of the Western Way employment area for alternative commercial business/ mixed activities. As required by Policy BV15, the proposal has been examined in relation to relevant policies within the Development Plan and the remainder of this report addresses these policies. The creation of a public service hub in this location is considered to complement the adjacent educational facilities and council offices at West Suffolk House and the scheme will not generate conflict with commercial uses contained within the wider Western Way area.
- 10.17 The application takes the principles established in the 2016 Masterplan to deliver a comprehensive public service village one step further by including the existing leisure centre site and taking the opportunity to deliver a new leisure centre. The West Suffolk Indoor Facilities Strategy 2016 identifies that the existing leisure centre is ageing and in the medium term there will need to be consideration to its replacement. The Strategy also notes that the existing leisure centre occupies a strategic site adjacent to the council offices and that car parking provision is inadequate. The Strategy goes on to consider that the replacement of the leisure centre could create an opportunity to review the scale and nature of provision for swimming, plus develop a purpose-built fitness suite, potentially a larger sports hall and studios. Therefore while the current proposal does not strictly accord with the adopted Masterplan it is considered that the benefits of providing a new leisure centre and taking a co-ordinated approach to access to the wider area by vehicle, cycle and on-foot justify a deviation from the Masterplan and add significant weight in favour of the proposal.
- 10.18 In addition to following the principles laid down in the adopted Masterplan the proposal is also part of the Government's One Public Estate Programme (OPE). OPE is an established national programme delivered in partnership by the Office of Government Property within the Cabinet Office and the Local Government Association (LGA). The programme seeks to promote collaborative working across the public sector and the taking of a strategic approach to asset management. The creation of a public service village at Western Way meets the objectives of the programme through the delivery of integrated, customer-focused services, the creation of new employment

opportunities and the efficiencies generated through the utilisation of the existing depot building and the 'one-stop' approach of centralising services.

- 10.19 The proposal has been subject to extensive public consultation from the time of the 2006 Masterplan onwards. Prior to the submission of the application a detailed leisure consultation was carried out followed by a consultation in the Summer of 2019, which sought the public's view on the broader hub concept and how this can be delivered to its full potential. A comprehensive Community Involvement Statement has been submitted with the application that details the feedback received from the local community and the changes made to the scheme as a result. The consultation resulted in matters such as improved pedestrian routes, entrances and plazas, a repositioned bus and coach drop-off facility, repositioned athletics pavilion and cycle storage facilities.
- 10.20 In summary, the proposal is supported by a number of local and national planning policies as well as the Government's One Public Estate Programme. In addition, the proposal is supported by an adopted Masterplan, albeit that the extent of the developable area has been extended in order to deliver an enhanced public service village through the delivery of a new leisure centre as well as provision for a nursery facility.
- 10.21 The following section of this report will assess the detail of the proposal, taking into account all relevant planning policies, identifying those areas that either accord or conflict with the plan. Any harm arising from the development will be identified as well as any benefits weighing in its favour. It is only once all of these factors have been weighed in the final planning balance that a recommendation can be made as to the acceptability or otherwise of the development.

11.0 Design, Layout and Visual Amenity

- 11.1 The NPPF stresses the importance the Government attaches to the design of the built environment, confirming good design as a key aspect of sustainable development, indivisible from good planning. The Framework goes on to reinforce these statements by confirming that planning permission should be refused for development that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 11.2 The NPPF also advises that although visual appearance and the architecture of individual buildings are important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
- 11.3 Policy DM2 of the Joint Development Management Policies Document requires all development to recognise and address key features, characteristics, landscape/townscape character, local distinctiveness and special qualities of an area to maintain or create a sense of place and local character. In addition, Policy DM13 seeks to prevent development that would have an unacceptable adverse impact on the character of the landscape, landscape features, wildlife or amenity value.

- 11.4 The adopted Masterplan proposed a linked cluster of buildings to house a number of mixed uses including public service uses on a single site. This was based on axis derived from site and context analysis, one springing from the section of the Barrack Wall adjacent to West Suffolk College; another from the leisure centre across the site and two further from West Suffolk House. The Masterplan intended that the site would be developed in a carefully considered and controlled manner, so it would have a cohesive campus feel. It was envisaged that the building palette/hues and hard landscape materials used on West Suffolk House would be followed and the Masterplan considered building heights across the site. The Masterplan included a six-story car park in the south-east corner of the site where its visual impact could be softened by the level differences and adjacent dense tree belts.
- 11.5 The current proposal moves away from the concept of a series of linked buildings and proposes the re-use of the steel frame and concrete slab of the depot building to create a new public service building that can also deliver commercial office and educational space. This approach will save time, money and natural resources as well as creating a flexible space that can be built in a phased way and link to the public services already being provided at West Suffolk House. The space available means that the steel frame can be extended for the new leisure centre and the building as a whole creates opportunities for multiple partners to operate under one roof.
- 11.6 The layout of the site and its relationship with the surrounding area is dictated by the location of the existing depot building. The building occupies a prominent position on the site alongside West Suffolk House and views of the site from all directions are dominated by the presence of a dated industrial building and the associated hard-standing areas to the west and south. The depot building has no visible connection to the existing leisure centre site to the east and the presence of Beetons Way between the two areas acts as a barrier to pedestrians moving between the two. Views of the site are dominated by West Suffolk House when travelling south along Beetons Way towards the junction with Western Way and West Suffolk House was designed as a key landmark building for this very reason.
- 11.7 Views of the site from the west are dominated by the depot building and the skatepark, which sits between the depot building and Olding Road, and is barely visible beyond the steep banks that encase it. The design ethos for the main Western Way site has been driven by a desire to address the key view of the site from the Asda roundabout to the west. From the outset this began to inform the building edge of the new leisure centre. Siting the leisure centre in this location creates a visible access from Western Way, providing the scheme with a strong street presence. This area has been enhanced through the enlargement of the skate park so that it wraps around the corner of the leisure centre and opens up into an entrance plaza.
- 11.8 Pedestrian access is currently limited to align with vehicular routes, with the exception of the footpath and cycle track to the south of Beetons Way, linking to Newmarket Road. The introduction of a mini roundabout on Beetons Way where it connects to the access to West Suffolk College together with well-defined pedestrian routes along Beetons Way provides permeability between the main Hub site and the proposed parking areas on the site of the existing leisure centre.

- 11.9 The existing level difference between the east and west parts of the site presents a further barrier to pedestrian and cycle movements and the site layout has been required to address this. A stepped access provides a direct route to the southern entrance of the Hub building from Beetons Way, with ramped access to the north that leads down to a further footpath running parallel with the Hub building that connects to a further plaza area to serve the southern entrance. Cycle channels are proposed along the stepped route to assist cyclists access the main cycle storage area close to the southern entrance. Further cycle storage facilities are proposed across the site. A bus/coach drop off area is proposed alongside the southern plaza providing safe and level access for visitors arriving by public transport and school buses.
- 11.10 The eastern part of the site will be opened up through the demolition of the existing leisure centre and the creation of surface car parking. Level changes to the area immediately south of the athletics track will be addressed so that the car parking area will be at the same level as the track for improved access.
- 11.11 The orientation of the existing depot building provides two long elevations (150m) which predominantly face north and south. While this provides north light, which works well for office accommodation, the south light will potentially create overheating issues and will require solar gain measures. The existing depot building is functional in its current use and appearance, described in the Design and Access Statement as an 'undesirable factory aesthetic'. In order to achieve a cohesive development that sits comfortably alongside West Suffolk House the external treatment of the existing depot building and the leisure centre extension form an integral part of the scheme.
- 11.12 The principle of breaking up the mass of the building into sections, providing the building with a rhythm of vertical features was explored. The Design and Access Statement goes on to explain that the introduction of cores to break the elevations created a series of bays, articulated upon the function of the spaces in the building behind the façade. Design development involved an investigation into glazing ratios. The continuation of a solid panel (every third panel) up to the top of the curtain walling begins to tie the ground and first floors together and emphasises vertical proportions. Alongside the glazing ratio designs, solar gain prevention measures were explored to the east, south and west facades to avoid potential internal overheating issues.
- 11.13 Following an analysis of the solar gain levels based upon the various façade layouts, a 2-to-1 glass to solid ratio provided an effective control of solar gain to the first-floor office spaces. The glazing ratio sets up a consistency and a rhythm to the elevations that reflects and celebrates the existing retained steel structure. The repeating pattern provides an efficient use of materials across all four elevations, with vertical fins providing an effective solar prevention measure to east and west facades. The use of cladding panels between the glazing provides depth and the careful use of colour can add further dimension to the building.
- 11.14 The leisure centre extension utilises the same basic design principles as the Hub building to ensure that they appear as one comprehensive scheme. The cladding orientation emphasises the verticality of the building and the long

elevations are broken using darker circulation cores with similar glazing proportions. Articulation in the form of raised glazing on the north-west corner of the leisure centre provides a glimpse of the pool hall beyond. Feature lighting to the glazing soffit together with the use of copper cladding adds a layer of depth to this façade. Further visual interest to this part of the building is created through the use of mesh cladding.

