

Development Control Committee – 19th March 2018

Application Number:	CC/0120/17
Title:	Construction of a new school building (2/3 storey), retention of existing vehicular access onto Weedon Road, new vehicular egress onto Weedon Road, relocation of existing vehicular access on Holman Street for service vehicles, pedestrian access/egress from Weedon Road and Holman Street, car parking, all weather pitch, floodlit multi-use games area, grass pitch, amphitheatre, surface water attenuation measures, external lighting, cycle spaces and hard and soft landscaping.
Site Location:	St Michael's RC Secondary School Former Quarrendon School Site Weedon Road Aylesbury Buckinghamshire Buckinghamshire County Council
Applicant:	County Hall Walton Street
Case Officer:	Catherine Kelham
Electoral divisions affected & Local Member:	Aylesbury North West Martin Farrow
Valid Date:	20 December 2017
Statutory Determination Date:	21 March 2018
Extension of Time Agreement:	n/a

Summary Recommendation(s):

The Development Control Committee is invited to:

- INDICATE SUPPORT for application CC/00120/17 at St Michael's RC Secondary School, Former Quarrendon School Site, Weedon Road, Aylesbury, Buckinghamshire;
- RESOLVE that the application be forwarded to the Secretary of State for the Ministry of Housing Communities and Local Government (MHCLG) in accordance with the provision of the Town and Country Planning (Consultation) (England) Direction 2009; and
- In the event that the Secretary of State for MHCLG does not intervene, DELEGATE authority to the Head of Planning & Environment to APPROVE application CC/00120/17 subject to the conditions set out in Appendix A.

Appendix A: Recommended Conditions



INVESTOR IN PEOPLE

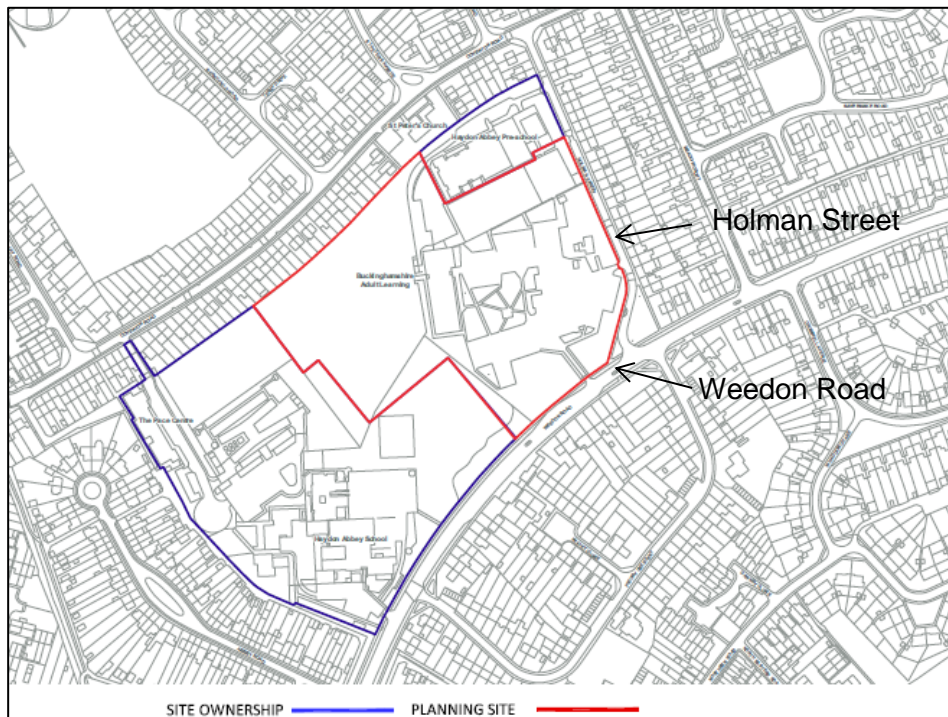


Site History

1. Between the late 1950s and September 2013, the site was occupied by a secondary school. This school, initially known as the Quarrendon School, became the Aylesbury Vale Academy in November 2008 and re-located to Berryfields in September 2013.
2. Prior to its relocation, the school on the former Quarrendon School Site had capacity for 900 pupils aged 11-16 and 240 places in the sixth-form.
3. Since the relocation of the Aylesbury Vale Academy in September 2013, the former Quarrendon School site has been vacant and the majority of the blocks have been demolished. Despite these physical changes, the use of the site for education (Class D1 - Non-residential institutions) is considered to remain the current permitted use of the site. As such, any new planning applications for the site must be considered in the context of the existing permitted use.

Site Description

4. The Former Quarrendon School Site is located approximately 1.25km to the north west of Aylesbury town centre between Haydon Road - Weedon Road (A4157) and Holman Street.
5. The site is located in flood zone 1, though surface water flooding has been recorded in the area.
6. The site is located in a residential area close to several other education facilities. To south east of the site are Haydon Abbey Combined School, the Blueprint Pupil Referral Unit and Pathways Primary PRU. To the north of the site is Haydon Abbey Pre-School. There are residential properties to the east of the site off Holman Street, to the north off Covernton Road and to the south around Weedon Road.



