



## Report to Strategic Sites Planning Committee

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<b>Application Number:</b>	20/04007/APP
<b>Proposal:</b>	Development of a new two and three storey 6FE (1080 place) secondary school including a 32 place Special Educational Needs (SEN) Unit, two vehicle access points and pedestrian/cycle access point onto the approved road to the east, maintenance access from Burcott Lane, staff car parking including electric charging points, cycle storage, sports hall, canopies, pavilion, playing pitches, all-weather pitch, multi-use-games-area (MUGA), external bin and sports equipment storage and associated landscaping and external works
<b>Site Location:</b>	Kingsbrook Secondary School Land East of Aylesbury, Broughton Crossing, Bierton
<b>Applicant:</b>	Buckinghamshire Council
<b>Case Officer:</b>	Sue Pilcher
<b>Ward(s) affected:</b>	Aston Clinton and Bierton
<b>Parish Council:</b>	Kingsbrook
<b>Date valid application received:</b>	30 <sup>th</sup> November 2020
<b>Statutory determination date:</b>	25 <sup>th</sup> January 2021
<b>Recommendation</b>	It is recommended that permission be delegated to the Service Director for Planning and Environment subject to the draft conditions as set out in the recommendation and any amendments as required by Officers following receipt of final consultee comments.

## 1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The proposed development is for a new two and three storey 6FE (1080 place) secondary school including a 32 place Special Educational Needs (SEN) Unit, two vehicle access points and pedestrian/cycle access point onto the approved road to the east, maintenance access from Burcott Lane, staff car parking including electric charging points, cycle storage, sports hall, canopies, pavilion, playing pitches, all-weather pitch, multi-use-games-area (MUGA), external bin and sports equipment storage and associated landscaping and external works
- 1.2 The application, submitted by Buckinghamshire Council, is reported for determination by the Strategic Sites Committee in line with the Buckinghamshire Council Constitution and Planning Protocol.
- 1.3 Special regard has been given to the desirability of preserving the setting of listed buildings as required in the statutory tests contained in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. With regard to the listed buildings and their settings it is considered that the impact of the built form itself, would preserve and not harm the setting of the listed buildings. There is therefore no clear reason to refuse permission on this basis.
- 1.4 The scheme has also been considered acceptable with mitigation in terms of its impact to achieving well-designed places, promoting sustainable transport, meeting the challenge of climate change and flooding, archaeology and conserving and enhancing the natural environment (including trees and ecology), sustainable development, residential amenity and landscape, however these do not represent benefits of the scheme but rather demonstrate an absence of harm.
- 1.5 In addition, there would be considerable benefits from investment in construction and the local economy.
- 1.6 It is recommended that permission be **GRANTED** subject to conditions as set out later in the recommendation section in this report.

## 2.0 Description of Proposed Development

- 2.1 The application seeks consent for the development of a new two and three storey 6 form entry (1080 place) secondary school for pupils aged 11-18 (900 pupils, 180 post age 16) including a 32 place Special Educational Needs (SEN) Unit for children with a SEMH (Social, Emotional and Mental Health) designation. The school is programmed to open in September 2022 with a 6 form entry (FE) intake of Year 7 pupils, rising over time to its full capacity to serve the demand arising from the Kingsbrook development. Whilst there is a current need for a 6FE school only, the site offers the option to expand at a later date. The building has therefore been futureproofed to expand in stages from 6FE, to 8FE and up to 10FE should demand necessitate the provision of additional places. The school will employ approximately 100 members of staff. The school will be a free school and will be run by the local authority and Department for Education approved sponsor and pupil applications to the school will be dealt with by Buckinghamshire Council through the normal admissions process.

- 2.2 Buckinghamshire Council's SEN (Special Educational Needs) Department requested that a SEN Unit be included within the new school plans to meet the needs of pupils in the area. The SEN Unit will cater for 32 students. SEN Units are local Authority commissioned special provisions within a mainstream school where the children are taught mainly within separate classes. The teachers will be based within the SEN Unit to deliver the teaching. The School/SEN Unit has the potential to become a hub and to provide outreach support to others. The SEN unit is located close to the main visitor's entrance car park for easy access for external organisations etc. Most students attending the SEN unit will arrive by taxi.
- 2.3 The site is located to the north-west area of the Kingsbrook development area. The sites topography is relatively flat with a 2.5m level change running from east to west and a 1.5m level change running north to south with the highest part of the site along the eastern boundary. The school site is an irregular shape bounded by the Burcott Lane to the north and a new access road under construction to the east, along with residential development. To the west of the site is Burcott Lodge Farm which contains a number of mainly industrial units and beyond this are sports fields currently under construction which form part of the Kingsbrook development. To the south a green corridor is proposed as part of the wider Kingsbrook development along the old railway line (continuing on from Railway Park), beyond this is the electricity substation and residential development.
- 2.4 Vehicular access will be taken via two points utilising an in and out system from the road to the east of the site. This road has been approved under reserved matters application reference 15/01767/ ADP (Village 4, Orchard Green) and forms an extension to the approved bus link road. The scheme includes car parking for staff (including disabled spaces, mini bus spaces, coach parking and electric charging points). Cycle storage, motorcycle parking and drop off areas are also proposed.
- 2.5 Proposed external areas comprise grass sports pitches, an all weather pitch, a multi-use-games-area (MUGA), trim trail, horticultural area and other ancillary open spaces for the use of the school. The development is accompanied by a detailed soft landscaping scheme with planting choices aimed to also maximise benefits for wildlife.
- 2.6 The proposed school building comprises a three storey main block with two storey finger block extensions, which would be flat roofed. The applicants intend that the scale of the school building sets it apart from surrounding development, but the location of the building on the site has been developed to respond to the landscape impact assessment which has been undertaken from key views whilst also working from a practical requirement perspective for the school. Proposed external materials include a mix of buff and blue/grey bricks, along with bronze and copper effect metal cladding for the elevations and some of the flat roofs would have sedum green roofs.
- 2.7 The proposed internal layout of the building has been designed to meet the requirements of the Department for Education. The library, main hall, sports hall and kitchen are located on the ground floor. The first and second floors are composed predominantly of classrooms, staff offices, meeting rooms and ancillary spaces. The buildings are designed to

be highly energy efficient and low carbon and include a variety of sustainable proposals such as PVs on the roof, green roofs and air source heating.

- 2.8 The building facilities and grounds will be available for hire outside of school hours for the benefit of the local community. The precise school opening hours and community use will be decided by the sponsor but will be within those requested within the application as between 7am and 10pm Monday to Saturday and 8am and 6pm Sunday.
- 2.9 An Environmental Impact Assessment (EIA) was undertaken for the outline application and two new primary schools were included within this assessment. In dealing with subsequent applications where environmental information was previously provided, further screening is required to assess if the information already before the local planning authority is adequate to assess the environmental effects of the development, or if further information is required. Accordingly, the application is accompanied by a screening request under The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Officers have concluded that, having reviewed the detail, that an EIA is not required.
- 2.10 There are no Public Rights of Way (PRoW) through the application site itself but there is a public footpath to the west (BWB/9/1) between the site and the units comprising Burcott Lodge Farm and one to the east (BWB/8/1) linking Gib Lane and the residential element of Kingsbrook coming forward as part of village 4.
- 2.11 The site does not form part of a conservation area nor is it adjacent to one. There are no listed buildings within the site but on the northern side of Burcott Lane, no. 94 is a grade II listed farmhouse with a detached barn. Part of the site to the north-east is within an archaeological notification site. The site is within the Hulcott Vale Landscape Character Area. There are existing mature hedgerows and trees within the site and to its boundaries.
- 2.12 Following the original submission of the application, discussions have taken place between Officers and the applicants to address, in particular, consultee concerns regarding the loss of trees, the impact on ecology and wildlife and flooding. Subsequently amended plans and updated reports have been submitted to address these matters which have resulted in the retention of trees T60, located to the north eastern corner of the site, and T56 located towards the centre. In order to accommodate the changes the all-weather pitch, rugby pitch, the long jump and cricket net have been repositioned and amendments to the nearby internal pedestrian paths were also required. In addition to the tree planting already proposed for the site, additional black poplars will also be planted.

### **3.0 Relevant Planning History**

- 3.1 10/02649/AOP - New urban extension comprising 2450 homes, 10ha employment land, neighbourhood centre, two primary schools, construction of eastern link road (part) and the Stocklake link road (rural section), green infrastructure, associates community facilities and support infrastructure including expanded electricity sub station and flood defences – Approved

- 3.2 14/03486/ADP - Approval of reserved matters pursuant to outline permission 10/02649/AOP relating to appearance landscaping, layout and scale for village 2 (including all mitigation land) comprising the development of 492 residential units, community facilities, associated landscaping and public open space, internal access and infrastructure - Details approved
- 3.3 14/03487/ADP - Approval of reserved matters pursuant to outline permission 10/02649/AOP relating to appearance landscaping, layout and scale for the road infrastructure to serve village 2 (excluding Section 278 highways works) - Details approved
- 3.4 15/01767/ADP - Approval of second reserved matters pursuant to planning permission 10/02649/AOP relating to Village 4 (including all mitigation land) comprising the residential development of 861 dwellings, community facilities, public open space, SuDS, mitigation land, electricity substation and associated infrastructure to serve - Details approved
- 3.5 15/01768/ADP - Approval of second reserved matters pursuant to planning permission 10/02649/AOP relating to the Eastern Link Road (part) comprising the extent of the Eastern Link Road to serve Village 4 between the S278 works Junction with A418 not included within the application site) to the roundabout serving the employment land – Details approved
- 3.6 15/03462/APP - Erection of Community Hall and Day Nursery in Village 2 pursuant to outline planning permission 10/02649/AOP and reserved matters planning permission 14/03486/ADP – Approved
- 3.7 16/01486/APP - Variation of condition 2 to revise the approved parameter plans as previously approved under planning permission 10/02649/AOP for a new urban extension comprising 2450 homes, 10ha employment land, neighbourhood centre, two primary schools, construction of eastern link road (part) and the Stocklake link road (rural section), green infrastructure, associated community facilities and support infrastructure including expanded electricity sub station and flood defences – Approved
- 3.8 16/01487/ADP - Approval of reserved matters pursuant to planning permission 10/02649/AOP relating to the bus link road between Village 2, Village 4 and the second serviced primary school site - Details approved
- 3.9 17/03061/APP - Variation of Conditions 1 m (Development Framework Plan), 1 q (Play Strategy drawing) and 2 d (Parameter Plan -Green Infrastructure) relating to outline permission 10/02649/A – Approved
- 3.10 18/01153/ADP - Approval of reserved matters pursuant to outline permission 10/02649/AOP relating to 228 new homes as part of village 3 to the Kingsbrook development plus associated infrastructure including a further section of the Stocklake link road – Details approved
- 3.11 19/01732/ADP - Application for reserve matters pursuant to outline planning permission 10/02649/AOP relating to access, appearance, landscaping, scale and layout for the erection of 383 dwellings and associated infrastructure – Approved.
- 3.12 19/04426/ADP - Application for reserve matters pursuant to outline planning permission 10/02649/AOP relating to access, appearance, landscaping, scale and layout for the erection

of 164 homes and associated infrastructure as part of sub phases 3.6, 3.7, 3.8 and 3.9 of Village 3 Kingsbrook – Approved.

