# Report to Strategic Sites Committee

<table>
<thead>
<tr>
<th><strong>Application Number:</strong></th>
<th>CC/0024/20</th>
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<tbody>
<tr>
<td><strong>Proposal:</strong></td>
<td>Development of a new two storey 2FE (420 place) primary academy and 52 place nursery with staff car parking including electric charging points, cycle and scooter storage, an off-site drop off area, external play areas comprising a grass playing field, trim trail, multi-use-games-area (MUGA), hard and soft play areas, habitat area and forest school, associated landscaping and external works.</td>
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<tr>
<td><strong>Site Location:</strong></td>
<td>Primary School 1 Site</td>
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<td></td>
<td>Kingsbrook Village 3</td>
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<td></td>
<td>South of Bellingham Way</td>
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<td></td>
<td>Kingsbrook</td>
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<td>Aylesbury</td>
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<td>HP22 7AZ</td>
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<td><strong>Applicant:</strong></td>
<td>Buckinghamshire Council</td>
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<td><strong>Case Officer:</strong></td>
<td>James Suter</td>
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<td><strong>Ward(s) affected:</strong></td>
<td>Aston Clinton and Bierton</td>
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<td><strong>Parish-Town Council:</strong></td>
<td>Bierton with Broughton</td>
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<td><strong>Date valid application received:</strong></td>
<td>05/05/2020</td>
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<tr>
<td><strong>Statutory determination date:</strong></td>
<td>04/08/2020</td>
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<tr>
<td><strong>Recommendation</strong></td>
<td>Subject to the approval of planning application 19/02983/ADP the Strategic Sites Committee <strong>INDICATE SUPPORT</strong> for application CC/0024/20 noting the proposed conditions as set out in Section 8.0 of this report and <strong>DELEGATES AUTHORITY</strong> to the Service Director for Planning and Environment to grant consent subject to detailed conditions to be finalised.</td>
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1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

1.1 Application CC/0024/20 is for the development of a new two storey 2 form entry (2FE) primary academy and 52 place nursery and their associated facilities and works.

1.2 The application is reported for determination by the strategic planning committee in line with the Buckinghamshire Council Constitution and Planning Protocol.

1.3 It is recommended that:

- Subject to the approval of planning application 19/02983/ADP the Strategic Sites Committee INDICATE SUPPORT for application CC/0024/20 noting the proposed conditions as set out in Section 8.0 of this report and DELEGATES AUTHORITY to the Service Director for Planning and Environment to grant consent subject to detailed conditions to be finalised.

2.0 Description of Proposed Development

2.1 The proposed site for Kingsbrook School is located to the south of Bellingham Way in Village 3. A site location plan is shown in Appendix B.

2.2 The site was formerly agricultural land but now forms part of the Kingsbrook Development Area located to the East of Aylesbury. The outline permission (Permission Number 10/02649/AOP) was granted in 2013 and included the provision of a primary school in this location.

2.3 The site is located approximately 1km from Bierton Clay Pit (SSSI) but in itself is not located in any landscape of any historical, cultural or archaeological significance.

2.4 The development covers a total area of 1.95 hectares and would create a net additional gross internal floor space of 2541m² and 2,985m² gross external floor space. The proposed development consists of 2 storey building to accommodate a 420 place primary academy and a 52 place nursery. This would require 42 Full time equivalent (FTE) staff. It would also include: car parking for staff and visitors, cycle and scooter storage, drop off area, external play areas and grass playing pitch, a Multi-use-games-area (MUGA), vehicle access from adjacent plaza and provision of a forest school and pond.

2.5 The main building is located to the east of the site and the parking towards the north of the site. Towards the north-west corner of the site is the proposed MUGA with grass pitch positioned to the south. A site layout plan is shown in Appendix D.

2.6 The built form of the main school building would be aligned on a north-south axis and comprises of two storeys with a pitched roof. As depicted on the associated plans, to the north of the main building is the school car park and MUGA, with the sports fields and play areas for the school to the west and south. The entrance to the school site faces eastwards onto a proposed public square which is currently being determined by the Council under planning application 19/02983/ADP.
2.7 The ground floor of the building contains the area for nursery, reception and KS1 students. The library, main hall and secondary hall are also located on the ground floor towards the northern end.

2.8 The first floor is proposed to be primarily for KS2 students though additionally contains staff rooms, meeting rooms, cloakrooms and a SEN area.

2.9 The walls of the building would be faced with a textured red brick with some sections having a green coloured glazed brick to highlight areas of the school such as the entrance. Grey coated aluminium framed windows, external doors and curtain walling are proposed.

2.10 The roof would be constructed out of a grey polyester powder coated standing seam metal sheet.

2.11 The academy makes use of a structurally insulated panel system which has reduced embodied carbon compared to alternatives. Photovoltaic panels are also proposed on the pitched roof to produce renewable energy

Secured by design

2.12 The whole site boundary is proposed to be kept secure through a combination of fencing, gates, barriers, walls and hedges. All gate access points will be controlled by the academy manually through the use of fobs or keypads, automated barriers and voice control boxes.

2.13 The main reception area is in line with the main entrance gate which ensures visitors that enter the school meet reception before breaking the secure line for the school.

Lighting

2.14 The proposed external lighting covers the external footpaths, the perimeter of the school, the car park and the MUGA area. An external lighting impact study report has been prepared in support of this application. The lighting would be directional with minimised light spill. The lights for the MUGA pitch will be mounted on 8m columns and the wall mounted lights on the school will be at 4m. There is no lighting proposed for the green space, soft play areas and hard court spaces.