Description of the Proposed Development

7. This application seeks permission for the redevelopment of the school site to bring it back into use as a 6FE (Form Entry) (900 pupils in years 7-11) secondary school and sixth form (180 pupils). The school would be a satellite of St Michael's Catholic School in High Wycombe.
8. The proposed development consists of the following:
 - Demolition of the existing two storey building
 - Construction of a 3941m² school building which two and three storey section,
 - Retention of existing vehicular access onto Weedon Road,
 - Creation of a new vehicular egress onto Weedon Road,
 - Relocation of existing vehicular access on Holman Street
 - Creation of a new pedestrian access/egress from Weedon Road and Holman Street,

- Creation of 147 car parking spaces (including 4 accessible spaces and 2 mini bus spaces) and 165 cycle spaces
- Creation sports areas consisting of grass pitches (9035m²), flood lit all-weather pitch (Artificial Grass Pitch) (6065m²) and flood lit hardball courts (MUGA) (2230m²).
- External lighting to the perimeter of the building, the car park, pedestrian footpaths, hardball courts and all-weather pitch.
- Creation of surface water attenuation measures,
- Hard and soft landscaping
- Offsite highway works consisting of:
 - The removal of the chicane and its replacement with a raised table in Holman Street at the pedestrian entrance;
 - The creation of a footpath across the verge between Weedon Road and Holman Street (connecting Weedon Road to the pedestrian entrance); and
 - A signal controlled pedestrian crossing between southern car park exit on Weedon Road and the junction with Holman Street.
 - Altered road markings for turning into and out of the site



9. As seen in the site layout above, the main school building would be 'F' shaped. The limbs of the 'F', heading into the site, would be three storeys with flat setback roofs. Solar panels are proposed to be installed on the roof of the lower limb. Between the two limbs of the building would be a central court yard with canopy. The spine of the building, parallel with Holman Street, would be a mixture of two and three storey elements with flat setback roofs.
10. The school building would be grey, white and blue. The ground floor of the building would mainly be dark grey/black brick while the second and third storey would predominantly be rendered

white. Blue features would be present along the outside of the building. Along the southern limb and spine of the building there would be areas vertically clad in a variety of blue coloured panels. The dining area, facing into the courtyard between the limbs of building would have a glass curtain wall. The sports hall, on the northern end of the building would be vertically clad in a variety of grey coloured panels.

11. Two areas of car parking are proposed. The larger southern car park would be accessed from Weedon Road, and would have a one way system with separate entrance and egress. It would provide space for 78 cars (including 3 disabled spaces) and coach pick up and drop off. The coach drop off is designed to accommodate up to five coaches without obstructing the movement of cars in the car park. The eastern car park would have a single point of access off Holman Street. It would provide space for 67 cars (including 1 disabled space) and 2 mini buses and is proposed to be used exclusively for staff. Refuse collectors would also use this access. The Holman Street car park would be controlled by locked gates unless access is required by maintenance or service vehicles.
12. In addition, there would be two pedestrian access points to the school. One would be on the eastern corner of the site off Holman Street, close to the junction with Weedon Road. The other would be on the southern corner of the site along Weedon Road. The main entrance to the school would be on the southern limb of the building facing the Weedon Road car park.
13. The hawthorn hedges and steel palisade fences along Weedon Road and Holman Street are proposed to be retained. Along Holman Street any areas of timber fencing would be replaced by metal palisade fencing and the gaps in the hedge filled. Along the northern boundary of the site, along the rear of the Coventon Road properties, it is proposed to install a 2.4 metre high black weldmesh fence and retain the existing hedge. The western site boundary, close to Haydon Abbey School, would be fenced with a similar 2.4 metre high black weldmesh fence and a row of trees planted. The central section of the western boundary, along the multiuse games area would be fenced and hardball courts would be fenced with a 3 metre high sports fence. Along the remaining part of the western boundary at the end of the grass pitches, it is proposed to plant a hedge and install 5 metre high black nylon netting to prevent balls being kicked into the adjacent property.
14. The proposed lighting for the site is as shown in the table below. All lighting is proposed to be switched off between 22:00 and 07:00. Sports lighting would be manually switched off when not in use.

Location	Light type	Lux
Car park and Entrance	5 metre high column mounted LED luminaries	20
Building Perimeter	3 metre high building mounted LED luminaries Emergency lighting to main entrance and exit routes	20
Footpaths	3 metre high column mounted LED luminaries	5
All Weather Pitch	15 metre high column mounted LED floodlights	200
Hardball courts	12 metre high column mounted LED floodlights	200

15. It is proposed to open the school hall and sports areas for community use during the weekday evenings (until 9.30pm) and Saturdays (9.00am to 5.00pm).
16. Should the development be permitted, the intention would be for the school to be ready for occupation in September 2019. It is proposed the school would open initially as a 4FE school and would expand to a 6FE as the demand increases. For the avoidance of doubt this application is for the 6FE School and associated pupil numbers.

Planning Policy and Other Documents

17. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.
18. The development plan for this area comprises of:
 - i. Adopted Aylesbury Vale District Local Plan (AVDLP) 2004
19. Other documents that need to be considered in determining this development include:
 - i. National Planning Policy Framework (NPPF)
 - ii. CLG letter to Chief Planning Officers dated 15th August 2011
20. I consider the policies most relevant to this development are:
 - o GP.8 Protection of the amenity of residents
 - o GP.24 Car parking guidelines
 - o GP.35 Design of new development proposals
 - o GP.38 Landscaping of new development proposals
 - o GP.39 Existing trees and hedgerows
 - o GP.40 Retention of existing trees and hedgerows
 - o GP.45 "Secured by Design" considerations
 - o GP.59 Preservation of archaeological remains
 - o GP.79 Proposals for noisy sports
 - o GP.95 Unneighbourly uses
21. The **Draft Vale of Aylesbury Local Plan (2013-2033)** underwent "Publication Version" (Regulation 19) consultation between November and December 2017 and was submitted to the Secretary of State for MHCLG in February 2018. Whilst the draft plan is considered to be a material consideration, as the document has not been through examination it is considered to carry limited weight.