- 3.13 19/04204/ADP - Reserved matter details for playing field provision and pavilion with car parking. Details pursuant to outline planning permission 10/02649/AOP (as modified by variation of condition permission 17/03061/APP) – Details approved.
- 3.14 19/02983/ADP - Reserved matters approval for 110 dwellings; retail and community facilities including health centre, community centre, day nursery and associated infrastructure. To meet condition 3 of outline planning permission 10/02649/AOP (as modified by variation of conditions approval 17/03061/APP and dated 20th March 2018) – Approved.
- 3.15 19/04426/ADP - Application for reserve matters pursuant to outline planning permission 10/02649/AOP relating to access, appearance, landscaping, scale and layout for the erection of 164 homes and associated infrastructure as part of sub phases 3.6, 3.7, 3.8 and 3.9 of Village 3 Kingsbrook: Approved.
- 3.16 20/00740/ADP - Application for reserved matters pursuant to outline planning permission 10/02649/AOP relating to access, appearance, landscaping, scale and layout for Kingsbrook Village 3 sub phase 3.3; allied green infrastructure; eastern link road; employment park and strategic landscaping – Approved.
- 3.17 CC/0024/20 - 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. – Approved. This primary school is under construction and is located adjacent to Village 3.

#### **4.0 Representations**

- 4.1 Bierton with Broughton Parish Council has objected on grounds relating to the impact on flooding, on Black Poplars and other trees and on accessibility/footpaths amongst other matters. The full responses of the Parish Council and Aylesbury Town Council are set out in Appendix A.
- 4.2 1 representation has been received commenting on hedgerow retention and the access to Burcott Lane and wishing this to remain closed for general use. An objection has been received from the Broughton Crossing Residents Association. These representations have been clearly set out in detail below in Appendix A, but the key concerns are impact on trees and Black Poplars, impact on habitats and protected species, mitigation is insufficient, visual impact of lighting and the development would urbanise the area.

## 5.0 Policy Considerations and Evaluation

- 5.1 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.

### *Development Plan:*

Aylesbury Vale District Local Plan 2004 (AVDLP). The report will identify where policies are not consistent with the NPPF and the weight to be afforded if the policy does not attract full weight.

### *Other material considerations:*

- National Planning Policy Framework (NPPF) 2019
- Planning Practice Guidance (PPG)
- Emerging Vale of Aylesbury Local Plan (2013-2033)
- Aylesbury Garden Town Masterplan July 2020
- Aylesbury Transport Model 2017

- 5.2 The draft Vale of Aylesbury Local Plan (2013-2033) (VALP) is now at an advanced stage and weight can be given to the relevant policies in the plan in accordance with the NPPF. The overall approach as a guide is:

- **Limited weight:** if there is a new and untested policy introduced by a main modification and subject to consultation.
- **Moderate weight:** where there are objections and the Inspector has requested main modifications and therefore objections can be regarded as being “resolved”. The context being that the Inspector has considered the proposed modifications and in agreeing them for consultation, has confirmed that he is reasonably satisfied that they remedy the points of unsoundness identified in the examination process so far (as set out in Inspector’s note ED185).
- **Considerable weight:** where there are objections but the Inspector has not requested main modifications (and as such the policy will not be changed in a material way) and the objections can therefore be regarded as being “resolved”.
- **Significant weight:** where there are no objections and no modifications. These policies are not going to be changed and the next step will be adoption and very significant weight.

The report will identify the weight to be given to the relevant emerging policies.

- 5.3 Bierton with Broughton Parish Council has resolved to develop a Neighbourhood Plan and have identified an area to be covered by the neighbourhood plan which includes the Kingsbrook area and the application site. It has been noted that since the area was identified Kingsbrook now has its own Parish area (as does Broughton Hamlet Parish). However, the originally designated Neighbourhood Area still stands for the purpose of the Bierton with Broughton Neighbourhood Plan. The Plan commenced a six week ‘Pre Submission’

consultation period on Monday, 2<sup>nd</sup> November which ran until Sunday 13<sup>th</sup> December 2020 (Regulation 14). Buckinghamshire Council have provided some suggestions to help improve the neighbourhood plan to ensure that it meets the basic conditions and reduces scrutiny at the examination stage. No further update is available and at the current time the Bierton with Broughton Neighbourhood Plan carries no weight in the decision making process.

## Principle of Development

5.4 Aylesbury Vale District Local Plan saved policies: GP35 (Design of new development proposals).

Emerging Vale of Aylesbury District Local Plan (VALP): S1 (Sustainable development for Aylesbury Vale) (*considerable weight*); S2 (Spatial strategy for growth) (*moderate weight*), D1 (Delivering Aylesbury Garden Town), D-AGT6 (Kingsbrook), T1 (Delivering the sustainable transport vision) (*moderate weight*); Policy T2 (Supporting and protecting transport schemes), T3 (Supporting local transport schemes) (*moderate weight*) and BE2 (Design of new development) (*moderate weight*).

CLG Letter to Chief Planners

5.5 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:

"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."

5.6 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.

- 5.7 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.
- 5.8 The applicants have commented that in Aylesbury town the most recent population figures indicate the need to provide at least an additional 6 forms of entry by 2022, based on current migration trends/existing house build rates, parental choice (i.e. grammar, independent and out county schools) and planned admission numbers. The scale of growth indicates the need to provide the additional secondary school places in the form of a new school rather than trying to expand existing schools as many schools are at the limits of their sites or for educational reasons do not want to grow. Equally, the scale of growth is beyond that which could be accommodated via expansion of existing provision. The new St Michaels Catholic School (Aylesbury Campus) will address the pressure on places up to 2020, however, beyond that a further school will be required.
- 5.9 Whilst being a full application, the application site forms part of the Kingsbrook development, a strategic urban extension located to the east of Aylesbury which was granted outline planning permission in December 2013 (application reference 10/02649/AOP). As part of the infrastructure package to support the urban expansion, the application site was designated in the Illustrative Masterplan approved under the outline consent as being reserved for the provision of a secondary school. Subsequently a Section 106 agreement was signed which allowed for the release of the land for a secondary school. Whilst the approved outline plans also indicated the provision of allotments to the west of the site, these will not come forward in this location and have been shown to be provided elsewhere as part of Village 4.
- 5.10 Having regard to the above matters, it is considered that the principle of the development is acceptable and there is a need to provide this facility and the proposal is in compliance with the NPPF and development plan policies.

### **Transport Matters and parking**

Emerging VALP policies D-AGT6 (Kingsbrook), T1 (Delivering the sustainable transport vision); T5 (Delivering transport in new development) (all preceding have *moderate weight*)

- 5.11 The NPPF seeks to promote sustainable transport and the transport policies from the emerging VALP are in accordance with this aim. In addition 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, including walking and cycling. The

Kingsbrook development is a significant development and the provision of the secondary school was identified in the outline permission. It is accepted that there is an element of parental choice in terms of looking at where pupils would come from, however, the majority of school pupils would be anticipated to be from the Kingsbrook development.

- 5.12 The outline permission for Kingsbrook included consideration of the traffic impact of the provision of a secondary school and two primary schools and therefore the principle of such provision has been previously deemed acceptable and the siting of the secondary school is in the location anticipated by the illustrative plans accompanying the outline application. The application is accompanied by a Transport Statement and a school travel plan.

Access points:

- 5.13 With regards to the main vehicular access points, the applicant has worked alongside the Highway Authority to ensure that this layout is satisfactory from a highways safety perspective. It is considered that the proposed entrance and exit points which adjoin the highway are of sufficient width to accommodate the vehicle movements associated with the proposed development. Additionally, visibility splays for the main access points are considered to be acceptable.
- 5.14 Vehicle tracking analysis has been provided to confirm the layout can satisfactorily accommodate the parking and vehicle types that will access the secondary school.
- 5.15 A proposed maintenance access will be provided to the south east corner of the main access points from the new estate road currently under construction. The maintenance access will be provided with a security gate spaced at least 6m from the edge of the new estate road to the east. It is likely that service vehicles would infrequently visit the site to maintain the external plant area and equipment associated with the school. A maintenance access is also proposed onto Burcott Lane and the applicants advise that this will also be used on a very infrequent basis for playing field maintenance and will also be provided with a security gate which can be controlled from the school. The management team at the school will co-ordinate and schedule maintenance visits outside of the school peak arrival/departure periods; typically between 0800-0900 and 1500-1600. There will be no ability for school staff, students or visitors to use these maintenance points of access. Whilst the submitted details do not contain any visibility splays or tracking information for the maintenance access, the Highways Officer is satisfied that the track is wide enough for the proposed movements. Furthermore, whilst the drawing does not show the full western visibility splay (ending at around 36m) it is not envisaged that there would be any unacceptable issue with the remaining 8m. As noted by Bierton with Broughton Parish Council, Burcott Lane is subject to speed and is narrow in places with bends in the road limiting visibility. The applicants have confirmed that the maintenance access off Burcott Lane would only be used for maintenance access and it is considered reasonable to impose a planning condition to ensure that this is the case.

Walking and cycling

- 5.16 The development proposes a landscaped pedestrian and cycle access point in the south east corner of the site which would be separate from the proposed vehicular access points. The closest PRow to the proposed secondary school is located along the western boundary of the site; PRow BWB/9/1 connecting Bierton with Broughton. The proposed green corridor and future footway/cycleway running along the southern boundary and outside of the site connects with PRow BWB/9/1. The school site is centrally located to the residential areas of the Kingsbrook development and therefore pupils could access the site both by walking and cycling and also through the use of public transport as the main access is along a bus route, with a bus stop in the vicinity of the site entrance.
- 5.17 Within the site provision is made for covered cycle storage comprising 324 spaces in two areas of the site, a smaller storage area (36 no. capacity) to the north adjacent to the SEN building and a larger capacity store (288 no. capacity) to the southern boundary. The current standards within AVDLP for schools states that the amount of cycle parking will need to be decided on merit. Within the emerging VALP 1 cycle space per 20 full time staff and students would be required resulting in a need for 61 spaces. Whilst the level of provision indicated is far in excess of this, having regard to encouraging the use of non-car modes of transport to the site, the level of provision is considered to be acceptable.

#### Parking

- 5.18 The proposed parking provision would be as follows:
- 114 car spaces inc visitor parking
  - 6 disabled spaces
  - 2 mini bus spaces
  - 2 dedicated coach parking spaces
  - 324 cycle spaces (plus space for future expansion to suit demand)
  - 4 Motorcycle parking spaces
  - 6 drop-off bays
  - 1 delivery bay
  - 12 of the car parking spaces and 1 of the disabled spaces would have EV charge points
- 5.19 The current AVDLP standards require 1 space per full-time equivalent member of staff plus 1 space per 6 full-time equivalent students over the age of 16 (based on the establishment at full capacity); a proportion of parking spaces should also be allocated for visitors. This would result in a need for 130 spaces plus the visitor spaces. The emerging VALP requires 1 space per full time equivalent member of staff which would equate to 100 spaces. With regard to motorcycle parking, a minimum of one space would be required, 5% of spaces should be for disabled use (within 50m of the entrance). In respect of electric vehicle parking, 4% of the spaces should be provided with facilities for charging, equating to a need for 5 such spaces. Having regard to the level of provision on site, and noting that a travel plan accompanies the

application, it is considered that this level of provision for all types of parking would be acceptable in this location bearing in mind the walking, cycling and public transport facilities available to access the site as well. As discussed above, there is potential for the school to require expansion in the future and should this be the case there would be sufficient space within the site frontage to allow further parking spaces to be provided, if required.

#### Travel Plan

- 5.20 The application has been accompanied by a school travel plan which seeks to achieve a 10% reduction in vehicle trips within five years of the school opening by:
1. Reduce the number of single occupancy vehicle trips on the highway network;
  2. To encourage the use of all forms of more sustainable transport;
  3. To promote the health and environmental benefits of more sustainable transport; and
  4. Provide information to allow users (users) of the site to make informed choices about the form of transport they use.
- 5.21 A Travel Plan Co-ordinator will actively encourage all users to travel by more sustainable forms of transport including staff, pupils and parents to the school. A variety of methods will be used including travel information packs to encourage walking, cycling, the use of public transport and car sharing. The travel plan will be monitored and reviewed.
- 5.22 The travel plan is currently under review by the Council's Travel Plan Team and Members will be updated with their comments.