Access

2.15 Pedestrian access to the site is proposed to be separate for visitors, staff and pupils. Staff would enter via the car park pedestrian gate. Visitors would enter via the main entrance off the public square during open hours. Out of hours access would be via a voice control box. Pupils would enter via either the KS1 or KS2 entrance and would assemble in play areas before entering the school. All pupil accesses are proposed to be locked during the school day and manually controlled.

2.16 Vehicle access to the site would be taken off of the adjacent public square which connects to the Bellingham Way. The car park provides 58 staff car spaces (with 2 Electric Charge Points), 4 disabled spaces, and 3 minibus spaces. The car park would
also provide emergency vehicle access. The car park entrance would be gated and would be controlled using barriers with entry cards control / voice link to reception.

2.17 Drop off and deliveries are proposed to occur on the adjacent public square, however at the time of writing this is yet to be confirmed as application 19/02983/ADP is still being determined. Similarly bus/coach parking is proposed to be within the public square.

2.18 A total of 54 cycle spaces would be provided on the school site using a standard Sheffield design.

Other:

2.19 The opening hours of the school are proposed to be 07:00 to 22:00 Monday to Saturday and 8:00 to 18:00 on Sundays and Bank Holidays. The reason for this is the building and external sports areas are proposed to be made available for community use outside of normal academy hours.

2.20 The application includes a number of drawings and supporting documents including a Transport Statement, Ecological Impact Assessment, Landscape Visual Assessment, Lighting Assessment, and Acoustic Strategy, Drainage details and Flood Risk Assessment and an Arboricultural Impact Assessment. These were reviewed as part of determining the application.

2.21 As a result of this, additional/amended plans were submitted and further information provided in regard to landscaping, highways, ecology, and flood risk / SUDS.

2.22 The documents submitted as part of the planning application are available to view using application reference number CC/0024/20 on the planning website (https://publicaccess.bucksc.gov.uk/online-applications/) and the schedule of submitted documents is available in Appendix C.

2.23 The development has been screened under the Environmental Impact Assessment Regulations and the local planning authority has concluded that an environmental impact assessment will not be required in this case.

3.0 Relevant Planning History

3.1 The application site is greenfield land though was contained within the approved outline application for the Kingsbrook Development (10/02649/AOP). This outline permission contained provision for two primary schools including the one which is proposed as part of this application.

3.2 Planning application 19/02983/ADP which contains the details for the adjacent village square at the time of writing is still in the process of being determined.

4.0 Policy Considerations and Evaluation

4.1 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.
4.2 The development plan for this area comprises of:

- Aylesbury Vale District Local Plan 2004 (AVDLP)

4.3 The policies relevant to this planning application from the AVDLP are as follows:

- GP.8 Protection of amenity of residents
- GP.24 Car parking guidelines
- GP.35 Design of new development proposals
- GP.38 Landscaping of new development proposals
- GP.39 Existing trees and hedgerows
- GP.40 Retention of existing trees and hedgerows
- GP.45 “Secured by Design” considerations
- GP.95 Unneighbourly Uses

4.4 Other documents that need to be considered in determining this development include:

- National Planning Policy Framework (NPPF)
- Draft Vale of Aylesbury Local Plan (2013-2033)
- The CLG Letter to chief the Chief Planning Officers dated 15th August

4.5 The Government’s revised National Planning Policy Framework (NPPF) was published in February 2019. The paragraphs particularly relevant to this planning application are:

- Schools: Paragraph 92, 94
- Flooding: Paragraph 163
- Biodiversity: Paragraph 170

4.6 The draft Vale of Aylesbury Local Plan (2013-2033) (VALP) is considered to be at an advanced stage of preparation and is a material consideration for the determination of planning applications.

4.7 Emerging policies from the draft Vale of Aylesbury Local Plan (2013-2033) considered to be relevant to the proposed development include:
Principle and Location of Development

Paragraph 92, 94 NPPF

CLG Letter to Chief Planners

4.8 The CLG letter to the 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 reads:

4.9 “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. It 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.
The National Planning Policy Framework (NPPF) emphasises that development should be sustainable. Paragraph 92 of the NPPF states that planning permissions should plan positively for the provision and use of space and local services to enhance the sustainability of communities. Paragraph 94 of the NPPF attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities.

The provision of a school was contained within the outline planning application for the Kingsbrook site to accommodate the residents of the wider Kingsbrook development. Therefore there is a need to provide this facility and the proposal is in compliance with the NPPF.

**Transport matters and parking**

GP.24 Car parking guidelines  
T4 Delivering Transport in New Development  
T5 Vehicle Parking  
T6 Footpaths and cycle routes  
T7 Electric Vehicle Infrastructure

4.10 Chapter 9 of the NPPF seeks to promote sustainable transport. The Kingsbrook development is a significant development and the primary school is part of this. Although there is an aspect of parental choice, it is likely that a sizable proportion of the school pupils would be from within the new development. Safe and suitable access should be provided for all and given the type of development and location, opportunities to promote sustainable transport modes should be taken.

4.11 Paragraph 110 of the NPPF further requires that applications for development should give priority first to pedestrian and cycle movement. These aims are reflected in emerging policies S1 and T6 of the VALP which support accessibility through the implementation of sustainable modes of travel including walking and cycling.

