

Former St Felix School Site, Newmarket – Development Brief

Report number:	CAB/WS/22/013	
Report to and date:	Cabinet	15 March 2022
Cabinet member:	Councillor David Roach Portfolio Holder for Planning Tel: 01440 768966 Email: david.roach@westsuffolk.gov.uk	
Lead officer:	Gary Hancox Principal Planning Officer Tel: 07867 976817 Email: gary.hancox@westsuffolk.gov.uk	

- Decisions Plan:** **The decision made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.**
- Wards impacted:** **Newmarket (all)**
- Recommendation:** **It is recommended that Cabinet:**
- 1. Agrees that the landowner can begin a six week formal public consultation process on the draft St Felix Development Brief.**
 - 2. Notes the possible future options for a sports facility (Part 2 of the Development Brief).**

1. Context to this report

- 1.1 The site is allocated in the Site Allocations Local Plan (SALP) 2019 under Policy SA6(d) which was adopted in September 2019. This site is known in the SALP document as the Former St Felix Middle School site. The site extends to 4.5 hectares and comprises the footprint of the former school, outbuildings, sports pitches, courts and playing fields. The site is allocated in its entirety although the suggested capacity (50 dwellings) reflects the retention of the open space and existing tennis courts.
- 1.2 The policy requires the following:
- Strategic landscaping and open space.
 - The submission of sufficient information assessing the transport impact of each proposal (including cumulative impacts where appropriate) on horse movements in the town, together with impacts on other users of the highway.
 - The submission of a **Development Brief** that will be prepared and approved by the council prior to any planning permission being granted.

- 1.3 Following a series of pre-application meetings with Officers and internal consultees, a draft Development Brief has been prepared by the landowner, Suffolk County Council.

2. Proposals within this report

- 2.1 Suffolk County Council as landowners of the St Felix site have prepared a draft Development Brief that seeks to provide planning and design guidance for the development of the former St. Felix Middle School, which is allocated in the West Suffolk Site Allocations Local Plan (SALP) for residential development (Policy SA6d).
- 2.2 The Development Brief provides a design framework aligned with the adopted Local Plan and will guide the preparation and determination of future planning applications for this site. However, this document is not designed to be prescriptive. It is intended to guide the effective delivery of SALP Policy SA6d.
- 2.3 The draft Development Brief is comprised of two parts. Part 1 provides guidance relating to the proposals seeking to deliver the Local Plan policy requirements for the site. Part 2 illustrates the opportunity for optional future sports facilities. Members are only being asked to accept Part 1 of the Development Brief for consultation at this stage. Part 2 'future development opportunities' is not a requirement of Policy SA6(d) and is purely indicative. Work is ongoing corporately with

respect to future development opportunities, but this should not be linked to the planning process.

2.4 Through discussions with officers and a design assessment of the existing built form and character of the area, as well as opportunities for enhancing the public realm and accessibility, the Development Brief comprises the following key elements:

- 45 dwellings (4% 1-bed, 16% 2-bed, 18% 3-bed and 7% 4-bed)
- 30% affordable housing
- Mixture of housing types including detached, semi-detached, apartments, mews and terraced
- Open space across 50% of the site
- Relocation and upgrading of existing tennis courts
- Pedestrian links to George Lambton Playing Fields
- Retention of the majority of trees on the site
- Creation of attractive spaces between existing tree belts
- Pedestrian connections to Fordham Road and improved connection to the Yellow Brick Road
- Sustainable Urban Drainage (SUDs) in accordance with the NPPF
- Electric Vehicle Charging Points to all dwellings.

2.5 Once approved and adopted as Informal Planning Guidance, the Development Brief will constitute a material consideration in the determination of future planning applications but should also be read in conjunction with the policies of the adopted West Suffolk Local Plan.

2.6 The purpose of this report is to recommend to members that the draft Development Brief can now proceed to a 6-week period of public consultation.

2.7 Members will note that approval to proceed to public consultation is normally delegated to the Assistant Director of Growth and the Portfolio Holder (Planning and Growth), however, in this case an element of the draft Development Brief that relocates the existing tennis courts within the site is considered contrary to the requirements of the policy allocation SA6(d).