#### **Conclusion on transport matters**

- 5.23 Having regard to the above matters it is considered that overall the development would be acceptable on transport grounds and that sufficient parking would be provided. The development would accord with policy GP24 of the Aylesbury Vale District Local Plan, emerging policies D-AGT6, T1, T5, T6, T7 and T8 of the VALP and with the NPPF.

#### **Impact on Public Rights of Way**

AVDLP – GP84 (Public rights of way)

Emerging policy T7 (Footpaths and cycle routes) (*moderate weight*)

- 5.24 Policy GP84 of the AVDLP states that in considering applications for development affecting a public right of way the Council will have regard to the convenience, amenity and public enjoyment of the route and the desirability of its retention or improvement for users, including people with disabilities and these aims are carried through into the emerging VALP policy T7.

- 5.25 There are no Public Rights of Way through the application site itself but there is a public footpath to the west (BWB/9/1) between the site and the units comprising Burcott Lodge Farm and one to the east (BWB/8/1) linking Gib Lane and the residential element of Kingsbrook coming forward as part of village 4.
- 5.26 Footpath BWB/8/1 links the canal bridge in the south with Aylesbury Road, Berton to the north, close to the new A418 / eastern link road junction. The central length of this footpath is subsumed into the Kingsbrook residential development and disappears. It's not yet clear exactly where the new permanent footpath alignment will follow, but initial discussions with Barratt Homes suggest the GI corridor east of the electricity sub-station is most likely. The northern part remains unaffected, but this passes across agricultural fields, has a number of stiles across it which are outside the council's control to replace, and passes beside a residential garden to the west of Corner Farm. It is also unsurfaced and unlit, and is unsuitable as a route to school. Footpath BWB/9/1 and Burcott Lane pass respectively alongside the proposed new school boundary on south-western and north-western sides. Both Footpaths BWB/9/1 (linking Burcott Lane with Pulver Road) and BWB/6/1 (linking Burcott Lane with Parsons Lane) have evolved into a busy walking route to Berton Junior School for Oakfield Village residents and vice versa for Berton residents funnelling into Kingsbrook. As a result of this increased pedestrian demand, developers have funded surface improvements to both BWB/9/1 and BWB/6/1, and constructed new roadside footways along the north side of Burcott Lane where these didn't previously exist. In discussions with the Council's Strategic Access Officer and the agent it has recently been confirmed that as well as the existing public right of way to the west and the footpath / cycle way to the south, it is understood that Barratts will be implementing the footpath to the north of the primary school land which will provide access to both the primary and secondary schools from Berton to the east.
- 5.27 Turning to the application, two pedestrian access points are shown into the school, located close together, from the east. An informal pedestrian and cycling route is shown north of the sub-station road and south of the new secondary school (the 'Railway Park') leading east from Footpath BWB/9/1 (not submitted as part of this application). The Council's Strategic Access Officer is of the opinion that this corridor is important for the sustainability of the development as a whole as there are large blocks of housing to the east wishing to gain walking and cycling access to Berton's residential areas and facilities via Burcott Lane.
- 5.28 With regard to the western boundary treatment along Footpath BWB/9/1, a 1.8m high weldmesh fence is proposed, situated 2m from the footpath edge. When combined with the existing metal palisade fence to Burcott Lodge Farm, there is some concern that this would not provide an attractive route as a double-fenced corridor would be created for half the length of this link, which can be intimidating and leads to walkers feeling unsafe, especially while this remains unlit. There would be hedging planted within the boundary of the school which over time would soften the appearance of the fencing and with the width of the pathway it is not considered that the resultant appearance of the footpath would unduly discourage use of this right of way.

- 5.29 The Strategic Access Officer has also raised a concern relating to the surface treatment and lighting of the Railway Walk 'Footpath and Cycleway' as on other parts of the Kingsbrook. However, this land is outside of the application site and control of the applicant and therefore it would not be possible to require any upgrades in this respect.
- 5.30 It is noted that the proposed maintenance access off Burcott Lane or the access off the right angle bend on Burcott Lane could be used as an additional school pedestrian/cycle entrance and discussions have taken place with the applicant in this regard in an effort to improve accessibility. However, the applicants have discounted this given the security and safety concerns that would result in respect of safeguarding of the children. They have commented that the pedestrian/cycle movement strategy to the school has been designed around the need to provide one single controlled pedestrian access point to the south east of the site as a result of the need to ensure pupil safety and that the access point is centrally located to the surrounding residential areas of the Kingsbrook development. Therefore whilst the parameter route plan from the outline planning application indicated a route along the northern edge of the school site, the applicants do not wish to pursue this. Furthermore it is noted that the majority of pupils will emanate from the Kingsbrook development itself and there will be less of a requirement to access the site on foot/cycle from the north. If that is the case however, there is the ability to access the school via the existing public footpath to the west and proceed to enter the school grounds from the main entrance to the east of the site.
- 5.31 Representations have also raised concerns about access across the sports field to the west of the school site. The school application does not propose any amendments to the access or to affect the approved plans for the new sports field to the west (reserved matters application 19/04204/ADP) and as such the school proposals will not result in any uncontrolled access to this field or the properties at Broughton Crossing.
- 5.32 In summary it is considered that existing PRoW network would not be adversely affected by the development and regard has been had to the accessibility of the site and access to the proposed school by walking and cycling. Whilst it may have been preferred to have allowed access via Burcott Lane the safeguarding issues raised are acknowledged such that an access at this point cannot be provided. On this basis it is considered that the development would accord with policy GP84 of the AVDLP and with emerging policy T7 of the VALP and with the NPPF in this regard.

### ***Landscape Impact***

AVDLP Policies GP.35 (Design of new development proposals) and GP.38 (Landscaping of new development proposals), GP.39 (Existing trees and hedgerows)

Emerging VALP policies BE2 (Design of new development) D1 Delivering AGT, and NE4 (Landscape character and locally important landscape) (*moderate weight*)

- 5.33 The NPPF sets out that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development. AVDLP policy GP35 is consistent with the objectives of the NPPF and states that the design of new

development proposals should respect and complement; the physical characteristics of the site and surroundings, the building tradition, ordering, form and materials of the locality; the historic scale and context of the setting; the natural qualities and features of the area; and the effect on important public views and skylines. AVDLP policies GP38 and GP39 are also in conformity with the NPPF and states that new development schemes 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 and regard should be had to existing planting.

- 5.34 Emerging Policies D1 and BE2 of VALP reflect these. Policy NE4 of the VALP seeks to ensure that scheme respect the local context and landscape character of the area.

***Landscape and Settlement Character and Visual Impacts:***

5.35 *Landscape and settlement character:* The site is located within the Hulcott Vale Landscape Character Area (LCA) which is characterised by an extensive area of low lying vale landscape predominantly in pastoral use and notable for its range of aquatic habitats located to the north, east and south of the Bierton Ridge. With the exception of the A413 the LCA is devoid of infrastructure and access by rights of way is extremely limited, conveying a very remote character in the eastern parts best experienced from the towpath of the Aylesbury Arm of the Grand Union Canal. The river Thame runs across the Vale, between the Weedon Ridge to the north and the Bierton Ridge to the south. This part of the LCA has a more remote character and a greater sense of visual containment. It is linked to the rest of the vale landscape by the river corridor and the predominant characteristics of large open arable fields and clipped hedgerows. The area is overlooked in long distance views from the surrounding areas.

5.36 The impact on the wider landscape and settlement character was considered acceptable at the time the outline permission for Kingsbrook was granted along with the impact on the more local landscape that the development would bring. Having regard to the accepted location of the secondary school on the illustrative masterplan for the Kingsbrook development and noting the work undertaken in establishing the best position for the building itself within the site, as undertaken within the Design and Access Statement, it is considered that the impact on the landscape and settlement character would be acceptable subject to appropriate mitigation planting.

**Visual effects:**

5.37 A Landscape and Visual Appraisal (LVA) has been produced by RSK to assess the likely landscape and visual amenity effects of the proposed school. The assessment confirms that the topography of the area is relatively level and that the large and mature field boundaries around the site, together with field boundaries within the wider area and the residential development adjacent to the site create a development that is visually well contained. It confirms that the main school building is located in the optimal position within the site to provide a cohesive element within the wider Kingsbrook urban extension and reducing any potential visual impacts. The assessment concludes that the development would result in

only moderate adverse effects on the landscape character and limited moderate adverse visual effects. It is considered that the development would clearly form part of the wider consented Kingsbrook development when it is finally built out and in that context would not result in prominent changes to the characteristics of the wider landscape.

5.38 Between the school building and the east boundary is a space dedicated to pupil and visitor arrival. The applicants consider this area to be visually important as it serves to soften the frontage of the school building and creates a visual link to the green corridor and Railway Park. It is agreed that this area is visually important and whilst it is acknowledged that this area will certainly provide an impressive setting and entrance for the school building that will allow staff and pupils to sit in seating areas away from other busy social spaces to the rear of the school, it is noted that the applicant proposes that there will be a clear separation for pedestrian and cycle access away from vehicles and from the surrounding street and open spaces by the installation of 1.8m high vertical bar railing fence. The applicant has indicated that this fence is required for safe guarding reasons. Whilst the location of the fence could potentially undermine the contribution that the space will have in softening the frontage of the school boundary and the school's relationship with the surrounding spaces, it is noted that there will be soft landscaping to the front of the fencing such that its impact will be lessened in the street scene.

5.39 The soft landscape strategy for the site aims to support the wider ethos of Kingsbrook wildlife-friendly development and sustainable design. The Ecological Assessment has informed the choice of proposed plant species throughout the site which are largely native and/or of recognised value for wildlife. It is considered that the planting proposed would provide a visually attractive environment that appropriately mitigates the proposed development on the areas around the school and it screens and enhances the site and wider context. The proposed planting uses a mixture of native and ornamental trees, hedge, shrub, groundcover planting and wildflower grasses that will provide all year-round interest and add wildlife/biodiversity value.

- Boundaries: To the inside of the existing northern hedge along Burcott Lane additional shrub and tree planting will be added in between the existing hedge and secure fence line. Planting to the south and west boundaries is mainly proposed native hedges and trees.
- Restricted secure zones: Swales and maintenance access only areas – these are mainly planted with wildflower mixes and grasses suitable for both wet and dry conditions. In the south west corner pockets of additional native shrub and tree planting is proposed.
- Pupil social spaces: A mixture of shrub and ground cover planting is proposed with individual specimen trees.
- Arrival space: The planting within the arrival space to the front of the school will comprise the use of shrub and ground cover planting and specimen trees.
- Car park and drop off areas: The car park is divided up with planting comprising a mixture of shrub, hedge and tree planting.

- Front of school – (Landscape entrance approach) The approach to the school has a ‘parkland’ character that aims to create a setting for the school building through the use of shrub, hedge and tree planting and wildflower lawns.
- Swales - Along the west boundary and at the lowest part of the site are a series of swales which form part of the sustainable drainage strategy. The swales will be formed with a natural appearance and will be fenced off to restrict pupil access and will act as habitat areas to improve site wide biodiversity.

5.40 It is clear that a number of hedgerows within the site will be removed to accommodate the development and this is discussed below. However, sufficient landscaping is provided overall to mitigate for its loss. Comments have been made in the tree/hedgerow section below regarding improvements that can be made to the range of species of tree planting and in respect of maintenance and these can be conditioned.