4.12 With regard to cycle parking requirements, a minimum of 1 cycle parking space for every 20 users is suggested in the published parking guidance. However, it is noted that requirements for education facilities should be decided on merit. As part of the proposed development 54 Sheffield design cycle parking spaces are provided with covers and with each area having a scooter store alongside. The positioning of these cycle parking spaces and scooter sheds is such that they are conveniently located around the site near pedestrian gates to encourage uptake in active transport.

4.13 There are three main pedestrian entrances to the site. The visitor entrance taken off the main public square and the two pupil entrances with the KS1 entrance to the south and the KS2 entrance just to the north of the academy building. These entrances would be manually controlled and locked during the school day.

4.14 Considering the provisions set out for active transport it is deemed that this proposal fulfils policy requirements.
4.15 The application site itself is part of Village 3 (Canal Basin) Kingsbrook Development. Reserved matters application (19/01732/ADP) for part of Village 3 was approved in May 2019. The adjacent planning application 19/02983/ADP which contains the details for the public square to the East of the development is approaching determination. It is expected drop off space and visitor parking for the school is to be confirmed as part of the 19/02983/ADP application. The site would take access from this proposed square when open and therefore this application cannot be permitted without the prior approval of that application which includes the provision of the adjacent square as it could not be stated there would not be a severe highways impacts amongst other concerns with how the proposed school would integrate with its surroundings.

4.16 With regard to car parking, Policy GP.24 of the AVDLP states new development will be required to provide vehicular parking in accordance with the council’s published guidance. This guidance sets a maximum parking requirement of 1 space per FTE member of staff. It is anticipated that the proposed school and nursery will have capacity for 420 and 52 students respectively. The application form states that 41.3 FTE staff are proposed to be employed by the school. The car park at the school exceeds this requirement and provides 58 staff car spaces including 2 spaces with electric charging points, 4 accessible spaces and 3 mini-bus spaces. It is also stated within the guidance that a proportion of parking spaces should be allocated for visitors. It is understood that there is a shared provision of visitor parking on the adjacent public square contained within planning application 19/02983/ADP with bays marked as school only.

4.17 Policy T5 of the emerging VALP states an appropriate level of parking taking into account accessibility, type, mix and use of the development proposed. It is considered that the provision of cycle parking, provision of scooter sheds and vehicular parking on the site are appropriate for the development.

4.18 Policy T4 of the emerging VALP requires necessary mitigation is provided against any unacceptable transport impacts which arise directly from that development. This is to be achieved through: the submission of a transport assessment and implementation of identified measures, ensuring the scale of traffic generated is appropriate for the function and standard of roads serving the area, the implementation of necessary works to the highway, contributions towards local public transport services and initiatives, provision of new and the improvement of existing pedestrian and cycle routes and the provision of a travel plan to promote sustainable travel patterns. In support of this application a transport strategy was submitted and the impact upon highways has been considered by the highways authority and no objection has been raised subject to conditions. In addition it is proposed through condition to secure the submission of an annual travel plan for approval by the local planning authority. It is therefore considered with regards to this policy that the proposed development is in accordance.
4.19 As stated above, the car park at the school will deliver 2 electric vehicle charging spaces. Policy T7 of the emerging VALP states charging points should be provided at a minimum rate of one for every 25 spaces. It should be noted that the policy also states charging points should be coupled with solar panels to enhance sustainability which this development fulfils. For the proposed 58 parking spaces the provision of 2 electric charging points is considered to be acceptable and broadly in accordance with emerging planning policy.

4.20 The Highways Authority Officer consulted on this application raised no objection subject to conditions securing a number of aspects of the development. Therefore, subject to planning permission first being granted to application no. 19/02983/ADP in consideration of the relevant traffic and highways policies I consider the application to be in compliance.

Design and Amenity

GP.35 Design of new development proposals
GP.45 “Secured by Design” considerations
GP.8 Protection of the amenity of residents
GP.95 Unneighbourly Uses
BE2 (Design of new Development)
BE3 (Protection of Amenity of residents)

4.21 Policy GP.35 of the AVDLP states that new developments should respect and complement: the physical characteristics of the site and surroundings, the building tradition, ordering, form and materials of the locality, the historic context of the setting, the natural qualities and features of the area and the effect on important public views and skylines. Policy BE2 of the emerging VALP makes similar provision. The site has previously been considered against these criteria as part of the Kingsbrook outline application and was allocated for this use.

The overall design of the building took consideration of Bierton Village, Aylesbury Town Centre and the Kingsbrook Canal Quarter whilst ensuring through the selection of a darker metal roof to set itself out as a community building from residential properties. In addition to this, there are sections which use green glazed bricks to highlight areas of the school and to break up larger windowless faces. Consideration of the orientation of the building has also been demonstrated to best face the school onto the adjacent square and maximise the use of natural sunlight.

4.22 Inclusive access has also been designed into the proposal and will be compliant with approved document part M of building regulations and will include many recommendations from BS8300 for the design of buildings and their approaches to meet the needs of disabled people. This includes consideration of colour and contrast for the built environment to improve the environment for visually impaired people. Measures taken to be inclusive are laid out in detail in the design and access
statement. Hence it is considered a good level of thought has been taken to fulfil the design requirements of Policy GP.35.