- 11.15 Moving around the exterior of the leisure centre, a solid mass form was explored for the sports hall. The selection of mesh cladding at high level with feature lighting behind adds definition to the mass and provides visual interest. The leisure centre is tied together to the remainder of the Hub building through the use of the same proportions on the vertical cladding.
- 11.16 A number of ancillary buildings are proposed across the site including a pavilion adjacent to the athletics track, an energy centre and waste compound. The exterior of the pavilion will predominantly be red brick. The energy centre will use the same vertical cladding techniques employed on the main Hub building and further details as to the external appearance of the waste compound can be secured post-consent.
- 11.17 The external appearance of the decked car park was designed based upon its surrounding context. There is a need to shield vehicle headlights from the neighbouring dwellings to the south and the solidity of this elevation contrasts with the openness of the north and west elevations. Reference to the leisure centre design is made through the use of expanded mesh cladding where appropriate. Cladding proportions and colours will mimic that used on the Hub building.
- 11.18 The application seeks outline planning permission for the construction of a child-care nursery and the design and form of this building will be addressed at reserved matters stage. The County Council's Early Years and Childcare Service is supportive of a nursery in this location and there is sufficient space on the site to accommodate the building and its associated car and cycle parking.
- 11.19 A Landscape and Visual Impact Assessment (LVIA) has been submitted with the application, which summarises the impact the development will have on views of the site. The LVIA considers that the proposed development will result in a moderate to substantial change in short range views from the east. For the most part the changes will be positive, with the existing depot building enhance and improved and key pedestrian and cycles routes opening up the site. Current views from Beetons Way over the Olding Road car park to the countryside to the north of the A14 will be blocked by the new leisure centre but this is not considered to result in significant harm given that views in the fore and mid ground will be enhanced.
- 11.20 With the exception of the former caretaker dwellings immediately to the south of the Western Way site, the site is not visible from residential properties from the south. Views from Olding Road will take in the new leisure centre and improved skate park in place of the existing depot yard and ancillary buildings. As stated above, close-range views from the west will be substantially changed, in a positive manner, and views from the north will continue to be dominated by West Suffolk House.

- 11.21 The LVIA makes a number of recommendations in relation to landscaping and it is considered that the use of appropriate soft and hard landscaping will be required in order to complement the existing tree line along Western Way and ensure that high quality public realm is delivered across the site. The use of soft landscaping is also essential to break up the mass of several large areas of parking. The proposal includes the construction of a number of solar arrays with some of the parking areas and it is important to ensure that the landscaping complements this additional infrastructure.
- 11.22 An indicative landscaping proposal has been submitted with the application and whilst broadly acceptable further details will be required in order to ensure that a comprehensive and cohesive scheme that takes account of the variety of uses across the site is delivered. Adjacent to the southern elevation of the Hub building a number of private garden areas are proposed in connection with the health services expected to be delivered in this part of the building. The soft and hard landscape treatment of this area will be important to define the public and private realm and deliver an attractive and safe space for visitors. The treatment of areas such as that between the athletics track and the new/reconfigured parking areas will also be important for visual screening purposes and to improve air quality.
- 11.23 The main Hub building, and leisure centre extension is substantial in size and will be the dominant feature on the site. The 'campus' feel of a number of smaller buildings as proposed in the Masterplan has been lost, however, the elevational treatment of the Hub building has been carefully considered, together with the external public realm, in order to deliver a scheme that sits comfortably within its surroundings. The building will be located adjacent to West Suffolk House, the key landmark building constructed as Phase 1 of the public service village and opposite the West Suffolk College STEM campus. These buildings are contemporary in style and reflect the commercial nature of the surrounding area. The various expanses of car parking will result in significant areas of hardstanding, however, much of this space is already laid to hardstanding and with the exception of the boundary tree belts and woodland, is devoid of any soft landscaping or features that break up the expanse. The use of soft and hard landscaping and clear, dedicated pedestrian routes will make these spaces legible for pedestrians and cyclists.
- 11.24 The design concept for the Hub building seeks to break up the elevations through the use of repetitive glazing and cladding patterns. The fins add interest and work to counter solar gain. The pallet of materials seeks to respond to local distinctiveness and create an attractive series of elevations. It is therefore considered that the design and layout of the Western Way site meets the requirements of Policy DM2. The proposal will result in an existing dated warehouse building being repurposed with significant improvements to the public realm on both Western Way and Beetons Way. The incorporation of appropriate landscaping will enhance the development and it is considered that the proposal will not result in an unacceptable adverse impact on the landscape character of the area. The proposal therefore accords with Policy DM13 in this regard.
- 11.25 The appearance of the Beetons Way North Car Park site will change significantly following the demolition of the existing redundant warehouse building and the creation of a surface car park. A new vehicular access will

also be created off Beetons Way and solar panel arrays constructed over some parking bays.

11.26 The Beetons Way North Car Park site is located opposite residential properties to the west of Beetons Way with the A14 immediately to the south and other commercial warehouse development to the north and east. The demolition of the warehouse building will result in an opening up of views into the site and the majority of the boundary trees and vegetation will be retained. The access has been positioned to minimise any impact on the existing trees on Beetons Way. The proposal will result in a high degree of change to the site, but it is considered that the change will not be adverse given the surrounding context and the retention of the boundary vegetation. The development of the Beetons Way North Car Park is therefore considered to meet the objectives of Policies DM2 and DM13.

12.0 Impacts on the Highways Network, Sustainable Transport, Accessibility and Public Rights of Way

12.1 The NPPF emphasises the need for the transport system to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. Paragraph 108 states that when assessing planning applications it should be ensured that:

- (a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- (b) safe and suitable access to the site can be achieved for all users; and
- (c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

12.2 Paragraph 109 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

12.3 Paragraph 110 places an emphasis on giving priority first to pedestrians and cyclists followed by facilitating access to high quality public transport. Developments should address the needs of people with disabilities and reduced mobility in relation to all modes of transport and be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

12.4 Paragraph 111 states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

12.5 Paragraph 98 states that planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users.

12.6 Policy DM2 requires that new development should produce designs that accord with standards and maintain or enhance the safety of the highway network. Policy DM45 sets out the criteria for the submission of Transport

Assessments and Travel Plans to accompany planning applications whilst Policy DM46 addresses parking standards.

Impacts on the highways network

- 12.7 A Transport Assessment has been submitted with the application that considers the likely vehicle trip generation of the proposed development. TRICS data was used that relate to each of the development uses to be located on the development site i.e. office, health care, leisure centre and nursery. In the AM peak hour it is anticipated that there will be 492 vehicles arriving at the site and in the peak PM hour there will be 488 vehicles leaving the site.
- 12.8 This data has been used to consider the impact of the proposal on the local highway network and it is acknowledged that the development will increase traffic in the local area. The applicant has therefore carried out a detailed assessment of the highway junctions most affected by the proposal and how they will function should the development go ahead. This assessment has taken account of accident record data, which shows that there have been 14 reported accidents in the five years up to the Transport Assessment being carried out. Two of these accidents were serious and twelve were slight. The four main junctions assessed are:
- Junction 1 – Western Way/Beetons Way
 - Junction 2 – Western Way/Olding Road
 - Junction 3 – Western Way/Asda access/retail park access
 - Junction 4 – Western Way/A1302 Newmarket Road
- 12.9 These junctions have been modelled for a number of different scenarios including a base year of 2019, base year plus the additional traffic from the sixth form currently under construction on Beetons Way and the predicted opening year of this development of 2023 plus the sixth form traffic.
- 12.10 The assessment of junction 1 takes into account the signal-controlled design that has been committed as part of the sixth form development.
- 12.11 Junction 2 is currently a T-junction and in its current form generates significant queues along Western Way beyond junction 3 and through junction 4. Two options (option 5 and option 5b) were presented to the Highway Authority to improve the junction, both of which convert the junction to a roundabout and realign the access to the existing retail development immediately north of Olding Road. The Highway Authority has confirmed that option 5 allows for through movements at peak hours as the retail access has fewer trips associated with it over the other arms and there is little to interfere with the flow of right turners from Western Way from the west. Option 5 makes provision for pedestrians and is considered to be the safer option.
- 12.12 Junction 3 is currently a roundabout and with the expected development traffic added, queue lengths on Western Way are considerably longer than without the development traffic. In particular, queues along Western Way (east) will back up a considerable distance past the junction with Olding Road (junction 2) in the evening peak hour. Minor works are proposed to this junction; however it will remain as a roundabout. The Highway Authority has advised that there are plans in place to widen the eastbound

carriageway in the vicinity of this junction and this has been taken into account together with the minor works proposed under this application.