5.41 The proposed development will introduce new lighting into the currently unlit fields as required for school opening hours and for community use out of school hours. A lighting strategy has accompanied the application and states that the lighting will be provided to create a safe environment for people, traffic movements and contribute to the building security and that light pollution will be kept to a minimum with little or zero glare. To enable the use of the site for community use it is accepted that lighting will be required. However, an appropriate condition can restrict the hours of use of the lighting such that the adverse impact on the wider and local landscape is not unacceptable overall and a further condition is recommended to ensure that no lighting other than that forming part of the application is installed without the prior approval of the Council.

5.42 A variety of hard landscape material is proposed, defined by use, location and to be robust and of low maintenance. Main vehicle routes would be finished using a vehicle grade macadam finish whilst parking bays and drop off areas are finished in a vehicle paving block and form part of the sustainable drainage strategy. Primary pedestrian and cycle routes to the front of the building are to be finished using a mixture resin bound gravel and high quality block paving and secondary pedestrian routes close to the car park area are to be finished using a pedestrian grade macadam finish. Around building entrance areas will be block paving block and other pedestrian routes and external courtyards will have a macadam finish dependent on maintenance / emergency / delivery access requirements. Sports / outdoor gym and play equipment areas will be surfaced in a variety of finishes dependent on location and sport type and will include grass, synthetic and polymetric surfaces, porous macadam and rubber crumb. Service areas will be surfaced in a concrete finish and the service and maintenance access routes will be finished in a reinforced grasscrete surface. Overall it is considered that the hard surfacing proposed would have an acceptable impact on the character and appearance of the development and on the local landscape.

### *Conclusions on landscape impact*

5.43 It is clear that, given the scale of the development, the proposed school would have an adverse impact on the local landscape, visual and settlement character. However, it would be viewed in the context of the existing Kingsbrook development and it falls within the scope of the type of development identified for this site within the outline illustrative masterplan. There would be the loss of fields, hedgerows and trees within the site to accommodate the development but the proposed planting (subject to improvements to tree species and maintenance) and retention of boundary hedgerows and trees (which would be supplemented) could ensure that sufficient mitigation is provided. On this basis it is considered that the development would accord with AVDLP Policies GP.35, GP.38 and GP.39, emerging policies BE2 and NE4 of the VALP and with the NPPF.

### ***Trees and hedgerows***

AVDLP GP39 (Existing trees and hedgerows) and GP40 (Retention of existing trees and hedgerows)  
Emerging AVDLP NE8 (Trees, hedgerows and woodlands) (*moderate weight*)

5.44 Policies GP39 and GP40 of the AVDLP seek to preserve existing trees and hedgerows where they are of amenity, landscape or wildlife value and this is also reflected in emerging policy NE8. GP40 states that in dealing with planning proposals the Council will particularly oppose the loss of native Black Poplars. The NPPF also states that planning permission should be refused for development resulting in the loss of veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.

5.45 Along the northern boundary of the site adjacent to Burcott Lane is an existing well-established hedge and the proposal will look to undertake some general maintenance and retain this hedge as a long-term landscape feature that will provide immediate impact and screening. There will be some impact as the existing access point from Burcott Lane will be relocated to provide the maintenance access. However, with supplementary planting this hedgerow will be retained. Along the eastern boundary is a well-established hedge and the development proposals include general maintenance and retention of most of this hedge save for the pedestrian and vehicular access points. To the southern boundary is an existing well-established belt of hedges and individual trees which run along a disused railway line outside of the site which the wider masterplan looks to utilise as a green corridor. Along the western boundary is a public right of way footpath BWB/8/1 and adjacent hedgerows and trees. All existing planting will be protected during the construction phase.

5.46 Within the site itself there are a number of hedgerows which will have to be removed to accommodate the development. The applicant has given the following reasons for this removal:

- Location - these hedges currently dissect the overall site into 3 parcels of land forming triangular uneconomical spaces of various unusable sizes

- Levels - sports pitches and drainage strategies require large plateaus to be created. The hedges need to be removed to generate this size of space
- Visibility - an educational facility requires openness and visibility so pupil activity can be observed and monitored – these hedges would restrict this.

5.47 The applicants have explained that it is not feasible to retain trees T46, T48, T49, T50, T53, T51 or T52 (the latter two being in significant decline) by reason of the arrangement of the sports pitches and associated regrading and drainage works required. They have commented that existing trees are one of a number of constraints influencing the design of the scheme, which has been driven overall by the parameters of the Illustrative Masterplan for Kingsbrook which established the principle of a secondary school on this site and the indicative location of built form and sports provision.

5.48 Discussions have taken place between Officers and the applicants to address consultee concerns regarding the loss of trees, the impact on ecology and wildlife and flooding, the latter of which is discussed later in this report. Subsequently amended plans and updated reports have been submitted to address these matters which have resulted in the retention of tree T60 located to the north eastern corner of the site and tree T56 located towards the centre. In order to accommodate the changes the all-weather pitch, rugby pitch, the long jump and cricket net have been repositioned and amendments to the nearby pedestrian paths were also required. In addition to the tree planting already proposed for the site, additional black poplars will also be planted. The plans have also been updated to show the width that the new western hedgerow will mature to (2m) which will be beneficial for screening and will assist in the mitigation of loss of hedges within the site as well as offering biodiversity enhancements.

5.49 The proposal as amended now requires the removal of 7 individual trees and 1 group of trees. Of these 4 individual trees are rated category B, and 1 is category A. There remains minor encroachment into the RPA of a category A tree. The arboricultural report now includes reference to black poplars, but it is indicated that the applicant only accepts T60 as being a native black poplar and 3 potential black poplar trees remain proposed to be removed. It is the Council's Tree Officer's opinion that tree T60 is a veteran tree, and whilst it is now proposed for retention regard must be had to its veteran status and to a sufficient buffer to the tree. The agent has submitted further detail as outlined below and this is being reviewed by the Council's Tree Officer and Members will be updated.

5.50 Several of the trees to be removed are of high quality, and many have visual prominence from the adjacent PRow particularly given the current character of the site being open rural fields with scattered large trees such that there would be a significant impact in terms of visual amenity. However, Officers note that the site forms part of the wider Kingsbrook development and that the context of the wider site will change to one of built development. In addition, the proposal has now looked to retain trees where possible and it is considered that the removals are now specifically justified in the context of the proposal. However, it is accepted that there will be significant loss of trees and hedgerows. Therefore great importance is placed on mitigation, and particularly new

planting and while a 'like for like' approach is not considered achievable, commensurate value can be achieved in other ways.

5.51 The Council's Tree Officer notes that whilst new planting includes significant numbers of new trees, 189 in total, there is a very limited species diversity, and over reliance on a few species: Of the 10 species total, two (birch and lime) make up 50% of the total proposed trees, with a further 30% from two more species (hornbeam and field maple). Whilst seven new native black poplars are proposed, overall there is an opportunity to improve species interest and resilience and also to ensure sufficient soil volumes are provided for the new tree planting (some adjacent to the amphitheatre is insufficient). In addition maintenance details should refer to BS8545:2014 and the tree pit specifications should also make reference to this standard. The agent has reviewed the comments of the Tree Officer and has submitted further information to address the points made. This includes:

- Oak, Alder and other species have replaced most of Birch and Lime along the site boundary;
- *Alnus glutinosa*, *Sorbus* and *Prunus avium* are added to the western boundary line to increase biodiversity;
- There are now 191 trees in total in the scheme. 13.6% are Birch; 17% are Acer; 20% are Hornbeam; 16% are Lime and number of Oak has doubled from 7 to 14;
- Hedgerow mixes are double staggered rows;
- Reference to BS:8545 has been added in the notes;
- Blue Green Urban's RootSpace soil cells are applied to tree pits for the trees planted in the hard surface near the amphitheatre, as well as the tree in the entrance plaza.
- In terms of the RPA for T60, its veteran status has been considered and the site boundary fence is placed 18m from the tree trunk, which is 5m beyond T60's 13m canopy spread.

The comments of the Tree Officer will be reported to Members but an initial view given is that the majority of outstanding issues appear to have been considered.

5.52 In summary, with regard to the impact on trees and hedgerows, on the basis that the additional detail is provided in respect of the species of tree planting and in respect of maintenance details is acceptable, and subject to conditions, it is considered that the development would accord with policies GP38-40 of the AVDLP and with emerging policy NE8 of the VALP and with the NPPF.

### ***Raising the quality of place making and design***

AVDLP - GP.35 (*Design of new development proposals*), GP.38 (*Landscaping of new development proposals*) and GP45 (Secured by Design)

Emerging VALP policy D-AGT6 (Kingsbrook), BE2 (Design of new development) and NE4 (Landscape character and locally important landscape) (*moderate weight*)

- 5.53 AVDLP Policy GP.35 requires the design of new development to respect and compliment the site, context and surroundings; AVDLP Policy GP.45 requires development to assist crime prevention and AVDLP Policy GP38 relates to landscaping of new proposals. Policy BE2 of the emerging VALP requires all new development proposals to respect and complement the physical characteristics of the site and its surroundings and local distinctiveness and vernacular character of the locality, in terms of ordering, form, proportions, architectural detailing and materials, the natural qualities and features of the area, and the effect on important public views and skylines.
- 5.54 The scale of the school building, whose height would vary between 8m high for the rear projections and 13m high for the main building, has been designed to set it apart from surrounding houses. The provision of the parkland setting to the front of the school reinforces this, albeit it that the access points to the east will ensure that it is easily accessible from one of the main routes through Kingsbrook. The resultant building will be a significant landmark in the locality which would be appropriate given that it will become a key part of local community. The Landscape Character Assessment has informed the placing of the building on the site to ensure that its scale does not overwhelm its surroundings. Whilst the building height illustrative plan from the outline approval for Kingsbrook anticipated a building of two to two and a half stories high for the school building and the development would be three stories high in places, this is a full application. It is not considered that its height or massing, which would be broken down into constituent parts and further addressed through a variety of complementary materials and finishes, would be unacceptable in this location, having regard to the context of the site and the nature of the proposed development.
- 5.55 The form of the building consists of four masses which cluster separate facilities. The main spine is the heart of the facility where the majority of the classes, offices, kitchen and dining are located. The second block houses the SEN Unit on the ground floor, a unit with its own identity and entrance that is part of the main building but can also be separated. Above the SEN unit are the school's SEN area and Business teaching. The third block contains the sports hall and its ancillary spaces while the fourth block contains the main hall. The layout and form of the building creates two courtyards to the rear (west) of the building providing access to outdoor dining and breakout spaces.
- 5.56 Proposed external materials include a mix of buff and blue/grey bricks, along with bronze and copper effect metal cladding for the elevations and some of the flat roofs would have sedum green roofs (rear projecting wings, pavilion, cycle stores - which would also benefit SuDS drainage design and biodiversity). Solar panels would also be placed on some roofs. Textured brick panels and grey windows frames and doors are also proposed. The proposed materials are considered to be acceptable and they would complement the colours of the local vernacular whilst displaying a more distinctive appearance to the building which will play a prominent role in the community. They will assist in breaking up the massing of the building and provide variety in design detailing to add interest.