4.23 Policy GP.45 of the AVDLP requires that the design and layout of all planning proposals incorporate measures to assist crime prevention and help reduce risks to personal safety. In association with this policy visibility, arrangement of buildings, landscape and walls, lighting and CCTV should be taken into consideration. The entire boundary treatment of the site has been considered and the boundary is made up of a combination of walling, fencing, hedges, gates and barriers. The site is principally bounded by 1.8m high fencing or brick walling except where the school meets the adjacent public square and the building itself will make up the boundary. In addition to this, fencing facing the public square is to be 1.5m high. Crime Prevention for Aylesbury Team were consulted on this application and did not offer comment. It is therefore considered that the proposed development is keeping with the secured by design policy.

4.24 The facing and integration of the school onto the adjacent square was considered in depth and for this reason it is to be secured by condition that no gates, fences, walls or other means of enclosure other than those shown on the approved plan shall be erected along the site frontage within 6 metres of the edge of the carriageway. This would be to achieve both highways safety aims and to maintain the appearance of the public square.

4.25 Policy GP.8 of the AVDLP states that planning permission will not be granted where the proposed development would unreasonably harm any aspect of the amenity of nearby residents when considered against the benefits of the proposal. It also advises the council use conditions to ensure adverse impacts are appropriately controlled. Policy BE3 of the emerging VALP makes similar provision and Policy GP.95 of the AVDLP supplements this requiring development pays regard to the protection of the amenities of existing occupiers.

4.26 The external lighting scheme is proposed be controlled via a time clock and light sensor to reduce impacts out of hours. The hours of use of lighting with the exception of security lighting will be controlled via condition to protect the amenity of residents in the nearby area.

4.27 The standard noise impacts associated with the operation of a school should be expected but only within the approved hours of operation which are recommended to be controlled via condition. The siting of the school was set out in the approved masterplan for the Kingsbrook site, an acoustic strategy for the site was submitted and the Environmental Health Officer raised no objection to the proposed development. It was suggested by the Environmental Health Officer to control the hours of use of external sporting areas to reduce amenity impact and a condition to this effect is recommended.

4.28 Subject to these conditions, it is therefore considered that the application is in compliance with amenity and design policies.
Flooding and drainage

I4 Flooding

Paragraph 163 NPPF

4.29 Paragraph 163 of the NPPF requires local planning authorities to ensure that flood risk is not increased elsewhere as a result of any development.

4.30 Policy I4 of the emerging VALP looks to manage and reduce flood risk through the use of site specific flood risk assessments and demonstration of surface water discharged rates in storm events with allowances for climate change. The policy also seeks to ensure new development designs and utilise sustainable drainage systems (SuDS) for the effective management of surface water off and on site. As well as seeking to reduce flood risk, these systems should also seek to reduce pollution and provide landscape and wildlife benefits.

4.31 The proposed development is supported by a number of documents relating to Flood Risk and SUDS which have been reviewed by the LLFA and no objection has been raised subject to conditions. It has been adjudged that the proposed development would not increase flood risk on or off the site and would therefore accord with the above policies. The applicant has submitted further information in pursuit of removing the need for flood related pre-commencement conditions on this application. Updates with regards to this will be presented as an addendum to the committee.

Landscape

GP.38 Landscaping of new development proposals
GP.39 Existing trees and hedgerows
GP.40 Retention of existing trees and hedgerows

4.32 Policy GP.38 of the AVDLP states new proposals should include landscaping proposals designed to help buildings fit in with and complement their surroundings, and conserve existing natural and other features of value as far as possible. It also states new planting should be completed with native species and conditions should be attached to relevant planning permissions to require the submission of landscaping schemes and implementation of the approved arrangements.

4.33 Policy GP.39 of the AVDLP requires that for applications affecting trees and hedges an arboricultural report is made and conditions on planning permissions should be imposed to ensure the retention and protection of trees and hedgerows of landscape, amenity or wildlife importance. Policy GP.40 of the AVDLP supplements this stating that in dealing with applications the council will oppose loss of trees in particular black poplars and hedgerows of amenity, landscape or wildlife value.
4.34 The proposal includes the provision of both hard and soft landscaping and has been reviewed by the council’s landscape advisor. It was considered the development is considered satisfactory in landscape and arboricultural terms.

4.35 It is therefore considered the application is in accordance with the relevant local plan policies.

**Ecology**

- GP.39 Existing trees and hedgerows
- GP.40 Retention of existing trees and hedgerows
- NE2 Biodiversity and geodiversity
- NE9 Trees, hedgerows and woodlands

4.36 As above Policies GP.39 and GP.40 of the AVDLP seeks to protect trees and hedges of amenity value with high regard given to black poplars. Policy NE9 of the emerging VALP makes similar provision for protection of trees requiring a full tree survey completed to the standard of BS 5837 and for any protection measures identified to be secured via planning conditions. Development resulting in a loss of trees and hedges is resisted but where it is found acceptable a replacement provision will be required.

4.37 Policy NE2 of the emerging VALP states protection and enhancement of biodiversity, geodiversity and the natural environment will be achieved by: securing a net gain in biodiversity on greenfield sites, international important sites and species are to be protected, and development likely to have impact on nationally important sites (SSSIs) will not normally be permitted.

4.38 In consideration of this policy the proposed development is expected to provide a net gain of 11.8% of habitat units and 11.6% of hedgerow units which the ecologist found acceptable. This is to be secured via conditions in addition to the mitigations and recommendations contained within the Ecological Assessment. There are no nationally or internationally important sites likely to be impacted by this development.