2.8 The landowner's rationale for relocating the tennis courts to the existing open space is that their retention in their current location does not allow for the most efficient use of this site. This is because additional land will be required for access, parking, amenity buffers and run off areas to serve the courts. This reduces the developable area of the site and compromises the design potential of the site. The landowner feels that there is significant merit in relocating the tennis courts to a location that is more aligned with the competing policy objectives for this site.

2.9 Provided that the relocated tennis courts result in an improved facility then Officers agree that there is merit in this approach.

Furthermore, the Development Brief includes a section that deals with future development opportunities beyond the scope of the policy allocation. For these reasons, it has been decided that members need to agree the draft Development Brief before proceeding to public consultation.

3. Alternative options that have been considered

- 3.1 Although the draft Development Brief is broadly consistent with the adopted Local Plan allocation for the development of the site, the relocation of the tennis courts itself is not in accordance with Local Plan Policy SA6(d). As explained at par 2.8 of this report the landowner's rationale for this has merit and has the support of Officers. An alternative option for the development of this site would be to retain the tennis courts in their current location. Without additional land being developed within the existing open space area for the tennis courts, it is likely that the number of dwellings deliverable on site would be significantly reduced.
- 3.2 Should Members ultimately resolve to adopt the final Development Brief as planning guidance, that decision would not preclude alternative development options being considered in the future.

4. Consultation and engagement undertaken

- 4.1 To date the draft development brief has been prepared in accordance with the Council's adopted protocol.
SCC has worked closely with Officers at WSC as well as bodies such as the Local Highway Authority and the Lead Local Flood Authority. To date the following consultation has been undertaken:
 - Virtual 1:1 engagement with District Ward Members
 - Virtual 1:1 engagement with County Council Ward Members
 - Virtual 1:1 engagement with Town Council Members
 - In-person presentation to all Members of Town Council at the Town Hall on the 27.9.21, and
 - Follow ups with all concerned.
- 4.2 If Cabinet approves the Former St Felix Middle School Development Brief for public consultation, an Engagement and Consultation Strategy will be agreed with SCC, and the local population as well as statutory bodies and consultees will be consulted, in accordance with the Statement of Community Involvement (SCI).
- 4.3 Subject to Covid-19 restrictions in place at the time, it is expected that SCC will conduct a six-week consultation and will engage the public using a range of methods, including face-to-face techniques and/or virtual methods such as an online 'virtual village hall' where residents can interact remotely.

5. Risks associated with the proposals

- 5.1 There is a risk that failure to adopt the draft Development Brief in the future and after consultation could inhibit the Council's ability to deliver homes and a high-quality development.
- 5.2 The adoption of the final Development Brief will mean that the Development Brief becomes informal planning guidance and a material consideration in the determination of any future planning applications, including reserved matter submissions.
- 5.3 Furthermore, the applicant and the Council have agreed to work together and have entered into a Planning Performance Agreement ("PPA") that provides a proposed programme for the application process in order that the proposals are processed in a timely manner. The PPA will cover the Development Brief, the pre-application and planning application stages. However, this agreement does not fetter the District Council in exercising its statutory duties as LPA. It will not prejudice the outcome of the Planning Applications or the impartiality of the District Council.

6. Implications arising from the proposals

- 6.1 Financial
There are no potential adverse financial or resource impacts resulting from the eventual adoption of the draft Development Brief. Minor costs associated with the adoption of the document can be sourced from existing budgets.
- 6.2 Legal Compliance
There are no legal implications arising from the eventual adoption of the draft Development Brief as informal planning guidance. The preparation of the Development Brief for the Former St Felix Middle School site is a requirement of planning policy ahead of development proposals on the site. An adopted Development Brief would enable the Local Planning Authority to proceed in determining detailed planning application(s) for the site. If approved, the Development Brief would have the status of informal planning guidance and would be a material consideration to be taken into account in determining any subsequent planning application(s) for the site.

7. Appendices referenced in this report

- 7.1 Appendix A - Draft Development Brief document for the Former St Felix school site, Newmarket.
- 7.2 Appendix B – Illustrative Layout
- 7.3 Appendix C – Colour Coded Layout

8. Background documents associated with this report

- 8.1 Site Allocations Local Plan (SALP) 2019 Development Plan Document:
[Final-SALP-September-2019.pdf \(westsuffolk.gov.uk\)](https://westsuffolk.gov.uk/Final-SALP-September-2019.pdf)