- 12.13 Junction 4 has been the subject of a considerable amount of discussion between the applicant and the Highway Authority. It is proposed to convert this existing traffic signal-controlled crossroads to an uncontrolled roundabout as the existing junction is predicted to operate very poorly with the addition of the development traffic. The Highway Authority requested that further modelling be undertaken by the applicant and additional works to widen Newmarket Road in both directions were tabled in order to ascertain whether it was appropriate to construct a roundabout in this location. This additional modelling was also required in order to assess whether the additional development traffic using this junction would have an impact on junction 42 of the A14. For this reason Highways England has also examined the modelling work undertaken by the applicant.
- 12.14 The Highway Authority has stated that when comparing both the signal junction's operation and the proposed roundabout junction's operation in isolation (i.e. if they were operating without being impacted by queues associated with adjacent junctions) the modelling suggests that the signal junction would be within capacity in the without development scenario and broadly at capacity on all arms in the future with the development scenario. Meanwhile the proposed roundabout functions with capacity with limited queuing when modelled in isolation.
- 12.15 The Highway Authority has concluded that in traffic capacity terms the roundabout is the preferred option given the significant difference in modelled queues. When comparing the options modelled for the roundabout two options were presented, a shorter widening option and a longer widening option. The Highway Authority has advised that the shorter widening option in an eastly direction is preferred. Whilst various options were considered for carriageway widening in the direction of the town centre, existing trees and services constrained many layouts. The applicant is however able to extend the right turn land (into Western Way) by a length of 24m that will provide additional capacity at peak times.
- 12.16 Immediately north of junction 4, on Western Way, is a nursery located on the east side of the road. The right turn from Western Way into the nursery has proved problematic in the past and after consultation with the Highway Authority it is proposed to impose a banned right turn at this location so that this manoeuvre should not be undertaken. A traffic regulation order is required to achieve this and a financial contribution of £5,000 is sought from the applicant in this regard.
- 12.17 Junction 5 is a proposed new mini roundabout at the end of Beetons Way (south). This will provide access to West Suffolk College on the southeast, to the proposed surface car park to the east and to the proposed decked car park to the west. It will also serve as a speed reducing feature with regard to vehicles entering and leaving these facilities.
- 12.18 Notwithstanding the works proposed to improve the function and capacity of the junctions 1-4 for vehicles, cyclists and pedestrians it is still the case that the development is likely to generate a level of traffic that has the potential to have an adverse impact on the highway network at certain times of the day. In particular queues are expected in connection with junction 3

(Asda) that will negatively impact junction 4 to the extent that there are queues up and down this corridor (back to the A14 and into the town centre). The narrow approach means that it does not have the capacity to cater for the additional demand. The space does not exist to widen this approach at this location, although additional capacity can be achieved at junction 2.

- 12.19 For the committed Western Way / Beetons Way junction (junction 1), the junction is shown to be at capacity on three of its arms in the 2030 AM peak hour and within capacity in the PM peak hour. It is likely that queues associated with this junction will during typically busy times affect the operation of junction 2, but the outputs from the modelling indicate that this is unlikely during the assessed scenario. However, drivers are expected to experience delays at this location at certain times of the day.
- 12.20 The Highway Authority has highlighted that as with all traffic modelling there is an element of risk with the results that the robust nature of the assessment has attempted to minimise. However, all results should be treated as indicative rather than absolute, and it is necessary to consider the results in the context of the aims for greater numbers of people travelling by sustainable modes and often the provision of additional lanes can negatively impact the ability to deliver adequate sustainable transport infrastructure. In the case of development traffic it does not consider the likelihood of redistribution as a result of congestion, re-timing of journeys as a result of congestion or the potential for modal shift by the provision of improved public transport, cycle infrastructure and comprehensive travel planning. Nor does it consider the implications of a greater number of people working from home than currently do. All of which are likely to have an impact on how vehicles access the development site. It should also be noted that the modelling uses a 'worst case scenario', which in this case assumes that the development will be fully occupied on its first day of operation. The applicant has indicated that this is an unlikely scenario and that the main hub building will become occupied in phases and that it may be some years before it is fully occupied. While the building is under-occupied the number of vehicle trips to and from the site will be reduced accordingly. During this time, it is expected that the modal shift to sustainable travel will counter the additional traffic anticipated by the modelling. The move towards sustainable travel has been factored into the responses provided by the Highway Authority and Highways England.
- 12.21 Highways England has been provided with a copy of the detailed modelling undertaken and has been liaising with the Highway Authority regarding the proposed junction improvements at Newmarket Road and Western Way.
- 12.22 Highways England has pointed out that the modelling appears to indicate that the proposed junction mitigation scheme which comprises replacing the existing signalised junction with a roundabout in addition to an extension of the 2 lane approach from Newmarket Road West, will help towards addressing capacity issues along this corridor, partly attributed to the proposed development as well as background growth.
- 12.23 Highways England is mindful of existing capacity constraints along the Newmarket Road corridor, and the future potential for general traffic to block towards and potentially into A14 junction 42 and slip roads. The modelling presented appears to indicate that future queues could extend

back as least as far as the railway bridge in a 2023 'opening year' scenario and up to the A14 roundabout in a 2030 scenario with development.

- 12.24 Whilst this gives some cause for concern for Highways England, the sensitivities of the modelling are recognised and the underlying assumptions and methods used in assessing the proposed development which, crucially, do not account for potential re-routing of traffic to alternative roads or the impacts of sustainable travel measures. The latter may have diminished effects on the operation of the A14 junction given this will be used predominantly by motorists travelling from a wider area, however the benefits of sustainable travel measures could be experienced to a greater extent along Newmarket Road leading into Bury St Edmunds which in turn could help to mitigate the risk of queues blocking back to the A14.
- 12.25 With this in mind, and in recognition of the increase in road capacity proposed as part of the junction mitigation scheme, Highways England consider that there will inevitably be some benefit to Newmarket Road which in turn will help mitigate against impacts at A14 junction 42.
- 12.26 SCC Highways has requested a financial contribution towards the planned upgrade of the existing Tollage Lane junction. The applicant has indicated that it is willing to make a reasonable and proportionate contribution and discussion are on-going as to the level of the contribution.
- 12.25 The management of congestion can in part be addressed through the direction of vehicles to certain car parks depending on the reason for the journey. For example, the Beetons Way North Car Park will be reserved for staff working in the Hub building and/or West Suffolk House and for those travelling from the direction of the Tollgate junction the use of this car park means that the vehicles will not need to negotiate any of the assessed junctions. This also addresses concerns raised by the Highway Authority about vehicles queuing on Beetons Way to access this barriered car park as staff will have passes to access the site and will not have to wait to gain access.

Car parking

- 12.26 With the expected number of vehicle trips to the site the provision of sufficient car parking is required in order to prevent vehicles being parked on the public highway. The parking provision proposed is as follows:
- Olding Road car park – 463 spaces (including 49 disabled spaces)
 - Decked car park – 304 spaces
 - West Suffolk House car park – 92 spaces (including 10 disabled spaces and 4 parent spaces)
 - Beetons Way south car park (and pavilion) – 291 spaces (including 11 disabled spaces)
 - Nursery – 5 spaces (including 1 disabled space)
 - Beetons Way North car park – 236 spaces

This equates to a total of 1391 parking spaces, 71 of which are disabled.