4.39 This application is supported by a completed Ecology and Trees Checklist, Ecological Assessment, Review of Biodiversity Net Gain and a Biodiversity metric. These submissions have been reviewed by the council’s ecologist and landscape advisor and no objection has been raised subject to conditions. The site was found to provide a net gain for biodiversity and therefore it is considered the proposed development is in accordance with the policies listed above.

**Sustainability**

- S1 Sustainable Development
- C3 Renewable Energy
- I1 Green Infrastructure
4.40 Policy S1 of the VALP states all development must comply with the principle of sustainable development set out in the NPPF. It also states that when assessing proposals consideration should be given to minimising impacts on biodiversity, providing high quality access through implementation of sustainable modes, providing access to education facilities and meeting the effects of climate change and flooding.

4.41 Policy C3 of the VALP looks to promote energy efficiency, the more sustainable use of natural resources, and the use of renewable energy and looks to reduce overall energy consumption. The policy also encourages the submission of an energy statement and feasibility assessment for district heating (DH) and cooling utilising technologies such as combined heat and power (CHP), including biomass CHP or other low carbon technology for applications above 1000sqm floorspace.

4.42 Policy I1 of the emerging VALP requires where possible development: secures biodiversity mitigation and a gain on greenfield sites, manages flood and water resources, secure details of management and maintenance of green infrastructure for at least 30 years past completion with a view to perpetuity and to enhance the green infrastructure network.

4.43 As previously stated the site is anticipated to provide a net gain in biodiversity and through condition the management of flood and water resources are secured. The proposal utilises renewable energy, provides a rainwater fed rain garden and pond and is shown to achieve a 15% reduction in carbon dioxide emissions from the 2013 Building Regulations Target. In addition, management prescriptions for all habitats for a period of no less than 30 years will be secured by condition.

4.44 The school’s site has extensive provision of cycle and scooter storage and can be considered to by design promote the use of sustainable modes. In support of the application a Sustainability, Environmental and Energy report was submitted and this considered the use of low or zero carbon technologies as part of the proposed development. It was identified that a combination of energy efficient design measures and photovoltaic panels were the most appropriate way to meet sustainability goals. Approximately 55sqm of solar panels are proposed to be placed on the pitched roof of the school. As a result of a number of sustainability measures it is predicted a 15% reduction in carbon emissions from the 2013 Buildings Regulations Target Emissions Rate would be met.

4.45 The scheme is therefore thought to be in accordance with relevant sustainability policies.

5.0 Weighing and balancing of issues / Overall Assessment

5.1 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country
Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

a. Provision of the development plan insofar as they are material,

b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,

c. Any other material considerations

5.2 As set out above it is considered that the proposed development is in broad compliance with the policies mentioned in this report.

5.3 In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

6.0 Working with the applicant and agent

6.1 The applicant / agent sought pre-application advice for the proposed development on two occasions before submitting the application.

6.2 In accordance with paragraph 38 of the NPPF (2019) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

6.3 The Council has worked with the agents in a positive and proactive manner and as appropriate updating agents of any issues that may arise in the processing of the application.

7.0 Recommendation

7.1 Application CC/0024/20 seeks a new two storey 2FE (420 place) primary academy and 52 place nursery with staff car parking including electric charging points, cycle and scooter storage, an off-site drop off area, external play areas comprising a grass playing field, trim trail, multi-use-games-area (MUGA), hard and soft play areas, habitat area and forest school, associated landscaping and external works.

7.2 It is recommended, subject to the approval of planning application 19/02983/ADP the Strategic Sites Committee INDICATE SUPPORT for application CC/0024/20 noting the proposed conditions as set out in Section 8.0 of this report and DELEGATES AUTHORITY to the Service Director for Planning and Environment to grant consent subject to detailed conditions to be finalised.
8.0 **Suggested Conditions and Informatives:**

**Kingsbrook School CC/0024/20 Draft Conditions**

**General**

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

   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).

2. The development and materials to be used in the construction of the external surfaces of the extension/buildings(s) hereby permitted shall not be other than those specified on the approved plans as below:

   - Drawing no: DN376104-AHR-ZZ-ZZ-DR-L-0201-S2-P01 Site Location Plan
   - Drawing no: DN376104-AHR-ZZ-ZZ-DR-L-0001-S1-P10 Landscape GA
   - Drawing no: DN376104-AHR-ZZ-01-DR-A-2021-S2-P01 GA First Floor Plan
   - Drawing no: DN376104-AHR-ZZ-GF-DR-A-2020-S2-P01 GA Ground Floor Plan
   - Drawing no: DN376104-AHR-ZZ-EL-DR-A-2020-S2-P01 GA Elevations
   - Drawing no: DN376104-AHR-ZZ-GF-DR-A-2052-S2-P02 Bin Store Plans, Sections and Elevations
   - Drawing no: DN376104-AHR-ZZ-SX-DR-A-2021-S2-P01 GA Sections
   - Drawing no: DN376104-AHR-ZZ-ZZ-DR-L-0002-S1-P05 BB103 Area Schedule
   - Drawing no: DN376104-AHR-ZZ-ZZ-DR-L-0003-S1-P08 Landscape GA 1-500
   - Drawing no: DN376104-AHR-ZZ-ZZ-DR-L-0004-S1-P08 Landscape Fencing GA
   - Drawing no: DN376104-AHR-ZZ-ZZ-DR-L-0005-S1-P07 Landscape Furniture GA
   - Drawing no: DN376104-AHR-ZZ-ZZ-DR-L-0006-S1-P06 Hard Landscape GA
   - Drawing no: DN376104-AHR-ZZ-ZZ-DR-L-0007-S1-P06 Soft Landscape and Biodiversity Enhancement GA
   - Drawing no: DN376104-AHR-ZZ-ZZ-DR-L-0081-S1-P06 Pedestrian Access Strategy
   - Drawing no: DN376104-AHR-ZZ-ZZ-DR-L-0082-S1-P06 Vehicle Access Strategy
   - Drawing no: DN376104-AHR-ZZ-SX-DR-L-0101-S1-P06 Landscape Sections
   - Drawing no: DN376104-AHR-ZZ-ZZ-SH-L-0101-S1-P06 Landscape Maintenance Schedule 1 of 2
Pre-commencement