- 5.57 A series of large archways between the sports and main halls mark the entrance. Each arch is progressively smaller and finished in a separate material mirroring the main facade cladding materials. The SEN Entrance will have an external feature glazed brick wall to contrast with the main building palette and highlight its location and there will also be soft landscaping in this area. An external canopy will shelter the separate entrance area from the main school.
- 5.58 In order to provide different levels of security and openness a site security strategy has been developed and coordinated with existing retained boundary treatments and features. Up to 90% of site boundary is secured using a 1.8m high weldmesh fence. Along the north and east boundaries this fence sits on the school side of the existing retained hedgerows whilst on the south and west boundaries new native hedge and tree planting is proposed to the inside of the fence line. The fence to the main pedestrian and cycle entrance point is a 1.8m high vertical bar fencing with feature gates, set back into the site. Additional hedge, shrub and tree planting along this boundary will also help to soften the approach to the school site and enhance the existing retained hedge. Internally to the site the school building acts as part of the secure line along with additional 1.8m high weldmesh fencing connecting back to both the north and south boundaries. The SEN area, Horticultural area and cycle storage areas are all secured with 1.8m high weldmesh fencing. Both the All-Weather Pitch and MUGA are fenced using 3m high weldmesh sports fencing whilst the outdoor gym has a 1.2m high weldmesh fence around it. Both swales are fenced off to ensure students can not access these areas. The bin store (close boarded) and external plant (louvred) areas are fenced using a 1.8m high timber fence. All access gates are to match height and material fence type and colour, widths vary dependent on location and access requirements.
- 5.59 It is considered that the development overall would represent good design and that appropriate regard has been had to physical characteristics of the site and its surroundings and local distinctiveness and the effect on important public views and skylines whilst addressing required matters of security. As such it is considered that the development would accord with policies GP.35, GP.38 and GP45 of the AVDLP, emerging VALP policies D-AGT6, BE2 and NE4 and with the NPPF.

### ***Building sustainability***

Emerging Policy S1 (Sustainable Development for Aylesbury Vale) and C3 (Renewable Energy) of VALP (*moderate weight*)

- 5.60 Policy S1 of the VALP states all development must comply with the principle of sustainable development set out in the NPPF. Emerging Policy C3 of the VALP seeks to ensure that all development schemes achieve greater efficiency in the use of natural resources, including measures to minimise energy use with 10% of energy to be delivered via a decentralised and renewable energy or low zero carbon source.
- 5.61 The development would be required to be constructed using sustainable methods of construction. The development has incorporated environmental sustainability considerations into the scope/specification stages of the project which exceed the current Department for Education requirements for new schools and align with the Buckinghamshire

Council Climate Change and Air Quality Strategy and its emerging actions. An Energy Report prepared by Anderson Green Ltd has been submitted with the application. This presents the analysis of, and decision on, the use of different low or zero carbon technologies in the development. It confirms that it is proposed to use a combination of energy efficient design measures, air-source heat pump for heating and hot water and photovoltaic panels on the roof which will achieve a 44% reduction in carbon dioxide emissions from the 2013 Building Regulations Target Emissions Rate. It also confirms that the development has been designed to be 'futureproofed' with the roof area having space for additional PV panels if necessary. Electric charging points are also proposed to the car park with space to expand the provision of necessary.

5.62 Having regard to the above matters it is considered that the development would accord with emerging Policies S1 and C3 of the VALP and with the NPPF.

### ***Amenity of Local Residents***

AVDLP - GP.8 (Protection of the amenity of residents)

Emerging VALP policy BE3 (Protection of the amenity of residents) and NE5 Pollution, air quality and contaminated land (both considerable weight)

5.63 The NPPF in its core planning principles seeks to secure a good standard of amenity for all existing and future occupants. Policies GP8 and GP95 of the AVDLP seeks to protect the amenities of residents and policy GP8 in particular 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 arising from the proposal, and emerging policy BE3 reflects this.

## Noise and floodlighting

- 5.64 Whilst there are no environmental health objections to this application the noise impact assessment produced by RSK, report reference 298116-RSK-RP-002-(OO), has identified potential noise mitigation required in relation to indoor ambient noise levels, construction works, plant noise emissions and use of the outdoor games areas including the MUGA and all weather pitch. It is suggested that the noise mitigations identified be incorporated in the development and thereafter maintained and this can be reasonably secured by planning condition.
- 5.65 There are particular concerns regarding the use of the MUGA and all weather pitch outside of normal school hours, both in relation to the potential noise impacts and the impacts of floodlighting from these facilities. The lighting assessment provided indicates that light spill towards the houses on Engine Lane to the south of the site will be minimized with minimal light spill impacting the properties themselves. However, the use of the floodlighting is likely to be clearly visible to these properties through the vegetation in the green corridor separating them from the school and will draw attention to the use of these facilities. Given these concerns it is suggested that a management plan needs to be developed for use of these facilities outside of normal school hours to ensure that noise levels are minimized as far as is reasonably practicable and that the floodlighting is carefully controlled to ensure that these facilities are only lit when necessary. A condition is recommended to secure this.

## Loss of privacy/overlooking

- 5.66 The school building itself would be located some distance from the residential properties to the north, east and south of the site. The proposed sports pitches and ancillary areas would be closer but it is not considered that with intervening vegetation that there would be any loss of privacy or overlooking to existing or approved dwellings (forming part of Kingsbrook) not yet constructed.
- 5.67 Local concerns have been raised regarding the access to the school site through the approved sports pitches to the west of the site approved under 19/04204/ADP which would give rise to undue disturbance. As clarified above, the school proposals do not include any alterations to rights of way or other access which are outside of the application site. The sports pitches application included a gated vehicular access off Burcott Lane and the approved plans indicate two pedestrian access points along the eastern boundary with the public footpath (BWB/9/1) to ensure accessibility to the wider Kingsbrook development. A planning condition has also been imposed requiring that the sports facilities including the playing pitch, changing room building and parking areas, shall not be used for the purposes hereby permitted except between the hours of 07.00 and 22.00 hours Monday to Saturday and 08.00 and 18.00 hours in Sundays. It is not considered that the proposed school application would result in any undue noise and disturbance to residential amenities on accessibility grounds.

## Conclusions on residential amenity

- 5.68 In summary it is considered that the proposed development would not unduly harm the residential amenities of nearby properties in terms of noise and disturbance, their light, outlook or privacy. Although there will be some impact from the use of the sports facilities

outside of normal school hours, conditions are recommended to ensure that the appropriate management of the facilities takes place along with a condition restricting the hours of use of the facilities. On this basis the development would accord with Policies GP8 and GP95 of the AVDLP, emerging policies BE3 and NE5 of the VALP and NPPF advice.

### **Flooding**

Emerging VALP policies I4 (Flooding) and I5 (water resources and wastewater infrastructure) (*both moderate weight*)

5.69 Paragraph 163 of the NPPF requires new development to consider the risk of flooding to the site and elsewhere. Developments need to demonstrate resilience to climate change and support the delivery of renewable and low carbon energy which is seen as central to the economic, social and environmental dimensions of sustainable development. This will not only involve considerations in terms of design and construction but also the locational factors which influence such factors. Development should be steered away from vulnerable areas such as those subject to flood risk whilst ensuring that it adequately and appropriately deals with any impacts arising.

5.70 The application site is located within Flood Zone 1 which is defined by the Environment Agency as being at low risk of flooding. A Flood Risk Assessment (FRA) has accompanied the application and the Council as the Local Lead Flood Authority has considered the information provided.

#### Flood risk

5.71 The majority of the site lies in an area of very low risk of surface water flooding (meaning there is less than 0.1% likelihood of flooding occurring in a given year). There are however 2 localised areas of flooding shown towards the north of the site (in the location of the grass playing fields) that are shown to be at high risk of surface water flooding with anticipated depths of between 0.15m and 0.60m. Additionally there is an area to the south west of the site at high risk of surface water flooding (meaning there is greater than 3.3% likelihood of flooding occurring in a given year) with anticipated flood depths of between 0.15m and 0.60m for the 3.3% Annual Exceedance Probability (AEP) event. This risk increases in extent for both the 1% and 0.1% AEP events.

5.72 In order to alleviate the existing surface water flood risk shown in 'location 1', the proposed development levels have been designed to direct water away from this location, with the levels of the field sports pitch set to ensure fall towards the swale and pond to the west and south-west of the site. Whilst site levels will be directed away from 'location 1', the applicant has provided insufficient information regarding the existing flood risk to the site in 'location 2'. At the detailed design stage of the planning process the applicant must demonstrate that the proposed above ground SuDS components are not located in an area of existing flood risk. To demonstrate this it is requested that detail from the Environment Agency is overlain on the drainage layout to demonstrate whether or not the proposed pond is located in an area of existing surface water flooding. The applicant must demonstrate that the SuDS

components are not located in any areas of existing flood risk as to ensure that their storage capacity is not reduced. A condition is recommended so that at the detailed planning stage sufficient information is provided to address this matter.

#### Surface water drainage

5.73 Surface water runoff generated by the proposed development is to be attenuated on site, prior to discharging at a rate of 26l/s to a watercourse which borders the west of the site. Infiltration is not viable as a means of surface water disposal at this site, as identified during the outline application for the wider Kingsbrook development. The surface water drainage strategy in principle is acceptable, subject to a condition as discussed below in respect to the investigation of the use of further multifunctional SuDS components.

#### Pumps

5.74 As the scheme is inclusive of a pump (pumping station) the applicant must provide a comprehensive maintenance plan for the pumping station along with details of a pump warning system in the event of pump failure. The National Planning Policy Framework (para.163) requires that planning applications demonstrate the any residual risk (such as pump failure) can be safely managed. At present the drainage strategy does not provide information on pump maintenance and details of exceedance routes (volume, depth and direction) in the event of failure, blockage or a rainfall event that exceeds the provided storage and this information can be reasonably secured by condition.

#### Above ground SuDS

5.75 Discussions have taken place regarding the use of above ground SuDS components as the LLFA have raised concerns that the assessment of SuDS components is not sufficient. Whilst they acknowledge that the site has the potential for expansion in the future and areas have been reserved for this it remains that there are multiple locations on site where above ground SuDS components can and should be prioritised. At the detailed design stage of the planning process, the applicant must undertake a detailed assessment of the viability of including additional above ground SuDS components to demonstrate that SuDS with multifunctional benefits have been included where possible. These can be included on the frontage and open areas of the development, and additional SuDS components can include tree pits, detention basins, swales and rain gardens. The current inclusion of above ground SuDS features is welcomed but the site presents excellent opportunities for the inclusion of additional SuDS components that provide multifunctional benefits, including being used as an educational tool for future students. It is acknowledged that a pump is required to drain certain areas of the site and that including additional SuDS components could not completely alleviate this requirement however, by including additional multifunctional SuDS components this could help reduce the requirement for such a large underground attenuation tank for example. As such a condition is recommended to require further work to be undertaken.

#### Water quality assessment

5.76 The applicant has provided a water quality assessment which demonstrates that the pollution hazard indices of the development are exceeded by the SuDS mitigation indices of the proposed components. The drainage layout has been updated to allow for all runoff to pass through the attenuation pond prior to flows being discharged off site.

#### Calculations

5.77 The applicant has provided calculations to demonstrate that the system has been designed to contain all storm events up to an including the 1 in 100 year storm event +40% climate allowance. Following any amendments to the scheme, the calculations must be updated accordingly. If any flooding occurs for the 1 in 100 year plus 40% climate change event, details of where this flooding will occur, and the volume of the flooding must be provided.

#### Whole-life maintenance plan

5.78 A whole-life maintenance plan for the full surface water drainage system is required; this must outline the maintenance tasks required, the frequency by which they are to be undertaken and details of the persons responsible for undertaking maintenance. A condition can be secured to address this.

#### Conclusions on flood risk

5.79 In summary the LLFA has carefully considered the proposed development having regard to the FRA and the drainage scheme proposed. Further detail is required to address matters as discussed above (in particular, no SuDS components in areas at risk from flooding and details of the pump). These matters of detail could be secured by way of conditions to ensure that development does not begin until a surface water drainage strategy based on the principles set out in the FRA and also a maintenance scheme for these have been submitted to and approved by the Council and these conditions are considered to be required to make the scheme acceptable.