Consultation Responses

22. The Local Member, **Martin Farrow**, has not commented.
23. **Aylesbury Town Council** has not commented.
24. **Aylesbury Vale District Council** has no objection to the proposed development
25. The **BCC Highways Development Management** officer notes the permitted use of the site is already established. She agrees with the applicant that given the proposed school removes general access from Holman Street, traffic conditions should improve when compared to the former site. As such, the implementation of a one-way scheme called for in a petition to BCC as part of this development would not be considered a reasonable requirement. The officer is satisfied that the proposed signal controlled pedestrian crossing adjacent to the school access would mitigate an intensification of pedestrian traffic associated with the school. Although the proposed crossing is close to the junction with Holman Street, the officer is satisfied this provision is betterment in terms of the existing situation. Overall, the officer has no objection to the proposed development subject to appropriate school signage being erected, a travel plan being submitted to and agreed by BCC and a construction management plan.
26. The **BCC Archaeology Officer** has no objection to the proposed development. An archaeological evaluation has been undertaken at the site and whilst archaeological features and finds were recorded from a number of periods, these are not considered to be of such a significance to require further work.
27. **Aylesbury Vale District Council Environmental Health Officer (EHO)** is concerned about the community use outside normal school hours of the all-weather pitch, floodlit multi-use games area and grass pitch in relatively close proximity to potentially noise sensitive residential dwellings. The officer recommends that an acoustic assessment is carried out prior to first use of the facility outside normal school hours, and in light of this assessment any necessary physical

mitigation measures or restrictions to the hours of community use are implemented to minimise disturbance to residential dwellings.

28. The **BCC Ecology Officer** has no objection to the proposed development but advises the lighting in the area around the tree with the potential bat roost should be low lux and directed away from the tree. The officer also advises that the recommendations regarding birds and badgers are adhered to in full and that the creation of a management plan, as recommended in the ecology report, is conditioned into any planning consent to ensure a net gain for biodiversity is achieved.
29. **Sport England** has commented on the proposed development in a statutory and non-statutory capacity.
In their statutory capacity, Sport England lodged a formal objection to the proposal due to the partial loss of playing field and its replacement with Artificial Grass Pitch without clear evidence of need. Sport England have however liaised with the Football Foundation to understand demand in the area, and as a result of this consider that in this instance there is some need for the AGP despite it not being full-sized. At the time that this report was published, Sport England had indicated it may be in a position to withdraw its objection subject to conditions to secure a Community Use Agreement and control over the surfacing materials used, and provided the applicant amends the submitted drawings to reflect requested changes to the access arrangements to the sports facilities.
Amended drawings have subsequently been submitted by the applicant and, at the time this report was published, were under review by Sport England. A verbal update will be given to the Committee at the meeting on 19th March 2018 regarding the status of the Sport England objection and whether or not it has been withdrawn.
Sport England also objects to the proposed development in their non-statutory capacity. This is due to the size of the sports hall, which it is considered do not meet the dimensions set out in Sport England's guidance, which poses a risk that the hall would not be able to safely accommodate all sports played within a sports hall.
30. The Council's Landscape Advisor advises there are no **Arboriculture** objections subject to a site specific Arboriculture Method Statement being submitted.
31. BCC as **Lead Local Flood Authority** has no objection to the proposed development subject to a condition requiring the proposed development being carried out in accordance with the submitted Flood Risk Assessment and the Below Ground Drainage Statement.
32. The **Environment Agency** has no comment to make.
33. **Natural England** has no comment to make

Representations

34. One objection, relating to traffic management, has been received. This refers to a petition submitted to the County Council by residents of Holman Street asking for the street to be made one way exiting on to Weedon road for the safety of students as well as the safety and quality of life of residents. It also states that Holman Street is used as a cut-through, and that parents already park across driveways blocking residents.

Discussion

35. As the use of the former Quarrendon School Site for educational purposes is already established, the main areas to consider relate to the acceptability and impact of the built form and ancillary works.
36. I consider the main points to consider are:
- ii. Need and principle of the development
 - iii. Loss of Playing field
 - iv. Highways and Parking
 - v. Pick-up and Drop-off
 - vi. Design, trees and landscaping

- vii. Amenity of neighbouring properties
- viii. Ecology

Need and principle of development

37. As set out earlier in this report, the principle of the use of the site as a school is already established and the proposed school is for fewer pupils than the school that occupied the site previously. Therefore, the key considerations for members relates to the acceptability in planning terms of the redevelopment of the buildings and associated amendments to the built form.

38. The CLG letter to Chief Planning Officers dated 15th August 2011 set out the Government's commitment to support the development of state funded schools and their delivery through the planning system. The policy statement states that:

"The creation and development of state funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations."

State funded schools include Academies and free schools as well as local authority maintained schools.

The letter further states that the following principles should apply with immediate effect:

- There should be a presumption in favour of the development of state-funded schools;
- Local Authorities should give full and thorough consideration to the importance of enabling the development of state funded schools in their planning decisions;
- Local Authorities should make full use of their planning powers to support state-funded schools applications;
- Local Authorities should only impose conditions that clearly and demonstrably meet the tests as set out in Circular 11/95;
- Local Authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible;
- A refusal of any application for a state-funded school or the imposition of conditions will have to be clearly justified by the Local Planning Authority.

39. Furthermore, paragraph 72 of the NPPF requires local planning authorities take a proactive, positive and collaborative approach to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities.

40. The proposed school would be of Roman Catholic denomination. Currently there is only one Roman Catholic Secondary School in Buckinghamshire. This school is located in High Wycombe, and therefore should pupils in the north of the county wish to attend a school of this denomination they must travel to the other end of the district. In addition, the demand for school places is expected to rise due to housing growth in the County. Buckinghamshire County Council has a statutory duty to provide school places and meet this demand. The proposed school would however have a fewer pupils (capacity 1080) than the previous school on the site (capacity 1140).

41. Overall, the re-development of the school buildings, the creation of school places, and increasing the choice of education provision is in accordance with the ministerial statement and the NPPF and therefore the development is supported in principle.

Loss of Playing Field

42. Paragraph 74 of the NPPF states that playing field land should not be built on unless it is demonstrated to be surplus to requirements, the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location or the development is for alternative sports and recreational provision, the need for which outweighs the loss. There are no saved local policies on development on playing fields.

43. Sports England has objected to the proposed development due to the loss of land used as a playing field by an educational institution. They consider that a grass playing field can be used for over 15 different sports whereas Artificial Grass Pitches (AGPs), Multiuse Games Areas

(MUGAs) and Sports Halls are fixed structures with fixed dimensions and only suitable for a limited number of sports. As such, they consider there is a comparative loss of sports provision.