- 12.27 Detailed discussions have taken place between the applicant and the Highway Authority in connection with the number of parking spaces proposed and the way in which the supply and demand for parking spaces

has been calculated. Although the space within the Hub building has been designed to be flexible it has been designed with potential end users in mind and the nature of those end uses. Applying the relevant use classes to the Highway Authority's parking standards results in a total of 1902 spaces being required. However, demand for parking for the new leisure centre is expected to be half the required standard during the day on weekdays. This brings the total down to 1601.

- 12.28 The TRICS data used to assess the likely vehicle movements to and from the development site has also been applied to the various uses and this suggests that 107 spaces are required for the health provision rather than the 498 that the parking standards would require. This further reduction in the number of spaces required results in a requirement for 1210 spaces across the whole site, 181 less than the development will provide.
- 12.29 One of the key objectives of the development is to bring together a number of public services in one place, ensuring that services work together for the benefit of the community. It is therefore expected that visitors will be accessing various services in one visit to the site and each visitor will only require one parking space during this time. The Transport Assessment considers this concept and details the overall combined peak demand for parking. The maximum expected parking demand was determined to be during the daytime on a weekday and, using the same TRICS on which vehicle trips have been calculated, the maximum demand is calculated to be 1085 spaces.
- 12.30 The Highway Authority has accepted the TRICS data presented in the Transport Assessment, however, during discussions on the application some concerns were expressed regarding the number of parking spaces being proposed when compared against the number required to meet the parking standards, as measured against the proposed uses. It should be noted that the Highway Authority has not challenged the applicant's assessment of peak demand and has not formally objected to the number of parking spaces being provided. As with its assessment on the impact of the proposal on the highway network, the Highway Authority takes the view that by encouraging a modal shift to sustainable travel the demand for parking spaces will reduce. In fact, the applicant has indicated that should demand for parking reduce sufficiently in the future the Olding Road decked car park could be removed.
- 12.31 The Highway Authority has stated that it requires parking restrictions to be put in place on Olding Road to prevent vehicles being parked on the carriageway, to the detriment of highway safety. This will need to be the subject of a traffic regulation order and a financial contribution of £10,000 is sought from the applicant in this regard.
- 12.32 In order to ensure that staff and visitors are directed to the most appropriate car park it is recommended that a parking management plan is put in place for the site and that parking provision is monitored as the site becomes operational.
- 12.33 The applicant proposes to install 70 electric vehicle charging points at the outset of the development. This equates to 5% of the vehicle spaces proposed and is the number required under the County Council parking standards that were in place at the time the design was developed. The

requirement under the current parking standards is between 15-20% depending on the land use. The applicant has suggested that the installation of electric vehicle charging points on up to 20% of spaces at the outset could result in a large number of spaces being unused (sterilised) due to the current level of electric vehicle ownership. The applicant therefore proposes to maintain the 70 electric vehicle charging points originally proposed but to provide the appropriate infrastructure for a further 490 points, distributed among the public and staff car parks, that can be fully installed in the future in line with monitored demand. The submission of a formal electric vehicle charging point installation and monitoring plan can be secured by condition.

Sustainable modes of travel

- 12.34 As well as carrying out an assessment of the existing and future performance of key road junctions in the vicinity of the development the applicant has also carried out an assessment of the accessibility of the site on foot, by cycle and public transport. The Western Way site is located to the north-west of the town centre but is considered to be within walking and cycling distance of a number of key areas within the town included the rail station and bus station. Ensuring good connectivity between these key service hubs as well as nearby residential housing estates is essential to encourage pedestrians and cyclists to access the site in this way rather than relying on the private motor vehicle.
- 12.35 The Transport Assessment details the study of approximately 15 miles of cycle and pedestrian routes in order to identify the quality and suitability of the routes currently available. The development site itself connects directly with dedicated pedestrian and cycle routes along its boundaries, so provides immediate access onto the networks for both these modes of transport. The Transport Assessment concludes that, across the miles of routes studied, the condition of these routes and the amenity provided is good and widths of routes are appropriate. The assessment notes that a shared pedestrian/cycle path is proposed to be constructed shortly along Tayfen Road by others as part of another development that has received planning consent. This will facilitate access from the development site to the rail station. The assessment recommends minor works to improve cycle routes at Chalk Road North, Hospital Road and Beetons Way.
- 12.36 In response to comments made by the Highway Authority, the quality of the main pedestrian and cycle route from the development to the town centre has been reviewed. This relates to the route along Beetons way South, alongside the Barrack Wall, to its connection to Newmarket Road and then along Out Risbygate and Risbygate Street to the junction with Parkway.
- 12.37 A Cycleway Review and Addendum has been submitted in respect of this route following detailed discussions with the Highway Authority. The reports detail a number of improvements to the route for the safety and security of pedestrians and the Highway Authority consider that these improvements are necessary to ensure that this important link with the town centre is in place and will become an attractive alternative to travelling by car. The improvements to the cycle way will necessitate the removal of a small number of parking bays on Risbygate Street. A traffic regulation order will be required to achieve this and a financial contribution of £10,000 is sought from the applicant in this regard.

- 12.38 In addition to safe routes for cyclists it is essential that there are sufficient cycle storage facilities across the development for both staff and visitors. Several storage 'hubs' are proposed across the site, located in close proximity to the public and staff entrances and where there is good natural surveillance. It is recommended that the larger facility is located at Olding Road to create a visible 'cycle hub' and reinforce the importance of sustainable travel. In total the current layout provides for 364 cycle storage spaces and measures will be put in place to review provision once the site becomes operational, with further spaces to be provided should it become necessary.
- 12.39 The provision of high-quality shower and changing facilities are also essential to encourage the use of sustainable modes of transport. The applicant has demonstrated that there is sufficient space within the building to deliver these facilities, albeit that it may be provided in phases to reflect the level of occupancy of the building. The provision of such facilities, including cycle storage, will make an important contribution to one of the stated aims of the new hub and leisure building to be the most efficient and sustainable public buildings in West Suffolk.
- 12.40 The development site is located approximately a 1.8km walk or cycle from Bury St Edmunds rail station. Trains which serve this station call at Cambridge, Ipswich and Peterborough throughout the day, and also stop at local stations. There are very limited bus services between the rail station and the development site.
- 12.41 The applicant has undertaken a detailed analysis of existing bus services that could serve the development site together with the associated bus stop facilities. This analysis shows that despite the seemingly large number of bus services available, there is only one bus service that currently operates frequently throughout the day during the week that might offer a convenient transport option for those people who will work at or visit the site. This service serves the local residential areas of Mildenhall Estate and Howard Estate and does not extend beyond Bury St Edmunds. It does provide a service from the rail station to the site but there is no direct return service.
- 12.42 As detailed above the development is expected to result in some adverse effect on the local highway network at certain times of the day due to the volume of traffic travelling to and from the site. In order to mitigate this impact it is essential that sustainable modes of transport are put in place and that a modal shift towards sustainable travel is encouraged. As set out above, a number of measures are proposed to encourage staff and visitors to access the site on foot and cycle, however, it should be recognised that this will not be suitable for all people for a variety of reasons including mobility levels and distance to the development site. Bury St Edmunds has a bus and rail station and the foundations for sustainable travel are in place as a result. The Highway Authority has stated that in order to both mitigate highway impacts and reduce the number of vehicles on the highway network, a 'shuttle bus' service should be in place providing safe, efficient and easy access between the development site, the rail station, the bus station and the town centre. Such a service would not only benefit the development itself but would provide an alternative mode of transport to the many other uses that operate in the Western Way area including West Suffolk College, the STEM campus, newly constructed sixth form and other retail and offices uses close-by.