5.80 Having regard to the above matters it is considered that the development would accord with emerging policies I4 and I5 of the emerging VALP and with the NPPF.

### **Ecology**

#### Emerging VALP policy NE1 (Biodiversity and geodiversity) (*moderate weight*)

5.81 Paragraph 170 of the NPPF requires new development to minimise impacts on biodiversity and provide net gains in biodiversity. Policy NE1 of the emerging VALP requires new development to deliver a net gain in biodiversity.

5.82 This application is supported by an ecological impact assessment from the consultant ecologist SES dated November 2020 and additional ecological information including a revised ecological assessment, Biodiversity Net Gain Assessment and a revised layout plan including landscaping. A Construction Environmental Management Plan and Habitat Management Plan has also been received. These additional reports were requested to address the ecological impacts incurred by the first iteration of the proposal.

- 5.83 The revised layout scheme has enabled two Black Poplars to be retained and increased the compensation trees to seven now. The Council's Biodiversity Officer has advised that these Black Poplars should be sourced from Lindengate Black Poplar tree nursery as they have native rooted stock that has almost five years of growth. There is still however a loss of 7 mature trees within the new design. Along with the proposed Black Poplar tree planting a further 191 trees (as amended) have been identified within the plan for the school. The BNG calculation demonstrates a 16% uplift in ecological gains. The revised layout includes details of the uplift of the SuDS area to be established as a natural feature with increased ecological value achieved through the planting scheme proposed. Further enhancements have been achieved around the edge of the site, establishing diverse grassland and wildflower margins. The meadow margin that runs along the Western boundary will over time be reduced in size as the hedge establishes. The proposed hedge along this section has been increased in width to accommodate the hedge gains required and provides a screen to the school. It is considered that the loss of this meadow area would not impact significantly on the over all net gain demonstrated on site.
- 5.84 This latest amendments of the development have demonstrated sufficient net ecological gains, including species specific enhancements (which are not included in the BNG calculation) to comply with emerging local and national planning policy. Retention of two mature Black Poplar Trees has been achieved and significant tree planting is proposed to compensate for the loss of trees identified having regard to biodiversity.
- 5.85 The applicant has provided a Construction Environmental Management Plan and Habitat Management Plan from the ecological consultant SES dated March 2021. This document sets out how the construction phase of the application can be carried out in accordance with the ecological constraints identified. Further to this the Habitat Management Plan details how the enhancements measures and the ecological features retained will be managed for the duration of the developments life. This document is considered to be an acceptable approach to deal with the ecological impacts of the construction and subsequent habitat management plan for the retained and enhanced ecological elements and a condition can secure their implementation.
- 5.86 Having regard to the above matters, it is considered that the development would accord with emerging policy NE1 of the VALP and with the NPPF and the 16% uplift in BNG would be a significant benefit.

### ***Historic environment***

AVDLP policy GP59 (Archaeology)

Emerging VALP policy BE1 (Heritage Assets) (*moderate weight*)

- 5.87 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on local authorities to pay special regard to the desirability of preserving the setting of a listed building.

- 5.88 There are no conservation areas within or near the site. There are no listed buildings within the site but on the northern side of Burcott Lane, no. 94 is a grade II listed farmhouse with a detached barn, also listed. The listed buildings themselves would not be affected by the development but regard must also be had to their setting. In this case the farmhouse is associated with the adjacent agricultural land which provides its setting. However the listed buildings are separated from the sports pitches which would form the nearest part of the development site by Burcott Lane itself and mature hedgerows with trees which would be supplemented as part of the proposals. Furthermore as discussed above, this site was identified for the location of a secondary school at the outline application stage for the wider Kingsbrook development and the potential impact on the listed buildings would have been noted at that time. Special regard has been given to the statutory test of preserving the setting of the listed buildings under section 66 of the Planning (Listed Building and Conservation Areas) Act 1990, which is accepted is a higher duty. In this instance having regard to the site circumstances it is not considered that the development would adversely affect the setting of the listed buildings and that the development would not result in harm and it would therefore accord with the Act.
- 5.89 Part of the site to the north-east is within an archaeological notification site. In respect of archaeology, the Historic Environment Records (HER) show that there are possible Medieval or post-medieval field boundaries suggested by geophysical survey; at the south end of Burcott there is a post-medieval farmstead recorded on eighteenth century maps and possible house platforms visible as earthworks and recorded in geophysical survey; in a field east of Burcott Lane there are remains of a medieval to post-medieval settlement of Burcott indicated by field walking finds, geophysical survey and evaluation trial trenching; there are also evidence of late Iron Age to Roman ditched enclosures, probably representing fields in the vicinity of a settlement or farmstead, identified by geophysical survey and confirmed by evaluation trial trenching. The inclusion of the written scheme of investigation produced by MOIA is welcomed by the Council's Archaeologists. The archaeological fieldwork for Areas 1- 4 has been completed and Areas 5 - 6 are expected to be undertaken in Spring 2021. Having regard to the HER, if planning permission is granted for this development then it is likely to harm a heritage asset's significance so the Council's Archaeologists recommend that a condition should be applied to require the developer to secure appropriate investigation, recording, publication and archiving of the results in accordance with the approved written scheme of investigation produced by MOLA, Museum of London Archaeology, dated February 2020, accompanying the application which can be reasonably imposed.
- 5.90 Having regard to the above matters, it is considered that the settings of the listed buildings would be preserved and therefore the development would accord with Section 66 of the Act. In addition the development would accord with policy BE1 of the emerging VALP in respect of heritage assets (including setting of listed buildings and archaeology) and with the NPPF.

## **6.0 Weighing and balancing of issues / Overall Assessment**

- 6.1 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 6.2 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:
- Provision of the development plan insofar as they are material,
  - Any local finance considerations, so far as they are material to the application (such as CIL if applicable, and,
  - Any other material considerations
- 6.3 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development which for decision taking means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 6.4 There are relevant development plan policies that apply to this application. Those policies which are most important for determining this application are GP8, GP38, GP39, GP40 and GP35 which are considered to be in full compliance with the NPPF. The development should therefore be determined in relation to paragraph 11(c) of the NPPF.
- 6.5 As explained earlier in this report, special regard has been given to the desirability of preserving the setting of listed buildings as required in the statutory tests contained in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. With regard to the listed buildings and their settings it is considered that the development would preserve and not harm the setting of the listed buildings. There is therefore no clear reason to refuse permission on this basis.
- 6.6 The scheme has also been considered acceptable with mitigation outlined above in terms of its impact to achieving well-designed places, promoting sustainable transport, meeting the challenge of climate change and flooding, and conserving and enhancing the natural environment and landscape and on residential amenities, however these do not represent benefits of the scheme but rather demonstrate an absence of harm.

- 6.7 In addition, there would be considerable benefits from investment in construction and the local economy.
- 6.8 In the terms of applying paragraph 11(c) of the Framework it is concluded that the development would accord with the Development Plan and there are no material considerations that would lead to an alternative decision.
- 6.9 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.

## **7.0 Working with the applicant / agent**

7.1 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. The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application. In this instance the agent and applicant were updated of issues and consultee concerns and provided opportunity to submit further information to address these. The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

## **8.0 Recommendation**

8.1 It is therefore recommended that permission be delegated to the Service Director for Planning and Environment subject to the draft conditions as set out below and any amendments as required by Officers following receipt of final consultee comments:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. The development hereby permitted shall be carried out in substantial accordance with the details contained in the planning application hereby approved and plan numbers and reports as listed below and in accordance with any other conditions imposed by this planning permission.

- Planning Statement including Statement of Community Involvement prepared by Smith Jenkins Ltd dated November 2020, reference 760;

- Design and Access Statement prepared by AHR Architects, dated November 2020, reference DN483877-AHR-XX-ZZ-RP-A-0004 Rev P04;
- School Supporting Statement prepared by Buckinghamshire Council;
- Transport Statement prepared by BCAL Consulting dated November 2020, reference DN483877-BCL-ZZ-ZZ-RP-C-0001\_P01\_TransportStement Rev A;
- Draft Travel Plan prepared by BCAL Consulting dated November 2020, reference DN483877-BCL-ZZ-ZZ-RP-C-0002\_P01\_TravelPlan Rev A;
- Drainage Strategy Incorporating Assessment Of Flood Hazard, Sustainable Drainage System Statement & Maintenance Advice prepared by BCAL Consulting dated November 2020, reference 6530001 FRA Rev 1;
- MicroDrainage Calculations – SW Network2\_A (26.01.2021 BCAL Consulting) (all output sheets) MicroDrainage Calculations – SW Network1\_B (26.01.2021 BCAL Consulting) (all output sheets)
- Drainage Layout 1 of 4 (6530-0500 P5, 25.01.2021, BCAL Consulting)
- Drainage Layout 2 of 4 (6530-0501 P5, 25.01.2021, BCAL Consulting)
- Drainage Layout 3 of 4 (6530-0502 P5, 01.03.2021, BCAL Consulting)
- Drainage Layout 4 of 4 (6530-0503 P6, 25.01.2021, BCAL Consulting)
- Pond - General Arrangement (6530-0505 P1, 10.02.2021, BCAL Consulting)
- External Levels 1 of 4 (6530-0600 P5, 01.03.2021, BCAL Consulting)
- External Levels 2 of 4 (6530-0601 P5, 01.03.2021, BCAL Consulting)
- External Levels 3 of 4 (6530-0602 P5, 01.03.2021, BCAL Consulting)
- External Levels 4 of 4 (6530-0603 P5, 01.03.2021, BCAL Consulting)
- Details 1 of 2 (6530-0800 P2, 25.01.2021, BCAL Consulting)
- Details 2 of 2 (6530-0801 P1, 03.11.2020, BCAL Consulting)
- External Finishes (6530-0700 P2, 25.01.2021, BCAL Consulting)
- Water Quality SuDS Assessment Tool document
- Attenuation Volume Capacity Calc. (6530 C 1, 01.03.2021, BCAL Consulting)
- Email Correspondence from BCAL (04.02.2021, BCAL Consulting)
- Email Correspondence from BCAL (01.03.2021, BCAL Consulting)
- Landscape and Visual Impact Assessment prepared by RSK dated November 2020, reference RSK/MLs/P32442/05/01 Rev02;
- Stage 3 Arboricultural Method Statement Report prepared by RSK dated February 2021, reference 2481216 Final – Rev. 3;
- Ecological Impact Assessment, Rev B prepared by Southern Ecological Solutions Ltd dated February 2021;
- BNG DEFRA Metric 2.0 Rev F prepared by Southern Ecological Solutions Ltd;
- Construction Environmental Management Plan & Habitat Management Plan, prepared by Southern Ecological Solutions Ltd, dated March 2021
- Ecology and Trees Checklist prepared by Southern Ecological Solutions Ltd;
- External Lighting Planning Statement prepared by Anderson Green Ltd dated November 2020, reference DN483877-AGL-ZZ-XX-RP-ME-0009;