44. It is noted that there is a discrepancy between how Sports England view school playing field and how the Department for Education calculate playing field land. Under Department for Education guidelines, an artificial grass pitch equates to two natural grass pitches and as such this is the approach followed by the applicant in preparing their application and remains part of the application to be determined by members.
45. Similarly, Education Funding Agency guidance suggests that in secondary schools, a four court sports hall, providing a multi-purpose space for PE, exams, and for informal recreational community use outside school hours is typically 18mx33m. Where funding allows, and to accommodate school use and formal club-level use outside school hours, a larger space, in line with Sport England dimensions (typically 20m x 34.5m for a four court hall) is supported. The applicant has advised that the project is funded through capital from the Education Funding Agency and funding has not been provided for the additional area for sports halls. The size of the sports hall has been raised as part of a non-statutory objection by Sport England. Although not suitable for formal club-level use, I consider the sports hall meets the needs of the school for sports, exams and recreational community use.
46. In my opinion, and whilst Sport England do not concur with this view, this loss of quantity of playing field should be weighed against the fact that the playing fields are currently disused and the proposal would bring the facility back into use by both the school and the local community. This is unlikely to be achieved if planning permission is refused. In addition, the proposed MUGA, AGP and sports hall would have community use provision associated with them and would make a positive contribution towards the availability of sports facilities in Aylesbury.
47. Having reviewed additional information and liaised with the Football Foundation to understand demand in the area, Sport England considers that there is some need for the proposed AGP. For it to be considered benefit to sport it must however be designed and constructed so it is fit to meet the need. At the time this report was published, Sport England is reviewing additional information submitted by the application to overcome their statutory objection and a further response is awaited. Officers will provide an update to the Development Control Committee at the meeting on 19th March 2018 to confirm if the objection stands or if it has been removed and, if appropriate, any impact this may have on the recommendation to members,
48. Should the objection from Sport England not with be withdrawn, it would be difficult to conclude otherwise than that the development is contrary to paragraph 74 of the NPPF. There is a strong presumption against the loss of playing field in national policy without sufficient justification, therefore as set out in the recommendation, should the committee be minded to approve the proposed development with an outstanding objection from Sports England, then the application must be referred to the Secretary of State for MHCLG to provide an opportunity for him to intervene in this decision in accordance with The Town and Country Planning (Consultation) (England) Direction 2009).

Highways and Parking

49. Chapter 4 (paragraphs 29 to 41) of the NPPF supports sustainable transport. Policy GP24 of the AVDLP requires all new development to provide vehicular parking spaces in accordance with the Council's operative guidelines. For secondary schools, the maximum parking requirement is one space per-full time equivalent member of staff plus 1 space per 6 FTE students over the age of 16. Although there is no minimum car parking space requirement, to avoid parking on the road and minimise the impact on the highways network, Highways DM strongly encourage schools to have one space per FTE member of staff. Furthermore, the guidelines state that a proportion of the parking spaces schools should be allocated for visitors.
50. The proposed school would have 100 FTE staff and 180 sixth-form students. Under the AVDC parking guidelines, this equates to a car parking requirement of 130 spaces. The actual number of spaces provided would be 141 car parking spaces (excluding 4 accessible spaces and 2 mini

bus spaces). In addition, there would be 165 cycle spaces. I am satisfied this meets the parking requirement for the school and is in accordance with policy GP24.

51. Local residents have concern over school traffic using Holman Street and blocking driveways. The car park off Holman Street would be used exclusively by staff and there would be no general pupil access to the site from the road. This is expected to reduce school related traffic using Holman Street, and therefore should improve this situation.
52. One objection to the proposed development was received on highway matters. This highlights concern over traffic cutting through Holman Street and refers to a petition submitted to BCC in October 2017 requesting that Holman Street was made one way exiting onto Weedon Road. This has been considered as part of the planning application. The Highways Development Management Officer is in agreement with the applicant that as general access to the site is removed from Holman Street, traffic conditions should improve when compared to the former site. I therefore do not consider the alteration to Holman Street is necessary to facilitate the proposed development.
53. A construction management plan has been submitted as part of the proposed development. The management plan proposes site working hours between 07:30 and 18:00 Monday to Friday and 07:30 hours on a Saturday. Where practical, material deliveries would be restricted in the morning peak times (between 08:30 and 09:30) and evening peak times (between 15:30 and 16:00). Although there is potential for noise disturbance from the site commencing work at 07:30, this would be for a temporary period only. The site set up plan (drawing number: HSE 0320/SSU1) shows all vehicles would use the entrance on the A4157 - Weedon Road and there would be a one-way system around the site. Security fencing would be erected around the perimeter of the site, wheel washing facilities would be used to prevent the deposition of mud on the highway and space has been allocated for the parking of site operatives and visitor vehicles on site. The site is accessed off the A4157 and so I do not consider routing of the vehicles to avoid unsuitable roads would be particular issue for this site. It is my opinion that compliance with the management plan can be secured through condition.

Pick-up and Drop-off

54. Paragraphs 35 and 36 of the NPPF require that developments which generate a significant amount of movements provide a travel plan to protect and exploit opportunities for sustainable transport.
55. The proposed school is a secondary school and so, compared to a primary school, it is expected that a greater proportion of pupils would make their own way to school rather than being dropped off by parents. Based on the former school on the site, the transport mode share anticipates that the majority of pupils would walk to the school and between 10 and 15% of pupils would travel to the school by car.
56. It proposed that coaches would pick-up and drop-off pupils inside the boundary of the site rather than waiting on the road. Sufficient space for five coaches has been provided within the curtilage of the site. It is also suggested the school car park off Weedon Road could be used for pick-up and drop-off. As above, the number of spaces in the proposed car park does exceed AVDC car parking requirement and a one-way system is proposed to facilitate the ease of movement during school drop off and pick up times.
57. To discourage other parking on the highway and ensure safe and suitable access to the site in accordance with paragraph 32 of the NPPF, the Highways Development Management Officer has requested signage indicating that stopping is prohibited on the highway during the hours of 8.00am and 9.00am in addition to 2.30pm and 4.00pm to accompany School Keep Markings outside the school. I am satisfied this can be secured via condition.
58. To encourage staff and pupils to travel by sustainable and non-car modes as encouraged by paragraphs 35 and 26 and Chapter 4 of the NPPF, I support the recommendation of the BCC

Highways Development Management Officer that the school should create and implement a travel plan. I am satisfied this can be achieved through a planning condition.