- 12.43 The applicant undertook a detailed study into the potential usage of a shuttle bus service. The study concluded that, based on the likely geographic area that staff will be drawn from, that in the region of 844 new members of staff could potentially use a shuttle bus service instead of travelling by car. The study notes that it would be unrealistic to expect all car users that have access to at least an hourly public transport service to the bus or rail station to change their mode from car to public transport. However, through active promotion of the shuttle bus service, the setting of appropriate car parking charges and potential discounts for staff, a significant proportion of modal shift could be targeted.
- 12.44 The study draws upon the assumptions made in the Transport Assessment that the development is likely to attract 7,200 users per day, including staff and visitors. In addition to the staff trips detailed above there is therefore the potential for a significant number of visitors to use a shuttle bus service given that many will be travelling from areas identified as having access to at least an hourly public transport service.
- 12.45 The applicant has engaged with local bus operators in respect of the delivery of a shuttle bus service and discussions remain on-going. The Highway Authority take the view that in order to make the development acceptable in planning terms a shuttle bus service is an essential requirement. Given that it may be some years before the site becomes fully operational the applicant is unable to commit to the delivery of a service at this point in time. The applicant is however confident that a service can be secured in the future and is committed to undertaking a further assessment of need and methods of delivery ahead of the site coming into use. The applicant has also committed to work with the County Council to secure the delivery of a service in the event that an existing bus operator does not come forward prior to first use. These commitments can be secured through a s106 agreement.

Travel Plan

- 12.46 It is clear from the commentary above that it is necessary to strongly promote sustainable travel in order to achieve the modal shift required to mitigate for the impact of the proposal on the highway network and to ensure that parking provision is sufficient. In accordance with paragraph 111 of the NPPF the applicant has prepared an Outline Travel Plan that has been reviewed by the Highway Authority. The document is described as a living and evolving document that will, over time, adapt to the changing travel patterns and modes, steering a reduction in the reliance of car travel as the primary mode of accessibility.
- 12.47 The Travel Plan brings together all of the measures referred to above to encourage sustainable travel through a series of actions relating to walking and cycling, disincentivising car travel and the promotion and monitoring of the plan. The Travel Plan also repeats the applicant's commitment to deliver a shuttle bus service (or equivalent). The implementation of the Travel Plan is considered essential to mitigate the impact of the proposal and prior to the site coming into use a further Interim Travel Plan will be required with a final Travel Plan within six months of first use. The Final Travel Plan will be reviewed as appropriate and remain in place for as long as the development is in use.

12.48 With suitable measures in place to support the long-term delivery of the Travel Plan measures both the Highway Authority and Highways England raise no fundamental objections to the application. The applicant has presented sufficient information to allow the proposal to be fully assessed by the appropriate bodies and neither the Highway Authority or Highways England have suggested that the proposal will result in an unacceptable impact on highway safety or that the residual cumulative impacts on the road network would be severe.

13.0 Residential Amenity

13.1 The protection of residential amenity is a key component of good design. The NPPF states (as part of its design policies) that good planning should contribute positively to making places better for people. Policy DM2 also seeks to safeguard residential amenity from potentially adverse effects of new development.

13.2 Whilst the converted and extended Hub building is of considerable scale, its location as part of the Western Way Employment Area is such that its presence does not directly impact on residential amenity.

13.3 The closest residential dwellings are 1 and 2 Beetons Cottages. These single storey dwellings are former caretakers' cottages that are located just beyond the southern boundary of the Western Way site. The Olding Road Decked car park will be located in this part of the site and although the level difference between the existing car park and the cottages means that the majority of the structure will be hidden from view, the top level will be visible to residents, particularly in the winter months when the tree belt along this boundary is at its thinnest.

13.4 The southern elevation of the decked car park will be located 55m from the northern elevation of the cottages, with the decked sections at first and second floor visible. At this distance, located to the north of the cottages, and with the intervening vegetation, the presence of the decks are not considered to appear overbearing or result in any significant loss of light. The overall design ethos of the decked car park has been explored as part of the application and the details are broadly acceptable. Further details are required in respect of the treatment of the southern elevation in order to ensure that vehicle headlights do not intrude on the cottages and that any noise or disturbance is minimised.

13.5 The Public Health and Housing Team has recommended that details of any external plant are secured by condition and that a cap on noise levels is agreed, however, this is in respect of the nearby office uses and not required to protect residential amenity.

14.0 Flood Risk, Drainage and Pollution

14.1 The NPPF seeks to steer new development to areas with the lowest probability of flooding and also seeks to ensure that new development does not increase the risk of flooding elsewhere. The NPPF also offers advice in respect of pollution and land instability, stating that planning decisions should ensure that new development is appropriate for its location.

- 14.2 The guidance in the NPPF is reflected in Policy DM6, which states that proposals for all new development are required to demonstrate that on site drainage will be managed so as not to cause or exacerbate flooding elsewhere. Policy DM14 addresses proposals for sites which are or suspected to be contaminated.
- 14.3 The application site lies within Flood Zone 1 of the Environment Agency Flood Risk maps, representing an area at low risk of flooding and suitable for all forms of development.
- 14.4 The Drainage Strategy submitted with the application splits the development site into three identifiable areas for drainage purposes. Site 1 is located to the south of West Suffolk House, off Olding Road at the current location of the depot. This site is entirely brownfield. Site 2 is the current location of the existing leisure centre and is predominantly brownfield, as is Site 3, the site of the former retail warehouse building.
- 14.5 In order for existing flow rates to be established the surface water drainage has been split into five networks across the three sites. Networks A, B and C are within Site 1, with Network D within site 2 and Network E within Site 3. The surface water run-off from Site 1 discharges uncontrolled to the AW sewers within Olding Road and Western Way. The surface water run-off from the concrete yard and Olding Road car park passes through a separator before discharging to the sewers. The surface water run-off from Site 2 and 3 discharges to private soakaways located locally to each site.
- 14.6 It has been established that infiltration is a suitable solution across all three sites. However, the site investigation has highlighted that there is a significant risk of contamination at Site 1, given the former use of the site. The site is also underlain by an Environment Agency Source Protection Zone. Networks A, B and C from Site 1 will not therefore discharge run-off via infiltration. This will ensure that the risk of contamination to the Source Protection Zone is reduced and will maintain the current drainage regime of the site. Networks D and E will utilise infiltration.
- 14.7 Anglian Water and the Lead Local Flood Authority (LLFA) are in agreement that the drainage strategy is appropriate for the site and it is noted that the strategy satisfies the LLFA's local policy in terms of a 30% reduction over the existing brownfield conditions for the whole development. Planning conditions are recommended in respect of the next stage of the drainage strategy.
- 14.8 The Environment Agency raises no objections to the proposals, noting that the regional use of groundwater in this area makes the site vulnerable to pollution.
- 14.9 The Council's Environment Team has reviewed the suite of environmental reports submitted with the application and is satisfied that they provide a reasonable assessment of the site and do not identify any areas of significant contamination. It is considered however that further investigation in respect of the decommission underground fuel tanks in the depot yard should be undertaken. It will also be necessary to ensure that the removal of the tanks and fuel infrastructure is appropriately monitored and it is expected that appropriate method statements are produced for

these activities. The submission of this additional information can be secured by condition.

- 14.10 In light of the above, the proposals are considered to be acceptable with regard to flood risk, surface water drainage and pollution (contaminated land and potential contamination of water supply), subject to the imposition of suitably worded conditions and in accordance with Policies DM6 and DM14.

15.0 Trees, Ecology, Biodiversity and Protected Species

- 15.1 Section 40 of the Natural Environment and Rural Communities Act 2006 states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.
- 15.2 Paragraph 170 of the NPPF confirms the planning system should contribute to and enhance the natural environment by minimising impacts on and providing net gains for biodiversity. This is reflected in Policy DM12, which states that measures should be included in the design of all developments for the protection of biodiversity, the mitigation of any adverse impacts and enhancements commensurate with the scale of development. In addition, Policy DM10 seeks to protect against adverse effects on biodiversity in respect of protected sites and species.
- 15.3 The proposals are supported by an Arboricultural Planning Statement, which suggests that up to 26 trees or tree groups are to be removed. The applicant has worked closely with the Council's Landscape Officer to assess these proposals and in a number of cases it has been agreed that trees will remain and/or compensatory planting will be carried out for the trees that will be lost. The level differences across the site means that detailed engineering solutions are required in certain areas where footpaths will need to be constructed alongside existing trees that make a valuable contribution to the amenity of the area. Further details will need to be submitted in the form an Arboricultural Method Statement. Similarly, the construction of the new access into the Beetons Way North Car Park will require the same treatment.
- 15.4 There was some inconsistency between plans and supporting documents in relation to the existing tree and shrub belt on the eastern boundary of the Olding Road car park. This tree and shrub belt provides important screening for the car park, including the decked area. The area to be removed to create the new access onto Beetons Way has now been minimised. Again, detailed plans for the treatment of this area will be contained within the Arboricultural Method Statement.
- 15.5 The Arboricultural Planning Statement also identifies 13 trees that would be at risk of harm. Following amendments to the Statement it now reflects best practice in relation to tree protection measures. The submitted details confirm that the Birch street trees on Western way will be retained and should not affect visibility across the new roundabout.