- External Lighting Strategy Plan prepared by Anderson Green Ltd, reference LE0152-AGL-ZZ-XX-DR-E-7401 S1 P01;
- External Lighting Strategy Plan Post Curfew prepared by Anderson Green Ltd, reference DN483877-AGL-ZZ-XX-DR-E-7401 S1 P02;
- Energy Strategy Report prepared by Anderson Green Ltd dated November 2020, reference DN483877-AGL-ZZ-XX-RP-J-0001 P02;
- Construction Phase Health and Safety Plan prepared by Morgan Sindall dated October 2020, reference 53Y011;
- Archaeological Written Scheme of Investigation prepared by MOLA dated February 2020, reference AYBCM:2020.XX;
- Phase 2 Geo-Environmental Assessment prepared by Ground Engineering dated November 2020 reference C15150; and
- Noise Impact Assessment prepared by RSK dated November 2020, reference 298116-RSK-RP-002-(00)
- Soil Volumes for Trees in Car Park Area
- Image of Root Protection Area for T60
- Material details: Ibstock brick specifications - Atlas Smooth Blue, Arundel Yellow MultiStock, Aqua Marine Glazed
- Material details: Rockpanel specifications (Rainscreen board)
- Material details: Colorcoat Prisma specifications (cladding)

## **Plans**

- SOR018082 Drawing 01 and 02 – Topographical Survey
- DN483877-AHR-ZZ-ZZ-DR-L-0002 P04 S2 – Site Location Plan
- DN483877-AHR-ZZ-ZZ-DR-L-0001 P03 S2 – Existing Site Plan
- DN483877-AHR-ZZ-SX-DR-L-0001 P02 S2 – Site Sections
- DN483877-AHR-ZZ-ZZ-DR-L-0003 P03 S2 – Block Plan
- DN483877-AHR-ZZ-ZZ-DR-L-0100 P08 S2 – Landscape GA
- DN483877-AHR-ZZ-ZZ-DR-L-0101 P05 S2 – Landscape GA East
- DN483877-AHR-ZZ-ZZ-DR-L-0102 P05 S2 – Landscape GA North West
- DN483877-AHR-ZZ-ZZ-DR-L-0103 P05 S2 – Landscape GA South West
- DN483877-AHR-ZZ-ZZ-DR-L-0104 P05 S2 – Landscape Fencing
- DN483877-AHR-ZZ-ZZ-DR-L-0105 P04 S2 – Landscape Furniture
- DN483877-AHR-ZZ-ZZ-DR-L-0107 P01 S2 – Landscape SEN Unit and Garden Area
- DN483877-AHR-ZZ-ZZ-DR-L-0111 P03 S2 – Landscape GA BB103 Area Schedule
- DN483877-AHR-ZZ-ZZ-DR-L-0112 P02 S2 – Boundary Treatments Strategy
- DN483877-AHR-ZZ-ZZ-DR-L-0121 P05 S2 – Access Strategy Pedestrian
- DN483877-AHR-ZZ-ZZ-DR-L-0122 P05 S2 – Access Strategy Vehicle
- DN483877-AHR-ZZ-ZZ-DR-L-0200 P01 S2 – Hard Landscape GA and Sheet Location
- DN483877-AHR-ZZ-ZZ-DR-L-0300 P05 S1 – Soft Landscape GA and Schedules
- DN483877-AHR-ZZ-ZZ-DR-L-0311 P05 S1 - Soft Landscape GA Tree, Native Mix and Hedge Planting

- DN483877-AHR-ZZ-ZZ-SH-L-0301 P03 S2 - Soft Landscape Maintenance Schedule Sheet 1
- DN483877-AHR-ZZ-ZZ-SH-L-0302 P03 S2 - Soft Landscape Maintenance Schedule Sheet 2
- DN483877-AHR-ZZ-ZZ-SH-L-0303 P01 S2 - Soft Landscape Maintenance Schedule Sheet 3
- DN483877-AHR-ZZ-ZZ-DR-L-0322 P02 S1 - Soil Cell and Root Barrier Arrangement
- DN483877-AHR-ZZ-ZZ-DR-L-0403 P03 S1 – Soft Landscape Typical Detail
- DN483877-AHR-ZZ-ZZ-DR-L-0411 P01 S1 – Soft Landscape Detail
- DN483877-AHR-ZZ-00-DR-A-0511 S2 P02 – Ground Floor Plan
- DN483877-AHR-ZZ-01-DR-A-0511 S2 P02 – First Floor Plan
- DN483877-AHR-ZZ-02-DR-A-0511 S2 P02 – Second Floor Plan
- DN483877-AHR-ZZ-EL-DR-A-0521 S2 P05 – Elevations - North, East & South
- DN483877-AHR-ZZ-EL-DR-A-0522 S2 P04 – Elevations - West & Courtyards
- DN483877-AHR-ZZ-EL-DR-A-0523 S2 P03 – Pavilion - Plan, Section and Elevations
- DN483877-AHR-ZZ-EL-DR-A-0524 S2 P03 – Bin Store - Plan, Section & Elevations
- DN483877-AHR-ZZ-EL-DR-A-0525 S2 P03 – Cycle Store - Plan, Section, Elevations
- DN483877-AHR-ZZ-R2-DR-A-0511 S2 P03 – Roof Plan
- DN483877-AHR-ZZ-SX-DR-A-0532 S2 P01 – Building Sections
- DN483877-AHR-ZZ-ZZ-DR-A-0541 S2 P02 – External Materials Palette

Reason: To ensure that the development is carried out in accordance with the details considered by the local planning authority.

3. The landscaping scheme as shown on drawing numbers:

- DN483877-AHR-ZZ-ZZ-DR-L-0300 P05 S1 – Soft Landscape GA and Schedules
- DN483877-AHR-ZZ-ZZ-DR-L-0311 P05 S1 - Soft Landscape GA Tree, Native Mix and Hedge Planting
- DN483877-AHR-ZZ-ZZ-DR-L-0100 P08 S2 – Landscape GA
- DN483877-AHR-ZZ-ZZ-DR-L-0101 P05 S2 – Landscape GA East
- DN483877-AHR-ZZ-ZZ-DR-L-0102 P05 S2 – Landscape GA North West
- DN483877-AHR-ZZ-ZZ-DR-L-0103 P05 S2 – Landscape GA South West
- DN483877-AHR-ZZ-ZZ-DR-L-0107 P01 S2 – Landscape SEN Unit and Garden Area
- DN483877-AHR-ZZ-ZZ-DR-L-0111 P03 S2 – Landscape GA BB103 Area Schedule

shall be carried out not later than the first planting season following the development being brought into use or the completion of the development, whichever is the sooner.

Reason: To ensure a satisfactory appearance to the development and having regard to biodiversity and to comply with policies GP39 and GP35 of Aylesbury Vale District Local Plan, emerging policies NE1 and NE4 of the Vale of Aylesbury Local Plan and the National Planning Policy Framework.

4. Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and to comply with policy GP9 and GP35 of Aylesbury Vale District Local Plan, emerging policies NE1 and NE4 of the Vale of Aylesbury Local Plan and the National Planning Policy Framework.

5. The external materials to be used for the school buildings and hard surfacing shall be as shown on drawing no.s:
- DN483877-AHR-ZZ-EL-DR-A-0521 S2 P05 – Elevations - North, East & South
  - DN483877-AHR-ZZ-EL-DR-A-0522 S2 P04 – Elevations - West & Courtyards
  - DN483877-AHR-ZZ-ZZ-DR-A-0541 S2 P02 – External Materials Palette
  - DN483877-AHR-ZZ-ZZ-DR-L-0200 P01 S2 – Hard Landscape GA and Sheet Location

Reason: To ensure a satisfactory appearance to the development and having regard to biodiversity and to comply with policies GP39 and GP35 of Aylesbury Vale District Local Plan, emerging policies NE1 and NE4 of the Vale of Aylesbury Local Plan and the National Planning Policy Framework.

6. The building(s) hereby permitted shall only be constructed with slabs at levels indicated on the approved drawing No.s:
- External Levels 1 of 4 (6530-0600 P5, 01.03.2021, BCAL Consulting)
  - External Levels 2 of 4 (6530-0601 P5, 01.03.2021, BCAL Consulting)
  - External Levels 3 of 4 (6530-0602 P5, 01.03.2021, BCAL Consulting)
  - External Levels 4 of 4 (6530-0603 P5, 01.03.2021, BCAL Consulting)

Reason: For the avoidance of doubt and to ensure a satisfactory form of development and to comply with policy GP35 of the Aylesbury Vale District Local Plan, emerging policy BE2 of the Vale of Aylesbury Local Plan and the National Planning Policy Framework.

7. Prior to the occupation of the development minimum vehicular visibility splays of 43m from 2.4m back from the edge of the carriageway from both sides of the proposed main vehicle access onto the main highway shall be provided in accordance with the approved plans and the visibility splays shall be kept clear from any obstruction between 0.6m and 2.0m above ground level.

Reason: To provide adequate visibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access and to accord with emerging Policy T5 of the Vale of Aylesbury Local Plan and with the NPPF.

8. Prior to the occupation of the development minimum vehicular visibility splays of 43m from 2.4m back from the edge of the carriageway from both sides of the proposed maintenance accesses onto the main highway and Burcott Lane shall be provided in accordance with the approved plans and the visibility splays shall be kept clear from any obstruction between 0.6m and 2.0m above ground level.

Reason: To provide adequate visibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access and to accord with emerging Policy T5 of the Vale of Aylesbury Local Plan and with the NPPF.

9. The accesses referred to in condition 8 are to be used by maintenance vehicles only and should not be used by members of the public or non-maintenance school staff.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and to accord with emerging Policy T5 of the Vale of Aylesbury Local Plan and with the NPPF.

10. No other part of the development shall be occupied until the new accesses have been built in accordance with the approved drawing and constructed in accordance with Buckinghamshire Council's guide note 'Commercial Vehicular Access Within Highway Limits' 2013.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and to accord with emerging Policy T5 of the Vale of Aylesbury Local Plan and with the NPPF.

11. The scheme for parking and manoeuvring and the loading and unloading of vehicles, the storage of cycles and provision of electric vehicle charging points shown on the approved plans shall be laid out prior to the initial occupation of the development hereby permitted and these areas shall not thereafter be used for any other purpose.

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, having regard to the provision of cycle storage and electric vehicle charging points and to accord with Policy GP24 of the Aylesbury Vale District Local Plan, emerging Policies T6, T7 and T8 of the Vale of Aylesbury Local Plan and with the NPPF.

12. 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 5 metres of the edge of the carriageway.

Reason: To enable vehicles to draw off clear of the highway for the safety and convenience of the highway users and to accord with emerging Policy T5 of the Vale of Aylesbury Local Plan and with the NPPF.

13. The proposed signs shall be finished in non-reflective materials and thereafter retained as such.

Reason: To avoid undue distraction to motorists and to avoid possible resemblance to and confusion with bona-fide road signs and to accord with emerging Policy T5 of the Vale of Aylesbury Local Plan and with the NPPF.

14. Any school development works on the site shall be carried out in compliance with the Construction Phase Health and Safety Plan rev 01 dated October 2020 by Morgan Sindell, and this document shall be adhered to throughout the construction period.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and to accord with policies GP.8 and GP.95 of the Aylesbury Vale District Local Plan, emerging policies BE3 and T5 of the Vale of Aylesbury Local Plan and with the NPPF.

15. Prior to the occupation of the development the playing field/s and pitch/es shall be constructed and laid out in accordance 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 policies GP.35 and GP86 of the Aylesbury Vale District Local Plan, emerging policies BE2 and I2 of the Vale of Aylesbury Local Plan and with the NPPF.

16. 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 GP35, GP95 and GP8 of the Aylesbury Vale District Local Plan, emerging policies BE2 and BE3 of the Vale of Aylesbury Local Plan and with the NPPF.

17. 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 GP35, GP.8 and GP.95 of the Aylesbury Vale District Local Plan, emerging policies BE2 and BE3 of the Vale of Aylesbury Local Plan and with the NPPF.