59. It is necessary to consider the impact of the pick-up and drop-off in the context of the existing use of the site. There would be no change of use as part of the proposed development and the school would have fewer pupils (capacity 1080) compared to the former school on the site (capacity 1140). To manage the impact to the highway network at pick-up and drop-off, vehicles would be deterred from stopping on the highway and a school travel plan would be in place. No objection has been raised by the Highways Development Management Officer. In light of these considerations, I am satisfied the proposed development would not have a materially different impact compared to that associated with the former school on the site and is in accordance with paragraphs 35 and 36 of the NPPF.

Design, trees and landscaping

60. Good design is encouraged through national planning policy and the AVDLP. Policy GP.35 requires the design of new development to respect and compliment the site, context and surroundings and policy GP.45 of the AVDLP requires development to assist crime prevention, for example through the arrangement of buildings. Policy GP.38 of the AVDLP requires that development proposals should include landscaping proposals to help buildings fit in with and compliment their surroundings, and conserving features where possible. In addition, the retention of trees is supported through policy GP.38 and GP.40 of the AVDLP.
61. The proposed building is designed to be functional as a secondary school. The majority of the proposed cladding bands are fairly neutral in appearance. The blue theme is the same as neighboring Haydon Abbey School as well as the previous school on the site. I consider the design of the building respects the context and nearby area. The majority of the hedges along the front of the school on Holman Street would be retained and these would continue to screen the site from local residents. I consider the proposed development is in accordance with policies GP.35 and GP.38 of the AVDLP.
62. In terms the design and layout of the proposal in assisting crime prevention and reducing risks to personal safety, as required by AVDLP Policy GP 45, the school would be completely enclosed by fences, hedges and gates. As part of the planning application, the applicant has explained that the interior of the school is designed so that the majority of the school can be locked so that only the spaces required for community use would be accessible after normal school hours. Outdoors external lighting is proposed to light the pedestrian path from the changing rooms to the sports areas and car park. Overall, I do not consider the proposed development would change the risk of crime or risk to personal safety compared to that that normally associated with a school.
63. As part of this development, 46 trees would be lost and approximately 96 trees would be planted. Both the trees lost and planted would be a mixture of native and non-native species. The replacement hedgerow would be planted with native species. No black poplars would be affected. A few concerns regarding tree retention during construction, for example work close to root protection areas, have been highlighted in the arboricultural advice. I am satisfied that these can all be addressed through a site specific Arboricultural Methods Statement, and subject to this, considered the proposed development is in accordance with policies GP 39 and GP 40 of the AVDLP.

Amenity of neighbouring properties

64. Policy GP.8 of the AVDLP seeks to prevent development that would unreasonably harm any aspect of the amenity of nearby residents and policy GP.95 of the AVDLP requires that regard is had to the protection of amenities of existing occupiers. In addition, policy GP.79 of the AVDLP request that the noise sensitive uses and occupiers are protected from sporting proposals.
65. The use of the site would not change as a result of the proposed development. If the school was rebuilt as it had previously existed no planning permission would be required for school to reopen. The base line for assessing the impact on residential amenity is therefore that a school already exists on the site. In terms of noise disturbance during school hours, I do not consider the

proposed development would have a substantially different impact on the neighbours than the previous school. External floodlight lighting would have a curfew between 22:00 and 07:00, and the lighting for the sports areas would be switched off when not in use. The lighting design plan indicates that lighting from the sports areas is unlikely to reach the residential properties along Covernton Road or Weedon Road. Lighting in the carpark is proposed to be at a much lower lux levels. Although it would be closer to residential properties along Holman Street and Weedon Road, with the proposed curfew, I consider it is unlikely to cause a substantial adverse impact. No objection to the lighting proposals has been received, including from the Environmental Health Officer. As such I consider the development is in compliance with policies GP.8 and GP.95 of the AVDLP.

66. The District EHO has however expressed concern that the use of the sports facilities outside normal schools hours may lead to a loss of amenity due to the noise generated and recommends that prior to first use an acoustic assessment is carried out.
67. The school is located in an urban area and it is proposed the sports facilities would be used until 9.30pm on weekday evenings and on Saturdays between 9.00am and 5.00pm. This is outside the 'night time' nuisance noise times of 11.00pm to 7.00am, and I do not consider the hours proposed unreasonable times to use a sports pitch. Outside normal school hours, I consider there may a noise impact to local residents. I do not however consider it is likely use of the sports facilities would cause a material impact or change in behaviour or attitude and diminish quality life of the area or that any noise impacts would be out of keeping with those expected from living in an urban environment.
68. As part of planning, noise should not be considered in isolation and separate from the economic, social and environmental dimensions of the proposed development. The proposed development also seeks to open their sports facilities for community use outside normal school hours. Paragraph 73 of the NPPF outlines the important contribution that access to open spaces for sport can make to the health and well-being of communities. By the school opening their sports facilities to the community outside normal school hours, there is a wider community benefit and this must be balanced against the potential noise impact to local residents.
69. To limit the noise impacts arising from the development being made available for community use outside of school hours, it is proposed that a limitation is placed on the use of sports facilities at the school to no later than 9.30pm on weekdays and no later than 5pm on Saturdays with no uses being allowed on Sundays and Bank/Public Holidays. Provided these hours of operation are adhered to, I consider the benefit of opening the sports facilities to the community outweighs the potential adverse noise impact. Overall, I consider the proposed development is in accordance with policy GP.79 of the AVDLP.