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Details regarding the re-profiling of the land to ensure that flood risk is not increased as a result of the proposed development,
- Inclusion of permeable paving throughout the development to provide attenuation where viable,
- Details of maintenance access and ventilation for the attenuation tanks where applicable,
- Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components; the connectivity of the full drainage network shall be provided,
- Details of the drainage layout including two rain gardens, permeable areas for the sports pitches and soft play areas and a green roof for the bin store,
- Consideration of rainwater re-use components, active or passive, with justification for their exclusion where necessary,
- Existing discharge rates and volumes,
- Water quality assessment demonstrating that the total pollution mitigation index equals or exceeds the pollution hazard index with priority given to above ground SuDS components,
- Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 year storm event without flooding and that any on site flooding between the 1 in 30 and the 1 in 100 year plus climate change storm event can be safely contained on site,
- Flotation calculations based on the worst case scenario of groundwater at surface level,
- Details of proposed overland flood flow routes (including flow depth, volume and direction) in the event of system exceedance or...
failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites,

- Full construction details of all SuDS and drainage components,
- Maintenance/management plan for the construction phase of the development, with details of who will be responsible for this.

Reason: The reason for this pre-commencement condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with Paragraph 163 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk and in accordance with Policies GP.8 and GP.35 of the Aylesbury Vale District Local Plan.

4. Before any construction works hereby approved are commenced, a Construction Environment Management Plan (CEMP) and Habitat Management Plan (HMP) detailing, in full, measures to protect existing habitat during construction works and the formation of new habitat to secure a habitat compensation and biodiversity net gain of no less than 0.59 Habitat Units (11.80% net change) and 0.31 Hedgerow Units (11.59% net change), shall be submitted to and approved in writing by the Local Planning Authority. Within the CEMP/HMP document the following information shall be provided:
   a. Current soil conditions of any areas designated for habitat creation and detailing of what conditioning must occur to the soil prior to the commencement of habitat creation works (for example, lowering of soil pH via application of elemental sulphur);
   b. Descriptions and mapping of all exclusion zones (both vehicular and for storage of materials) to be enforced during construction to avoid any unnecessary soil compaction on area to be utilised for habitat creation;
   c. Details of both species composition and abundance where planting is to occur;
   d. Proposed management prescriptions for all habitats for a period of no less than 30 years
   e. Assurances of achievability;
   f. Timetable of delivery for all habitats; and
   g. A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feedback mechanism by which the management prescriptions can be amended should the monitoring deem it necessary.

All ecological monitoring and all recommendations for the maintenance/amendment of future management shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken and thereafter maintained in accordance with the approved CEMP and HMP.

Reason: To ensure that the landscape and biodiversity value of the site does not decline as a result of the development in accordance with policies GP.38 and GP.39 of the Aylesbury Vale District Local Plan.
5. Tree protection measures outlined within the Arboriculture Impact Assessment (Dated 17th July 2020) shall be implemented prior to commencement of construction and thereafter maintained for the construction period.

Reason: To ensure that existing trees and hedges are protected from any damage in accordance with policies GP.8 and GP.38 of the Aylesbury Vale District Local Plan.

Pre-occupation and Development Phase Conditions

6. The development shall not be occupied until the pedestrian and vehicular accesses have been built in accordance with the approved drawings and constructed in accordance with Buckinghamshire County Council’s guide note “Commercial Vehicular Access within the Public Highway”. The development shall not be occupied until vehicle access is finished to base course with suitable and safe access for pupils and staff. Within 18 months of occupation the road surface shall be completed to final finished road surface.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development in accordance with policies GP.8, GP.24 and GP.95 of the Aylesbury Vale District Local Plan.

7. The development shall be implemented in accordance with the approved Ecological Assessment Final REVC (Southern Ecological Solutions, 03.07.2020). Any variation to the approved plan shall be agreed in writing with the local planning authority before such change is made. The condition will be considered discharged following the submission of a written statement demonstrating the approved scheme has been implemented to the Local Planning Authority for approval.

Reason: To ensure that the landscape and biodiversity value of the site does not decline as a result of the development in accordance with policies GP.38 and GP.39 of the Aylesbury Vale District Local Plan.

8. The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.
Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway in accordance with policies GP.8, GP.24 and GP.95 of the Aylesbury Vale District Local Plan.