- 15.6 Any reserved matters application in respect of the nursery will need to be accompanied by information to demonstrate that the existing trees in this area can be retained.
- 15.7 For the most part the woodland area along the southern boundary of the Western Way will not be affected by the proposals. However, during the course of the application the waste and recycling compound has been relocated from the West Suffolk House car park to the Olding Road car park and a small section of woodland will be removed to accommodate the building. While it is regrettable that the compound will have an adverse impact on part of the woodland in this area, its location at the rear of the Olding Road car park is preferable to its original, prominent position alongside Western Way. As with other parts of the development an Arboricultural Method Statement will be required in connection with the construction of the compound and the Landscape Officer has also recommended that a Woodland Management Plan is submitted for this area. These details can again be secured by condition.
- 15.8 The application is supported by two Preliminary Ecological Appraisals, one for the Western Way site and one for the Beetons way North Car Park site.
- 15.9 In respect of the Western Way site, the report concludes that the habitat features on the site which present ecological constraints to the project are the trees on site and the species-poor hedgerows which are of local value. The species that may be potentially affected are nesting birds, bats and reptiles. The report makes a number of recommendations including: the retention of existing trees with any loss compensated by replacement native trees; retention of existing hedgerows with any loss compensated by replacement planting; landscaped and garden areas planted with native species; demolition of buildings and vegetation clearance should be undertaken outside of the bird breeding season and the bird scaring program should be implemented; installation of bird and bat boxes; inspection of trees with low bat roosting potential prior to felling; lighting schemes to minimise impacts on biodiversity; scrub and log pile clearance to be undertaken outside of the reptile hibernation period; and on-site Cotoneaster to be controlled. Details of the above, together with details of biodiversity enhancement measures, can be secured by condition.
- 15.10 The Landscape and Ecology officer has noted that no reference has been made to visiting wax wings and some trees that provide winter berries for these birds may be lost. If removal cannot be avoided, replacement planting should focus on providing trees with suitable winter berries.
- 15.11 The Preliminary Ecological Appraisal for the Beetons Way North Car Park notes that the habitats of local value on the site are the broad-leaved plantation, hedgerow and scattered trees. The species that may be potentially affected are nesting birds and bats. The following measures are recommended: Existing trees should be retained and any loss compensated; demolition of buildings and vegetation clearance should be undertaken outside of bird breeding season or following ecologist checks; installation of bird and bat boxes; inspection of trees with low bat roosting potential prior to felling; and appropriate lighting schemes. Again, these measures can be secured by condition.

15.12 It is considered that subject to appropriately worded conditions to ensure that further information is submitted in respect of existing trees and proposed planting and in respect of the biodiversity mitigation and enhancement measures that the proposals accord with Policies DM10 and DM12.

16.0 Sustainability and Air Quality

16.1 Policy DM7 requires all new non-residential development over 100 square metres to achieve the BREEAM Standard Excellent. However, the policy allows for flexibility where it is not possible to meet the standard due to constraints inherent within the site or where the cost of achieving an excellent rating can be demonstrated to compromise the viability of the development.

16.2 The Design and Access Statement highlights the inherent sustainability of the proposal as it centres on the re-use of the existing depot building. An instant reduction on environmental impact is achieved by the avoidance of demolition and the avoidance of using new resources. Current UK Building Regulations are proscriptive to a degree in requiring a standard of performance, however, the applicant expects that the buildings within this development will achieve a higher standard in order to meet the aspirations of the brief and the overall energy strategy.

16.3 The building elevations will incorporate measures to control excess solar gains through exterior shading element and solar control glazing.

16.4 An Energy Statement has been submitted with the application which, amongst other things, assesses the options available in connection with the installation of renewable sources of heating and cooling.

16.5 The lead heat source serving the building will be supplied from the by-product of the primary electrical generation, as part of the renewable on-site generation of power, using a Combined Heating and Power (CHP) system. This system will be located within the external energy centre, serving the building via buried heating mains that distribute to serve all internal areas and plantrooms accordingly. The CHP plant consists of an electrical generator combined with equipment for recovering and using the heat produced by that generator. The heat generated during this process is supplied to an appropriately matched heat demand that would otherwise be met by a conventional boiler, reducing the number of boilers and the fuel required.

16.6 As part of the 'Be Green, Be Lean' Energy approach, the large roof area provided by the Hub and Leisure Centre will be used to maximise the number of PV panels. PV panels, also known as solar panels, capture the sun's energy and convert it into electricity. The use of photovoltaic arrays is fundamental to the energy strategy of the building; providing generation during peak occupied hours that can either be used directly to meet building demand or to re-charge the battery storage system.

16.7 Recognising the sun does not always shine, the facility will have the ability to connect to the battery storage system and use the electricity stored at times when most efficient to either come off grid and run the building just

from the battery store, or utilise the storage solution to support the electrical use within the building and reduce cost in use.

- 16.8 The combined renewables system will be capable of controlling and optimising the generation, export, and supply continuity to provide optimum revenue, savings and efficiency. The systems will have the capability to significantly increase the electrical generation in the future to offer potential export to other users.
- 16.9 The Council's Energy Adviser has reviewed the Energy Statement, noting that it sets out a considerable range of technologies to be included in the development. The aspiration for the site in terms of energy generation and emissions reductions is clear and commendable. Given the scale of the development and the potential energy consumption it is recommended that details of the Building Regulations Part L is provided prior to first use, detailing ventilation, lighting, heating and cooling and unregulated loads.
- 16.10 Designing within the BREEAM matrix encourages a holistic approach to a sustainable design and ensures a building that not only promotes energy efficiency but considers and mitigates the impact on local air quality, indoor air quality, noise and light pollution, operational waste and wasted water. BREEAM credits also dictate positive change to biodiversity, material efficiency of the building fabric, good internal acoustic performance, thermal comfort and safe access to healthy outside spaces.
- 16.11 It is proposed that, due to the nature of the building, the use of multiple tenants and the varied potential uses of the building, the scheme would be best assessed under 2018 BREEAM 'Shell and Core'. The scheme will achieve a minimum overall BREEAM rating of 'Very Good' under this assessment, with targets for 'Excellent' in pollution and 'Very Good' in Transport, Water and Energy.
- 16.12 The Design and Access statement states that 'During the pre-application discussions, it was identified that it would be a better investment of limited public funds to invest heavily in a travel plan and energy and renewable energy strategies to reduce fossil-fuel energy needs and carbon emissions rather than seeking an overall achievement of Excellent'. This ambition is clearly demonstrated in the Energy Statement, however, the Outline Travel Plan is not fully consistent with this ambition.
- 16.13 The development will have a significant environmental impact, which to some extent will be reduced through the successful achievement of the BREEAM criteria. This report addresses the concept of sustainable travel in detail above and the Outline Travel Plan will be developed further accordingly. On this basis it is accepted that the achievement of a 'Very Good' BREEAM rating is sufficient when combined with all other sustainable measures proposed as part of the scheme.
- 16.14 The application is supported by a detailed Air Quality Assessment, which provides an assessment of the impact of the proposed development in terms of additional traffic and the proposed energy centre on several receptors around the proposed development.
- 16.15 Further information was requested by the Council's Environment Team in respect of impacts from the energy centre, which indicate that there will be

a negligible adverse impact. This is considered acceptable and it is suggested that the physical and emission characteristics of the CHP and boilers included within the energy centre are conditioned to be in accordance with the submitted details.

- 16.16 The Detailed Air Quality Assessment indicates that there is a slight adverse impact on air quality at the children's nursery on Newmarket Road. The Environment Team notes that the Western Way / Newmarket Road junction is due to be upgraded to a roundabout, which should allow for smoother traffic flow and better air quality. Given that the air quality model uses the existing junction layout it is recommended that further modelling is undertaken to better understand the impact and this sensitive location. A further assessment can be secured by condition and is not considered to be fundamental to the acceptability of the proposal at this stage.