Ecology

70. Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the local environment by minimising impacts on biodiversity and, where possible, providing net gains in biodiversity. In addition, it is necessary to consider how a development might affect protected species on or near a proposed development site.
71. There is one willow tree on site with the potential to provide a roost for bats. No work is proposed to this tree and it will be protected during construction. As such, in line with advice from the ecologist, no further survey is required prior to determination. The ecologist has however recommended that to avoid disturbance to the potential bats, lighting in the area is low lux and directed away from the tree.
72. The lighting proposed around the trees would be 3 metre LED column luminaries to achieve 5 lux along the footpaths. Taking into account the other lighting around the site, including the 200 lux LED floodlights for the sports areas, the overall light level around the trees would be between 20 and 50 lux. This is considered to be fairly bright. Although the impact of lighting on bats appears to depend on the species of bats and their use of that area, without a survey to determine

whether bats are present, it must be assumed that any bats present would be adversely impacted by the lighting.

73. The applicant has stated that the sports lighting out be used less often than the normal amenity lighting and that both areas may not always be in use at the same time. They have also stated that that the sports lighting would be LED lighting, which is which is far more bat friendly due to its colour and lack of UV content. Nether the less, I am concerned that when all the lighting is on, there is potential for the proposed development to have an adverse impact on the bats.
74. In order to minimise this impact, I believe the lighting levels around the tree with potential bat roost should be reduced. There is potential for this to be achieved by decreasing the lux levels of the sports floodlights, using cowls or hoods on the sports floodlights closest to the trees to better control the direction of the light, and using low level, low lux lighting close to the trees. I am satisfied these change to the lighting design to direct lighting away from the trees with the potential bat roost can be controlled by condition.
75. Multiple mammal holes, considered suitable for badgers and currently used by foxes were identified on the sites. Although harm to foxes should be avoided, they are not protected species. The ecology report states that no direct signs of badgers were observed, and so the holes are not likely to be current badger setts. It is therefore considered unlikely that the proposed development would impact this protected species. I am however mindful that the applicant would have three years to implement a planning permission at the site and that badgers can open a new setts overnight. In line with advice from the ecologist, I consider that as a precautionary measure the site should be surveyed within one month of the commencement of the development (i.e. to check whether the holes are occupied by badgers) and if badgers are present, suitable mitigation measures should be proposed. This survey would inform whether a Natural England licence for protected species was necessary.
76. To ensure there is no net loss in biodiversity, the ecologist has recommended that the mitigation for birds and badgers are adhered to, and that a five year landscape and habitat management plan is created.
77. The proposed mitigation for birds requires is that vegetation is not removed nor buildings demolished during the bird nesting season, or a qualified ecologist should check the areas concerned immediately prior to vegetation removal/building demolition to ensure that no nesting or nest-building birds are present. Wild birds are protected under the Wildlife and Countryside Act 1981 and the requirement to avoid disturbance and harm is already captured under this regulation.
78. I note that an ecological management plan and 25 year landscape management plan and ground maintenance schedule has been submitted as part of the application. The plan includes areas for planting hedgerows with native species, replacement native tree species and areas of wild flower planting. The site not located in an area known to be sensitive area for wildlife, and I consider the scale of biodiversity enhancement proposed is appropriate for the development proposed.
79. Subject to conditions recommended above, I am satisfied the proposed development is unlikely to harm protected species and would create a net gain for biodiversity as required by paragraph 109 of the NPPF.

Other Matters

80. Paragraph 103 of the NPPF requires local planning authorities should ensure flood risk is not increase elsewhere. There are not considered to be any concerns regarding the proposed drainage on the site or changes to flood risk in the local area. The supporting information shows that there is potential for more extreme events (1 in 100 plus a 40% for climate change) to cause some onsite flooding to the rear of the buildings and in the parking area fronting Holman Street and that this would be contained on-site. As such, I consider the development is compliance with the requirement of the NPPF.

81. Where there may be historic remains at a site, Policy GP.59 requires that proposals are supported by archaeological evaluation, and where planning permission is granted, the excavation and recording of remains and publication of the results is secured by condition. Following the comments from BCC Archaeology, I am satisfied that no further action needs to be taken and the proposed development is in accordance with this policy.

Conclusion

82. This application seeks permission for the building, engineering and other operations associated with the construction of a 6FE secondary school and sixth form.
83. Rebuilding the school as proposed by this application would increase the choice of education provision in Buckinghamshire and provide additional school places to meet the need generated by housing growth in Aylesbury and other parts of Buckinghamshire. I consider this need for the proposed development has considerable weight.
84. The proposed development would however result in the loss of playing fields. Sports England have object to the proposed development on this basis. I note that the school is not currently used and so at the moment there is no use of the playing fields.
85. In these circumstances, I consider that more weight should be assigned to the provision of school places and the wider benefit of the community use of the sports facilities and less weight to the loss of the playing fields. I therefore recommend the proposed development is approved as set out in the recommendation above.

APPENDIX A: Recommended Conditions

Time limit for commencement

1. The development to which this permission relates must be begun within three years from the date of this consent.

Reason: To prevent the accumulation of unimplemented planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 (as amended).

Approved Drawings

2. The development hereby permitted shall not be carried out other than in complete accordance with the following drawings:

- 5225/010 Planning application plan
- 4800-BMD-XX-00-DR-A-10025 P03 Proposed ground floor plan
- 4800-BMD-XX-00-DR-A-10026 P03 Proposed first floor plan
- 4800-BMD-XX-00-DR-A-10027 P03 Proposed second floor plan
- 4800-BMD-XX-00-DR-A-10028 P03 Proposed roof plan
- 4800-BMD-XX-XX-DR-A-10035 P02 Community benefit and lock down
- 4800-BMD-XX-00-DR-A-12000 P05 Proposed elevations (external 1)
- 4800-BMD-XX-00-DR-A-12001 P04 Proposed elevations (external 2)
- 4800-BMD-XX-00-DR-A-12002 P01 Contextual Planning elevations
- 4800-BMD-XX-00-DR-A-12005 P01 Sectional elevations
- 4800-BMD-XX-00-DR-A-12010 P02 Section and part elevation of Gebrik and Insulated render
- 4800-BMD-XX-00-DR-A-12011 P02 Section and part elevation of Gebrik and Rock Panel
- 4800-BMD-XX-00-DR-A-12012 P02 Section and part elevation of Stair curtain wall
- 4800-BMD-XX-00-DR-A-12013 P02 Section and part elevation of curtain walling to dining area
- LP2114-FIRA-LA-WS-L-90-03 Rev I Landscape masterplan
- LP2114-FIRA-LA-WS-L-90-04 Rev A Access plan
- LP2114-FIRA-LA-WS-L-90-05 Rev A Security plan
- LP2114-FIRA-LA-WS-L-90-06 Rev A Planting Strategy
- LP2114-FIRA-LA-WS-L-90-08 Rev A Tree removal plan
- LP2114-FIRA-LA-WS-L-90-011 Rev B External Furniture Plan
- LP2114-FIRA-S1-P-LA-GA-01 Rev A General arrangement
- LP2114-FIRA-S1-P-LA-GA-02 Rev A General arrangement
- LP2114-FIRA-XX-S-7001 Landscape site sections
- LP2114-FIRA-LA-WS-L-90-07 Rev A Ecological enhancements
- SK19 Rev C Proposed entrance- only- ghost island
- SK20 Swept path analysis bus stop
- SK21 Rev A Swept path analysis-northern car park-mini bus-access and egress
- SK22 Rev A Swept path analysis – northern car park refuse-access and egress
- SK23 Rev A Swept path analysis -north car park– large car –access
- SK24 Rev A Swept path analysis – southern car park – 15m coach – access and egress
- SK25 Rev A Swept path analysis – southern car park coach -15m coach- access and egress
- SK26 Rev A Swept path analysis- southern car park – large car – access
- SK27 Rev A Swept path analysis – southern car park- large car-access
- SK28 Rev A Swept path analysis – southern car park – 12m and 15m coach – access and egress
- SK29 Rev A 1/3 Swept path analysis – southern car park – large car access
- SK30 Rev A 2/3 Swept path analysis – northern car park – large car access
- SK31 Rev A 3/3 Swept path analysis – northern car park – large car access
- SK32 Rev A Swept path analysis- vehicle profiles
- LP2114-FIRA-LA-WS-L-90-08 Rev A - Tree Protection Plan

Reason: To define the development which has been permitted so to control the operations and to comply with policies GP 35 and GP 45 of the AVDLP.

Pre-commencement Conditions

3. Within one month prior to the commencement of the development, a survey shall be carried out to determine whether there are setts or badgers in the development site. If badgers or setts are found to be present, suitable avoidance and mitigation measures shall be submitted to and approved in writing by the County Planning Authority. The scheme shall then be implemented as approved.

Reason: To minimise the risk of the proposed development impacting badgers in accordance with the Protection of Badgers Act 1992

4. Prior to the commencement of the development, a site specific Arboricultural Methods Statement shall be submitted to and approved in writing by the County Planning Authority. This shall contain:
 - Details of the measures that shall be taken to protect the retained trees in accordance with the tree removal plan (LP2114-FIRA-LA-WS-L-90-08 Rev A)
 - An assessment of trees on the impact of finalised utility/drainage plans. Any interaction between these elements and retained RPA should be detailed and mitigation methods/measures provided.
 - Special work practices, techniques and provisions which must be followed in order to successfully retain any tree whose RPA is likely to be encroached by proposed works.
 - A full schedule of tree pruning requirements
 - A commitment that any retained tree damaged through construction of the development shall be replaced with a like species within one year of occupation of the development.

The approved scheme shall thereafter be implemented in accordance with the approved details.

Reason: To avoid the development causing significant harm to retained trees and to comply with policy GP 39 of the Aylesbury Vale District Local Plan.

Development Phase Conditions

5. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (LBH4495FRA Ver 1.3, Dec 2017, LBH Wembley Engineering) and the Below Ground Drainage Statement (ref. 4800-BMD-ZZ-XX-RP-P-58700, December 2017, BAM design and drawings 4800-BMD-ZZ-ZZ-DR-D-50000-P01, 4800-BMD-ZZ-ZZ-DR-D-50001-P01, 4800-BMD-ZZ-ZZ-DR-D-50002-P01 and 4800-BMD-ZZ-ZZ-DR-D-58005-P01).
 - The drainage scheme will store runoff within attenuation tanks, permeable paving and a series of filter strips to ensure that storm events up to the 1 in 100 year plus a 40% allowance for climate change are contained on site.
 - The drainage scheme shall be maintained as per the maintenance plan set out within the Below Ground Drainage Maintenance & Periodic Inspection Strategy (ref. 4800-BMD-ZZ-XX-RP-P-58701 dated 11.12.2017 prepared by BAM Design).

Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to ensure that surface water is managed in a sustainable manner to managing flood risk, and comply with paragraph 103 of the NPPF.

6. Site setup and construction shall not take place other than in accordance with the BAM Construction Management Plan and Site Set Up drawing (drawing number: 20171201 Site office set up – HSE 0320/SSU1).

Reason: In the interests of highway safety and to prevent the construction phase of the development causing congestion and adversely impacting the amenity of residents along the A4157 - Weedon Road in accordance with policy GP.8 of the AVDLP.

7. All loading and unloading of vehicles during the construction period shall take place within the boundary of the site and no vehicles associated with the construction of the development shall stop, load or unload on the highway, or reverse from the highway into the site or reverse out of the site onto the highway.

Reason: In the interests of highway safety and to prevent the construction phase of the development causing congestion and adversely impacting the amenity of residents along the A4157 - Weedon Road in accordance with policy GP.8 of the AVDLP.

8. Prior to the construction of the base of the Artificial Grass Pitch hereby approved, the details of the playing surface shall be submitted to and approved in writing by the County Planning Authority. The

Artificial Grass Pitch shall thereafter be constructed in complete accordance with the approved details.

Reason: To ensure the replacement playing pitch meets the local sporting need and so is equivalent in quality for that sporting need as the playing field which would be lost as a result of the development in accordance with paragraph 74 of the NPPF.