9. Prior to the occupation of the development, details of the school delivery loading / unloading scheme shall be submitted to and approved in writing by the Local Planning Authority, and activities associated with the use hereby permitted within this application shall not be brought into operation until the approved scheme has been laid out.

Reason: To enable large vehicles to draw off, park, load / unload and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway in accordance with policies GP.8, GP.24 and GP.95 of the Aylesbury Vale District Local Plan.

10. Prior to the occupation of the development the playing field/s and pitch/es shall be constructed and laid out in accordance with Drawing no. DN376104-AHR-ZZ-ZZ-DR-L-0001 and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011),

Reason: To ensure the quality of pitches is satisfactory and they are available for use at the time the school is occupied in accordance with policy GP.35 of the Aylesbury Vale District Local Plan.

11. During the construction phase the provisions of the Construction Phase Health and Safety Plan (CPHSP) shall be adhered to.

Reason: To minimise danger and inconvenience to users of the adjoining highway in accordance with policies GP.8, GP.24 and GP.95 of the Aylesbury Vale District Local Plan.

12. Prior to the occupation of the development a whole-life maintenance plan for the site shall be submitted to and approved in writing by the Local Planning Authority. The plan shall set out how and when to maintain the full drainage system including a maintenance schedule for each drainage/SuDS component, with details of who is to be responsible for carrying out the maintenance. The plan shall also include as-built drawings and/or photographic evidence of the drainage
scheme carried out by a suitably qualified person. The plan shall subsequently be implemented in accordance with the approved details.

Reason: The reason for this prior occupation condition is to ensure that arrangements have been arranged and agreed for the long term maintenance of the drainage system as required under Paragraph 165 of the NPPF.

13. Within 6 months of the occupation of the development hereby permitted, a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include a full analysis of the existing modal split for staff and pupils at the school and detailed proposals for future transport provision, with the aim of securing no increase in the number of car movements generated on the school journey. In the event of an increase in the number of car movements, the school shall undertake measures, which will have previously been identified in the travel plan, as are necessary to promote a reduction in the number of car borne trips. The approved plan shall be reviewed and updated and the revised version submitted annually at the end of each academic year for written approval by the Local Planning Authority.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway (National Planning Policy Framework). Also in order to promote sustainable methods of travel, to minimise danger, obstruction and inconvenience to users of the highway and in accordance with policies in accordance with policies GP.8, GP.24 and GP.95 of the Aylesbury Vale District Local Plan.

Ongoing Conditions

14. The development hereby permitted shall not be used other than between 7am and 10pm Monday to Saturday and 8am and 6pm Sunday.

Reason: In the interests of the amenities of the area and to comply with policies in accordance with policies GP.8 and GP.95 of the Aylesbury Vale District Local Plan.

15. No lighting with the exception of low level security lighting shall be used between the hours of 10 pm to 7 am Mondays to Saturdays, 6 pm Saturday evenings to 8 am Sundays and 6 pm Sundays to 7 am Mondays.

Reason: To protect the amenity of local residents in accordance with policies GP.8 and GP.95 of the Aylesbury Vale District Local Plan.
16. The use of external sports areas shall not occur between the hours of 9 pm to 7 am Mondays to Saturdays, 6 pm Saturday evenings to 8 am Sundays and 6 pm Sundays to 7 am Mondays.

Reason: To protect the amenity of local residents in accordance with policies GP.8 and GP.95 of the Aylesbury Vale District Local Plan.

17. Notwithstanding the provisions of Part 2 of the Second Schedule to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no gates, fences, walls or other means of enclosure other than those shown on the approved plan shall be erected along the site frontage within 6 metres of the edge of the carriageway.

Reason: To enable vehicles to draw off clear of the highway for the safety, convenience of the highway users and to maintain the appearance of the public square in accordance with policies GP.8 and GP.95 of the Aylesbury Vale District Local Plan.

Informatives

• The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding, skip or any other device or apparatus for which a licence must be sought from the Highway Authority. A period of 10 days must be allowed for the issuing of the licence, please contact Transport for Buckinghamshire at the following address for further information.

Transport for Buckinghamshire (Streetworks)
10th Floor, Walton Street Offices,
Walton Street, Aylesbury,
Buckinghamshire,
HP20 1UY
Tel: 01296 382 416

• The applicant is advised that a licence 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 period of 28 days must be allowed for the issuing of the licence, please contact Transport for Buckinghamshire at the following address for information.

Transport for Buckinghamshire (Streetworks)
The applicant is advised that the access will have to be constructed under a section 278 of the Highways Act legal agreement. This 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 8 weeks is required to draw up the agreement following the receipt by the Highway Authority of a completed Section 278 application form. Please contact Highways Development Management at the following address for information:

Highways Development Management (Delivery Team)
Buckinghamshire Council
6th Floor, Walton Street Offices,
Walton Street, Aylesbury,
Buckinghamshire
HP20 1UY
Email: highwaysdm@buckinghamshire.gov.uk

- 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.

- Thames Water will aim to provide customers with a minimum pressure of 10m head (approximately 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
APPENDIX A: Consultation Responses and Representations

Councillor Comments

Cllr Michael Collins– No comment received
Cllr Allison Harrison– No comment received
Cllr Carole Paternoster– No comment received
Cllr Mary Stamp – No comment received
Cllr Julie Ward – No comment received
Cllr Bill Chapple OBE – No comment received

Parish/Town Council Comments

Bierton with Broughton Parish Council – No comment received

Consultation Responses

Highways Development Management - The Highway Authority has no objection to the proposed development subject to conditions.