17.0 Heritage Impacts

- 17.1 Heritage assets encompass a wide range of features, both visible and buried, including archaeological remains, Scheduled Ancient Monuments, Listed Buildings and Conservation Areas.
- 17.2 Paragraph 190 of the NPPF requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal. Paragraph 192 states that in determining applications, local planning authorities should take account of: (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and (c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 17.3 The NPPF guidance is reflected in Policies DM15 (listed buildings) and DM17 (conservation areas) both of which reiterate the need for development proposals to provide a clear justification for works, especially where there would be harm to the significance of a listed building or conservation area or their setting, so that any harm can be weighed against public benefits.
- 17.4 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing a listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the same Act requires the decision maker to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 17.5 In terms of archaeology, Suffolk County Council Archaeological Service has advised that it does not recommend the need for conditions relating to a formal programme of work for the development site.
- 17.6 A Heritage Assessment has been submitted with the application which states that there are no heritage assets within the development site. There are however two heritage assets in the form of listed buildings adjacent to the site.

- 17.7 Close to the south-east corner of the site, on the opposite side of Beetons Way is a length of wall that originally formed the boundary wall to the Gibraltar Barracks and is a striking feature along Beetons footpath. The boundary walls and keep building were listed in 1992 and are Grade II listed. Also surviving is the early 20th century curved screen wall of the former shooting range of the Gibraltar Barracks. This is located in the north-east corner of the site, which is currently part of the existing leisure centre car park and is also Grade II listed.
- 17.8 No direct works are proposed to the listed barrack wall or the shooting range wall but it is necessary to consider whether the development proposals will affect the setting of these heritage assets. 'Setting' is the term used to describe how a heritage asset is experienced and understood and can include the approach to an asset and views to and from it.
- 17.9 The Heritage Assessment notes that the footprint and scale of the existing depot building would be unchanged, however, it will be modernised and its appearance improved under the proposals. The setting of the listed wall and the approach to it from Beetons Way would be enhanced by the improvements to the existing building and by the removal of the existing leisure centre, both of which in their current form detract from the area.
- 17.10 Views into the existing Olding Road car park from the Beetons footpath are currently well screened by the planting along its eastern boundary and this planting is to be retained. The decked car park will be higher than the existing parking level and will potentially be visible from Beetons footpath, alongside the barrack wall. Views would however be tempered by the existing vegetation and the vegetation separating Beetons Way and Beetons footpath.
- 17.11 The Heritage Assessment concludes that the character of the barrack wall is best appreciated in close proximity from Beetons footpath, which provides a more enclosed, immediate setting. The proposed development would not therefore encroach into, or detract from, views of the wall or its setting.
- 17.12 In respect of the shooting range wall the Heritage Assessment considered that although the wall once formed part of the Gibraltar Barracks site it now has no connection, physically or visually, with the surviving keep and boundary walls. Its current setting comprises an unmade area of car parking for users of the leisure centre.
- 17.13 Under the proposal the shooting range wall would become the back-drop to the nursery, giving it a new purpose and enabling it to be more appreciated. On this basis the Heritage Assessment concludes that its setting would be enhanced.
- 17.14 The applicant has demonstrated that these two heritage assets and their settings would be both preserved and enhanced under the proposals. Following completion of the development they will make a more positive contribution to local character and distinctiveness. Historic England raise no objection to the proposals and it is considered that the requirements of Policy DM15 and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are satisfied.

17.15 The site is located approximately 370m from the boundary of the Bury St Edmunds Victoria Street Conservation Area. There are no direct views of the site from or to the conservation area and the site does not form part of the setting to the conservation area. On this basis it is considered that the development will have no impact on the conservation area or its setting. The proposal therefore accords with Policy DM17 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

18.0 Other matters

Benefits of the development

- 18.1 The government's 'One Public Estate' initiative aims to deliver projects that result in a more efficient use of resources, while releasing key sites that might provide an economic stimulus and present a more customer focussed and coordinated service.
- 18.2 The Hub building itself will provide a community facility with employment spaces and potential educational accommodation that in part replaces existing accommodation that is coming to the end of its useful life and in the near future will become unfit for purpose.
- 18.3 The reuse of the existing steel frame and concrete slab of the existing depot building represents an inherently sustainable form of development and minuses the resources that would be needed to fully demolish the building and construct new foundations. The development will result in the provision of purpose built, modern facilities that will meet the current and future needs of the district. This carries significant weight in favour of the development. The development will also result in the provision of improved pedestrian and cycle connections between the site and the town centre and the applicant is committed to the delivery of a 'shuttle-bus' service to link the site with the railway station and bus station. These are further benefits weighing in favour of the scheme.
- 18.4 The development has the potential to release public sector sites elsewhere in the town for housing and employment uses. The development itself will also result in economic benefits from employment during the construction period.

S106 agreement

- 18.5 The NPPF states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. It repeats the tests of lawfulness for planning obligations which are derived from Regulation 122 of The Community Infrastructure Levy Regulations 2010.
- 18.6 The applicant has confirmed a willingness to meet the required obligations and a formal Agreement under S106 of the 1990 Act will need to be completed. The obligations being sought are as follows:
- (i) Traffic regulation order – Olding Road £10,000
 - (ii) Traffic regulation order – Risbygate Street £10,000
 - (iii) Traffic regulation order – Western Way £5,000
 - (iv) Off-site mitigation at Tollgate – TBC

Together with appropriate planning conditions, the s106 will also address the provision of a shuttle-bus service.

Athletics track

- 18.7 As noted in section 6.0 above, a number of representations have been received in respect of the existing athletics track and the impact of the development on its future operation.
- 18.8 The athletics track itself is located outside the application site boundary. It is however acknowledged that there will be some changes to the areas immediately to the west of the track. This area will be reconfigured and a pavilion constructed for use by athletes and accompanying visitors. The area currently laid to grasscrete will become part of the remodelled car park, however its use for large athletics meetings/events will not be prohibited and appropriate arrangements to make this area available can be secured through the Parking Management Plan that will be put in place across the site. In addition, further details in respect of the new pavilion building, storage facilities, fence lines/boundary treatment and overall space allocation can be secured by condition.
- 18.9 The proposal will result in new car parking that offers level access to the track facility together with 11 disabled parking bays adjacent to the track. A total of 291 car parking spaces will be in close proximity to the track as well as a dedicated coach parking bay and drop-off area. The changes proposed to the wider area will result in one comprehensive development with clear pedestrian access across the site to the new leisure centre, where there are ample changing and shower facilities available. The Olding Road car park will also be available for large events.
- 18.10 The applicant has stated that it is committed to ensuring track safety is maintained in accordance with national guidelines from Sport England and within the physical constraints of the site.
- 18.11 The application does not include the provision of spectator stands and the area to the south of the track, which could be utilised for a stand is not within the application site. In the future access to this area will be improved by the level changes proposed as part of this application.
- 18.12 The statutory consultees with environmental responsibilities have not raised any concerns in respect of air quality and the continued use of the athletics track. All track facilities within the low-level metal barrier around the track are unaffected by the proposals.

Student accommodation

- 18.13 Subsequent to its initial comment of 'no objection', Bury St Edmunds Town Council has more recently commented on the application stating that it objects to the proposal. The comments received by the local planning authority state that the objection is on the grounds of 'insufficient information in application, use of proposed Halls of Residence as a car park, traffic issues created by the roundabout design and infrastructure issues, lack of EV charging points, lack of facilities available for athletes'.

- 18.14 With the exception of the comment made in relation to proposed Halls of Residence, all other matters raised by the Town Council have been addressed elsewhere in this report.
- 18.15 The applicant has clarified the position in relation to student accommodation and has highlighted that the Council's Final Business Case for the development explains that the provision of student accommodation is being progressed as a separate project with West Suffolk College, on adjacent land owned by the College. The provision of student accommodation does not therefore form part of this application. The applicant has also stated that the decision to use the existing leisure centre site as a surface car park is deliberately intended to future-proof it in case there is demand for additional student accommodation at a later date.