Post Development Phase Conditions

9. Prior to the initial occupation of the development, a Community Use Agreement, prepared in consultation with Sport England, shall be submitted to and approved in writing by the County Planning Authority. The agreement shall apply to all the sports facilities and ancillary facilities hereby permitted and shall set out the following:

- A description of the facilities being made available for community use;
- Details of the proposed pricing policy;
- Proposed hours of use of the facilities to be made available for community use;
- Details of how access to the facilities shall be made available to users not associated with the school;
- Details of management responsibilities; and
- Proposed mechanisms for review.

The development shall thereafter not be occupied other in complete accordance with the approved Community Use Agreement.

Reason: To secure well managed, safe community access to sports facilities to accord with NPPF paragraph 73.

10. Prior to the occupation of the development, a school travel plan shall be submitted to and approved in writing by the County Planning Authority. The plans shall include a named travel plan coordinator, a programme for facilitating the monitoring of the travel plan and full analysis of the existing modal split for staff and pupils at the school, detailed proposals for future sustainable transport promotion and provision, with the aim of securing no increase in the number of car movements generated on the school journey.

Reason: In order to promote more sustainable transport options in accordance with paragraphs 35 and 36 of the NPPF.

11. Notwithstanding any lighting shown on the approved drawings, no external lighting shall be erected at the site until an amended external lighting plan and lighting treatment has been submitted to and approved in writing by the County Planning Authority. The scheme shall be implemented as approved and no other lighting erected. The scheme shall include:

- A reduction in the lux levels around the tree with the potential bat roost to between 1-2lux
- A lighting curfew between the hours of 22:00 and 07:00

Reason: To ensure the proposed development does not impact bats in accordance with Part I of the Wildlife and Countryside Act 1981.

12. The school shall not be occupied until the off-site highway works, as shown on drawing number SK19 Rec C, have been completed.

Reason: To ensure there is safe and suitable access to the site for all users in accordance with paragraph 32 of the NPPF.

13. The school shall not be occupied until a plan showing where School Keep Clear Markings and signs indicating that stopping on the highway outside the school is prohibited between the hours of 8.00am to 9.00am and 2.30pm and 4.00pm, has submitted to and approved in writing by the County Planning Authority. The signs shall thereafter be implemented in accordance with the approved details.

Reason: To ensure there is safe and suitable access to the site for pedestrians at pick-up and drop-off times in accordance with paragraph 32 of the NPPF and deter parking on the highway.

On-going Conditions

14. For the duration of occupation of the development, the school travel plan shall be reviewed annually and updated. In the event of an increase in the number of car movements as identified in the school travel plan, the school shall undertake measures, as identified in the travel plan, as necessary to promote a reduction in the number of car borne trips.

Reason: In order to promote more sustainable transport options in accordance with paragraphs 35 and 36 of the NPPF.

15. No use of the outdoor sports areas shall take place other than between the hours of:

- 08:00 to 21:30 Monday to Friday
- 09:00 and 17:00 on Saturdays.

Reason: To protect the amenity of residents on Holman Street and Coventon Road from an adverse noise impact in accordance with policy GP.8 of the AVDLP.

16. The site shall be managed in accordance with the 25 Year Landscape Management Plan and Grounds Maintenance (Document reference: LP2114 Landscape Management Plan, dated: 08-12-17).

Reason: To ensure a net gain for biodiversity in accordance with paragraph 109 of the NPPF

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Wild Birds

All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended), including their nests (whilst in use or being built) as well as any eggs the nest may contain. Therefore, vegetation should not be removed nor buildings demolished during the bird nesting season. This is weather dependant but generally extends from 1st March to 31st August (inclusive). If this is not possible, a qualified ecologist should check the areas concerned immediately prior to vegetation removal/building demolition to ensure that no nesting or nest-building birds are present. If any nesting or nest-building birds are present, no vegetation/building demolition shall be removed until the fledglings have left the nest.

Badgers

Badgers and their setts are protected under the Protection of Badgers Act 1992, which makes it illegal to kill, injure or take badgers or to interfere with a badger sett. During the construction phase, measures should be installed in order to protect badgers from being trapped overnight in open excavations and/or pipe and culverts. Appropriate measures may comprise either timber planks or earth ramps in order to allow badgers to egress from excavations greater than 0.5m depth. Alternatively all excavations should be backfilled before nightfall.

Highways

It is contrary to section 163 of the Highways Act 1980 for surface water from private development to drain onto the highway or discharge into the highway drainage system. The development shall therefore be so designed and constructed that surface water from the development shall not be permitted to drain onto the highway or into the highway drainage system.

The applicant is advised that the off-site works will need to be constructed under a Section 184 of the Highways Act legal agreement. This Small Works Agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 3 weeks is required to process the agreement following the receipt by the Highway Authority of a written request. Please contact Development Management at the following address for information:-

Development Management (Works Co-ordination & Inspection)
 Buckinghamshire County Council
 6th Floor, County Hall
 Walton Street,
 Aylesbury
 Buckinghamshire, HP20 1UY

It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.

Sport England

The applicant is advised that the design and layout of the Artificial Grass Pitch should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to The FA Guide to 3G football turf pitch design principles and layouts.

The applicant is advised that the pitch should be tested in accordance with The FA standard code of rules and be registered on the FA Register for 3G Football Turf Pitches.

Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> . For artificial grass pitches it is recommended that you seek guidance from the Football Association on pitch construction when determining the community use hours the artificial pitch can accommodate.

Compliance with Article 35 of the Town and Country Planning (Development Management Procedure) Order 2015

In determining this planning application, the County Planning Authority has worked with the applicant in a positive and pro-active manner based on seeking solutions to problems arising in relation to dealing with the proposed development by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. In this instance, additional information has been sought on a tree with the potential to contain bats and amendments sought to the highways works. This approach has been taken positively and pro-actively in accordance with the requirements of the National Planning Policy Framework as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Please remove any site notice that was displayed on the site pursuant to the application.