Jacobs Landscape – The revised application documents are considered satisfactory in landscape and arboricultural terms.

Lead Local Flood Authority - The LLFA has no objection to the proposed development subject to conditions (Currently being reconsulted).

Ecology – No objection subject to conditions.

Crime Prevention for Aylesbury– No comment received

Sports England – Offers support for the application as it is considered to meet objectives to provide new facilities to meet demand. Two conditions are suggested by Sports England to be attached.

Buckinghamshire Fire and Rescue Service– No comment received

Thames Water – On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Natural England – Natural England has no comments to make on this application

BC Sustainability / Energy Team – No comment received

AV Planning Area Landscape – No comment received

Safer Routes to School – No objections, add one condition

AV Design and Conservation Team – No comment received
AV Environmental Health Officer – No objections from an environmental health point of view

Environment Agency – Do not wish to be consulted on this application.

Representations

No representations have been received in support or objection to the proposed development.
Appendix C Submission List:

- DN376104-AHR-ZZ-ZZ-DR-L-0201-S2-P01 Site Location Plan
- DN376104-AHR-ZZ-ZZ-DR-L-0001-S1-P10 Landscape GA
- DN376104-AHR-ZZ-01-DR-A-2021-S2-P01 GA First Floor Plan
- DN376104-AHR-ZZ-GF-DR-A-2020-S2-P01 GA Ground Floor Plan
- DN376104-AHR-ZZ-EL-DR-A-2020-S2-P01 GA Elevations
- DN376104-AHR-ZZ-GF-DR-A-2052-S2-P02 Bin Store Plans, Sections and Elevations
- DN376104-AHR-ZZ-SX-DR-A-2021-S2-P01 GA Sections
- DN376104-AHR-ZZ-ZZ-DR-L-0002-S1-P05 BB103 Area Schedule
- DN376104-AHR-ZZ-ZZ-DR-L-0003-S1-P08 Landscape GA 1-500
- DN376104-AHR-ZZ-ZZ-DR-L-0004-S1-P08 Landscape Fencing GA
- DN376104-AHR-ZZ-ZZ-DR-L-0005-S1-P07 Landscape Furniture GA
- DN376104-AHR-ZZ-ZZ-DR-L-0006-S1-P06 Hard Landscape GA
- DN376104-AHR-ZZ-ZZ-DR-L-0007-S1-P06 Soft Landscape and Biodiversity Enhancement GA
- DN376104-AHR-ZZ-ZZ-DR-L-0081-S1-P06 Pedestrian Access Strategy
- DN376104-AHR-ZZ-ZZ-DR-L-0082-S1-P06 Vehicle Access Strategy
- DN376104-AHR-ZZ-SX-DR-L-0101-S1-P06 Landscape Sections
- DN376104-AHR-ZZ-ZZ-SH-L-0101-S1-P06 Landscape Maintenance Schedule 1 of 2
- DN376104-AHR-ZZ-ZZ-SH-L-0102-S1-P04 Landscape Maintenance Schedule 2 of 2
- DN376104-AHR-ZZ-ZZ-VS-A-0005-S2-P01 Artists Impression Entrance View
- DN376104-AHR-ZZ-ZZ-VS-A-0006-S2-P01 Artists Impression East Elevation
- DN376104-AHR-ZZ-ZZ-VS-A-0007-S2-P01 Artists Impression West Elevation
- DN376104-AHR-ZZ-ZZ-VS-A-0008-S2-P01 Artists Impression Play Area
- DN376104-AHR-ZZ-ZZ-VS-A-0009-S2-P01 Artists Impression Birds Eye View
- DN376104-AHR-ZZ-ZZ-VS-A-0010-S2-P01 Artists Impression Birds Eye View 2
- DN376104-BCAL-XX-XX-DR-C-0501-P1 Wildlife Pond
- Vehicle Tracking - Refuse Vehicle - Staff Car Park
- Acoustic Strategy
- Arboricultural Impact Assessment Dated 17th July 2020
- Archaeological Assessment Report Dated March 2019
- Archaeological Field Evaluation Dated February 2020
- Defra Biodiversity Metric 2.0 Rev A
- Network Calculations - DN376104-BCAL-XX-XX-CA-C-0001-SW
- Drainage Layout 1 of 2 DN376104-BCAL-XX-XX-DR-C-0500-P6
- Drainage Layout 2 of 2 DN376104-BCAL-XX-XX-DR-C-0501-P5
- External Levels 2 of 2 DN376104-BCAL-XX-XX-DR-C-0601-P3
- External Finishes 1 of 2 DN376104-BCAL-XX-XX-DR-C-0700-P2
- External Finishes 2 of 2 DN376104-BCAL-XX-XX-DR-C-0701-P2
- Kingsbrook Surface Water Storage Volume Estimation
- Construction Phase Health and Safety Plan
- Covering Letter
- Ecological Assessment Rev C
- External Lighting Impact Study Report
- Ecology and Trees Checklist
- Flood Risk Assessment
- Kingsbrook Net Gain Review Rev A
- Phase 2 Geoenvironmental Report
- Planning Statement
- Maintenance Plan for Construction Phase
- Design, Maintenance and Demolition Statement
- Review of Biodiversity Net Gain
- School Site Level Survey
- Sustainability, Environmental and Energy Report
- Transport Strategy
- Travel Plan