Covid-19

- 18.16 The development of a public service village at Western way was conceived and designed before the current Covid-19 pandemic. The pandemic has also occurred since the application was submitted at the end of 2019. The Hub building has been designed to provide a flexible space that can be adapted to the prevailing economic and social conditions at the time. The concept of re-using the existing depot building remains consistent with the government's sustainable development principles and this is unchanged by the current pandemic.
- 18.17 The local planning authority is required to determine applications in the form that they are presented to them and it is considered that the pandemic does not change the way in which the application has to be assessed. Should the applicant wish to make material changes to the proposal following planning consent being granted a further application can be made and the changes assessed against the development plan accordingly.
- 18.18 The LPA recognises the challenges posed to the construction process during the pandemic and it is suggested that a period of five years is given for the development to be commenced, rather than the usual period of three years.

19.0 Conclusion and Planning Balance

- 19.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.
- 19.2 In this case the proposal is supported by the development plan, in particular Policies BV14, BV15, DM41, DM42 and DM43. The development of a public service village in this location is also supported by an adopted Masterplan and the vision for this part of the Western Way General Employment Area has been developed over a considerable period of time and with the support of the government's 'One Public Estate' program.
- 19.3 The re-use of the existing depot building and the regeneration of a significant area of brownfield land will bring economic benefits through the construction process and the provision of modern, flexible employment space alongside the public sector and community uses. The proposal will bring together a range of health-care services together with a new, purpose built-leisure centre, all designed to support strong, vibrant and healthy

communities. The Hub building will provide accessible services that reflect current and future needs and support communities' health, social and cultural well-being. The proposal promotes the effective use of land already within the control of the public sector and minimises the use of natural resources. The development will result in improvements to key pedestrian and cycle links and encourage and promote the use of sustainable modes of transport, supporting a modal change in habits and behaviours. The development brings together a number of economic, social and environmental benefits, all of which attract very significant weight in favour of the proposal.

- 19.4 It is acknowledged that the hub building, including the leisure centre extension, is substantial in size and its redevelopment will have a considerable visual impact. The building will however have a prominence commensurate with its importance and will be set within areas of high-quality public realm that will provide safe, attractive and accessible access to the building. It is considered that the external appearance of the building has been designed to reflect its surroundings and it complements the surrounding land uses including the existing council offices, STEM college and new sixth form currently under construction. The design approach is considered to accord with the requirements of Policies DM2 and DM13.
- 19.5 The proposal will result in the preservation and enhancement of the Grade II listed Gibraltar Barrack wall and the shooting range wall and no harm to the Bury St Edmunds Victoria Street Conservation Area will be caused. The development therefore accords with policies DM15 and DM17 and the guidance set out in the NPPF. It is further considered that the local planning authority has met its statutory duties under sections 66 and 72 of The Planning (Listed Buildings and Conservation Area) Act 1990.
- 19.6 The development is predicted to result in an adverse impact on the local highway network at peak times and a series of improvement works are proposed in order to go some way to mitigate the effects. Further mitigation is proposed in the form of off-site improvements to the pedestrian and cycle network and a comprehensive travel plan that will support the development in the long-term. The highway authority is satisfied that the proposal will not result in an unacceptable impact on highway safety and the residual cumulative impacts on the road network would not be severe, a view shared by Highways England. On this basis the proposal accords with policies DM2, DM45 and DM46 and the NPPF in this regard. Whilst the adverse impact on the local highway network in the short-term attracts weight against the proposal it is considered that the benefits of the promotion and facilitation of sustainable travel must be weighed against this.
- 19.7 Following assessment and consultation with statutory consultees, the proposals are considered to be acceptable with regard to residential amenity, sustainability and air quality, flood risk, surface water drainage and pollution (contaminated land and potential contamination of water supply), subject to the imposition of suitable worded conditions and in accordance with Policies DM6 and DM14. The development is also considered to be in accordance with the requirements of Policy DM2 and the guidance set out in the NPPF in respect of protecting amenity. Similarly, the proposals broadly accord with Policies DM10 and DM12 in respect of

ecology and biodiversity, albeit that the proposal is unlikely to result in anything other than a marginal net biodiversity gain.

- 19.8 The proposed development will not comply with the strict requirements of policy DM7, which requires BREEAM 'Excellent' standard to be achieved. This report explains why it is not practicable to achieve this and how sustainability measures can be secured by condition. The technical non-compliance with policy DM7 is not therefore considered to attract any material weight against the development.
- 19.9 Taken together, the economic, environmental and social benefits associated with the development are significant and must carry substantial weight in favour of the proposal in the planning balance. Even when taking into account factors that weigh against the development it is considered that the overall planning balance is one that indicates approval, such is the weight of the public benefits associated with the scheme.
- 19.10 In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

- 20.0 It is recommended that planning permission be **APPROVED** subject to the conditions set out in full at Appendix 1 and summarised below and the completion of a s106 agreement to secure the following obligations:

- £10,000 Traffic Regulation Order
- £10,000 Traffic Regulation Order
- £5,000 Traffic Regulation Order
- £TBC contribution to Tollgate junction mitigation works
- Shuttle bus provision

Planning Conditions:

Prior to commencement of development

1. Surface water drainage scheme
2. Implementation, maintenance and management of the strategy for the disposal of surface water
3. HGV Construction and Deliveries Management Plan
4. Construction Method Statement
5. Contamination Investigation
6. Remediation Strategy
7. Submission of a detailed phasing plan
8. Construction Surface Water Management Plan
9. Arboricultural Method Statement Main site
10. Arboricultural Method Statement Beetons Way North Car Park
11. Requirement to address Cotoneaster

No development above ground level

12. Materials

- 13.Waste/recycling compound
- 14.Waste Management Plan
- 15.Hard landscaping – Main Site
- 16.Hard landscaping – Beetons Way North Car Park
- 17.Soft landscaping – Main Site
- 18.Soft landscaping – Beetons Way North Car Park
- 19.Landscape Management Plan – Main Site
- 20.Landscape Management Plan – Beetons Way North Car Park
- 21.Newmarket Road – Arboricultural Method Statement
- 22.Energy Statement
- 23.Skate park design
- 24.Ecological enhancements – Main Site
- 25.Ecological Enhancements – Beetons Way North Car Park
- 26.Boundary treatments
- 27.Beetons way external ramp details
- 28.Shower/changing facilities
- 29.Athletics track management details

Prior to first operational use

30. Contamination remediation strategy verification report
- 31.Air quality assessment
- 32.Travel Plan
- 33.Details of SuDS components
- 34.Electric vehicle charging point – commercial
- 35.Electric Vehicle Charging Infrastructure Strategy
- 36.Lighting strategy – Main Site
- 37.Lighting strategy – Beetons Way North Car Park
- 38.Signage strategy – on-site
- 39.Signage strategy – off-site
- 40.Parking – Western Way
- 41.Parking – Beetons Way North Car Park
- 42.Parking Management Plan
- 43.Access – Beetons Way
- 44.Access – Beetons Way South
- 45.Access – Olding Road
- 46.Junction capacity works – Newmarket Road
- 47.Junction capacity works – Asda roundabout
- 48.Junction capacity works – Olding Road
- 49.Cycle Storage
- 50.Off-site improvements to cycle/ped links
- 51.Part L compliance
- 52.Athletics track welfare facilities

Eight months prior to first operational use

53. Bus Service Improvements

Within six months of first operational use

- 54.Travel Plan – Full Travel Plan

Other

55. Demolition Method Statement (existing leisure centre)
56. Time limit
57. Approved plans
58. Unexpected contamination
59. Continued use of existing leisure centre
60. Protection of athletics track and any associated open space
61. Restrict use of Beetons Way North car park
62. Submission of solar panel details on buildings
63. Submission of solar panel canopy details
64. Decked car park details
65. Waste Compound – Woodland Management Plan
66. Foundation design
67. CHP characteristics
68. BREEAM standards
69. Ecology report requirements
70. Visibility – Beetons Way
71. Visibility – Beetons Way South
72. Visibility – Olding Road
73. Noise limit

Outline conditions for nursery

1. Time
2. Reserved matters
3. Noise assessment
4. Surface water drainage scheme
5. Implementation, maintenance and management of the strategy for the disposal of surface water
6. Submission of Arboricultural Impact Assessment
7. Ecological enhancements
8. Part L compliance

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online: <https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q1ODLLPD02I00>

Appendix 1 – conditions (attached)