18. All noise mitigations identified in the RSK Noise Impact Assessment, 298116-RSK-RP-002-(OO), shall be incorporated with the development of this site and thereafter maintained. Any changes to the proposed mitigations shall be agreed by the Local Planning Authority prior to their incorporation in the development.

Reason: To protect users of the site and neighbouring residential properties from the impacts of noise arising from the development and to accord with policies GP35, GP.8 and GP.95 of the Aylesbury Vale District Local Plan, emerging policies BE2 and BE3 of the Vale of Aylesbury Local Plan and with the NPPF.

19. Prior to first use of the MUGA and All Weather Pitch for any use, other than that directly related to use by the school itself, a management plan will be submitted to, and approved in writing by, the Local Planning Authority. The plan will detail all the controls that are to be exercised to ensure that the impact from both noise and lighting are minimized as far as is reasonably practicable and will include, as a minimum, details of hours of use, access controls and unauthorized use response and complaint recording and resolution.

Reason: To protect the residential amenity of neighbouring properties and to accord with policies GP35, GP.8 and GP.95 of the Aylesbury Vale District Local Plan, emerging policies BE2 and BE3 of the Vale of Aylesbury Local Plan and with the NPPF.

20. 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:
- . Detailed assessment of the viability of including additional above ground SuDS components to demonstrate that SuDS with multifunctional benefits have been included where possible. Components may include, but are not limited to, tree pits, detention basins, swales, and rain gardens.
  - . Demonstration that above ground SuDS components will not be located in areas of existing surface water flood risk; the existing surface water flood risk must be overlain on the proposed site plan.
  - . Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.

- . Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components
- . 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.

Reason: The reason for this pre-start 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 (2019) to ensure that there is a satisfactory solution to managing flood risk and to accord with emerging policy I4 of the Vale of Aylesbury Local Plan.

21. Prior to the occupation of the development a whole-life maintenance plan for the site must 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 (e.g. a maintenance schedule for each drainage/SuDS component), with details of who is to be responsible for carrying out the maintenance. A comprehensive maintenance schedule for the pumping station, along with details of a pump warning system in the event of pump failure, must be included within this plan. The plan shall also include as 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: 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 National Planning Policy Framework (2019) and to accord with emerging policy I4 of the Vale of Aylesbury Local Plan.

22. The development shall be implemented in accordance with the approved Construction Environment Management Plan and Habitat Management Plan from the ecological consultant SES dated March 2021.

Reason: Having regard to ecology and biodiversity net gain and to accord with the Wildlife and Countryside Act 1981 (as amended), The Conservation of Habitats and Species Regulations 2017 (as amended), emerging policy NE1 of the Vale of Aylesbury Local Plan and with the NPPF.

23. No floodlighting or other form of external lighting, other than that shown on the approved drawings and details, shall be installed unless it is in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the

prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

Reason: To protect the character of the area and neighbouring residential amenities and to accord with policies GP35 and GP.8 of the Aylesbury Vale District Local Plan, emerging policies BE2 and BE3 of the Vale of Aylesbury Local Plan and with the NPPF.

24. Tree protection measures outlined within the Stage 3 Arboricultural Method Statement Report prepared by RSK dated February 2021, reference 2481216 Final – Rev. 3 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 GP35 and GP39 of the Aylesbury Vale District Local Plan, emerging policies BE2 and NE4 of the Vale of Aylesbury Local Plan and with the NPPF.

25. 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.24 of the Aylesbury Vale District Local Plan, emerging policy T6 of the Vale of Aylesbury Local Plan and with the NPPF.

26. The development hereby permitted shall be implemented in accordance with the approved written scheme of investigation produced by MOLA, Museum of London Archaeology, dated February 2020.

Reason: To record or safeguard any archaeological evidence that may be present at the site and to comply with the National Planning Policy Framework and to accord with Policy GP59 of the Aylesbury Vale District Local Plan and with emerging policy BE1 of the Vale of Aylesbury Local Plan.

## Informatives

1. The applicant is advised that the accesses 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  
6<sup>th</sup> Floor, Walton Street Offices,  
Walton Street,  
Aylesbury  
Buckinghamshire  
HP20 1UY  
[highwaysdm@buckinghamshire.gov.uk](mailto:highwaysdm@buckinghamshire.gov.uk)

2. 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.
3. 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.
4. In accordance with paragraphs 38 and 39 of the National Planning Policy Framework, the Council, in dealing with this application, has worked in a positive and proactive way with the Applicant/Agent and has focused on seeking solutions to the issues arising from the development proposal. Buckinghamshire Council works with applicants/agents in a positive and proactive manner by offering a pre-application advice service and updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions. In this case the application has been amended following negotiation. Buckinghamshire Council has considered the submissions as amended and concluded that the application can be approved.

## **Appendix A: Consultation Responses and Representations**

### **Appendix B: Plans**

### **Appendix C: Schedule of submitted documents**

## **APPENDIX A: Consultation Responses and Representations**

### Comments from Councillor:

None received.

### Parish/Town Council Comments

Bierton with Broughton Parish Council – (December 2020) We would like assurance that the access road onto Burcott Lane, Bierton remains locked and only used for occasional deliveries and emergency access. We object to the felling of Black Poplars as these are a protected native species.

Further comments: (February 2021) It was resolved at the February Parish Council meeting held on 15th February that the parish council have no objections, however would like to highlight its concerns over the continued flooding issues on Burcott Lane and how this development would add to this issue. It also has great concerns that mature Black Poplar Trees would be felled, especially as these trees go some way in helping with the water balance within the land.

Further comments (March 2021) These objections/comments relate to the pedestrian/cyclist access points from Bierton Village on Burcott Lane onto the secondary school site. It is hoped that the catchment area for this school will include the children living in Bierton and therefore we welcome easy access for them. However, the access point is not practical or safe on the bend near Marshalls Lea on Burcott Lane. The area floods significantly and regularly. Any vehicles parked for drop off/collection will cause serious traffic disruption twice a day on the narrow lane, which will be compounded during the winter months. The bend is notorious for skidding on black ice. School staff we understand will be responsible for controlling access to this point locking and unlocking as required. This means staff on duty for at least 2hrs twice a day to effect safe exit and entry of pupils. What about access to after school activities, sport etc. Will staff be available then? In addition to this access for cycle/pedestrians there appears to be another route starting at the Kingsbrook footpath at the point where it reaches Burcott Lane behind the Burcott Lodge Farm buildings (the old dairy) This is shown as a green line on Extracts 2 and 3 on submitted plan. It joins up with the proposed access point on the bend of Burcott Lane near Marshalls Lea. This footpath is already in use for children attending Bierton Village School from Kingsbrook so this could be used as the main access point for the secondary school also. It may

require chicane type gates at either end but should be wide enough to take buggies and cycles. Also it would necessitate some signage on both approaches in Burcott Lane, perhaps those with flashing lights to warn motorists.

In addition there also appears to be another route being proposed (this time by Barratt) across the new sports field at the rear of cottages at Broughton Crossing. This is despite assurances to concerned residents prior to development of site by Barratts that when the sports field was not being used, access points would be locked. These proposals for additional routes are described in the plan for the Burcott Lane access point. Extracts 2 and 3. Walkers along the Kingsbrook footpath would apparently feel intimidated by having to walk a narrow unlit footpath between newly constructed chain link and steel post fencing at the rear of the old dairy so this route across the sports field is described in the application as an escape route.

Returning to Kingsbrook Secondary School - the original design planning statement says that the idea is to encourage walking and cycling to school. Coaches dropping off pupils after an away match or minibuses in the narrow access road in the Kingsbrook development, pupils being dropped off/collected by car and staff trying to turn into the car park will cause huge disruption. I propose that the whole car parking scheme at the school be re-configured. The only drop off zone indicated on plans is in front of the SEN block through a narrow access. There appears to be a large amount of landscaping as opposed to the amount of space allocated for staff parking and drop off zones. Whilst it is admirable to encourage a green transport and health strategy for the school now and in the future - thought should be given for a realistic transport strategy for today's students at a modern school. Realistic space should be allocated for parking and drop off zones at the school and capacity for drop off by minibus - every school has them!

Aylesbury Town Council – (December 2020) Echo Birtton with Broughton Parish Council comments regarding Burcott Lane and objecting to the felling of Black Poplars. Aylesbury Town Council would like to ensure there will be provision for outdoor sport teams to store their equipment.

### Consultation Responses (Summary)

**Archaeology** – Possible Medieval or post-medieval field boundaries suggested by geophysical survey; at south end of Burcott there is a post-medieval farmstead recorded on eighteenth century maps and possible house platforms visible as earthworks and recorded in geophysical survey; in a field east of Burcott Lane there are remains of a medieval to post-medieval settlement of Burcott indicated by field walking finds, geophysical survey and evaluation trial trenching; there are also evidence of late Iron Age to Roman ditched enclosures, probably representing fields in the vicinity of a settlement or farmstead, identified by geophysical survey and confirmed by evaluation trial trenching. The inclusion of the written scheme of investigation produced by MOIA is welcomed. The archaeological fieldwork for Areas 1- 4 has been completed and Areas 5 - 6 are expected to be undertaken in Spring 2021. If planning permission is granted for this development then it is likely to harm a heritage asset's significance so a condition should be applied to require the developer to secure appropriate investigation, recording, publication and archiving of the results in conformity with NPPF paragraph 199.

**Ecology Officer** – This application is supported by an ecological impact assessment from the consultant ecologist SES dated November 2020. This report acts as an accurate account of the ecological features present on site at the time of the assessment. A series of ecological mitigation, compensation and enhancement measures are detailed within the report. These measures are considered acceptable and will need to be secured with a planning condition if this application is approved.

A Biodiversity Net Gain calculation has been established for the site in line with current central and local government policy. This shows a loss in Biodiversity as a result of the proposed works at the school site. Ecological enhancement measures have been established on site but an overall loss is still accounted for. However this school is part of the much wider Kingsbrook development which has established a nationally recognised standard for Biodiversity Net Gain. The site has established over 60% green infrastructure with a 110ha nature reserve being created to the East of the site. These measures were established and secured on the wider applications planning consent. Though BNG was not established in policy at the time of the original Kingsbrook planning approval the developer in collaboration with the LPA ecologists established the principle's of BNG by securing the green space opportunities and enhancements across the development. Work is currently being undertaken to determine the net gain base line for the nature reserve. The losses incurred at the secondary school site may well be accounted for within the wider biodiversity net gains established across the Kingsbrook site. However due to the extensive loss of Black Polar trees and hedgerow the applicant is requested to provide detail on how these will be compensated for and enhanced in the wider proposals to ensure there is not a double counting of gains. On receipt and approval of this information the application can be passed with a condition as stated.

**Further comments (March 2021)** The revised layout scheme has enabled two Black Poplars to be retained and increased the compensation trees to number 7 now. These Black Poplars should be sourced from Lindengate Black Poplar tree nursery as they have native rooted stock that has almost five years of growth. There is still however a loss of 7 mature trees within the new design. Along with the proposed Black Poplar tree planting a further 182 trees have been identified within the plan for the school.

The BNG calculation demonstrates a 16% uplift in ecological gains. The revised layout includes details of the uplift of the suds area to be established as a natural feature with increased ecological value achieved through the planting scheme proposed. Further enhancements have been achieved around the edge of the site, establishing diverse grassland and wildflower margins. The meadow margin that runs along the Western boundary will over time be reduced in size as the hedge establishes. The proposed hedge along this section has been increased in width to accommodate the hedge gains required and provides a screen to the school. It is considered that the loss of this meadow area would not impact significantly on the overall net gain demonstrated on site.

This latest iteration of the school site has demonstrated sufficient net ecological gains, including species specific enhancements (which are not included in the BNG calculation) to comply with

emerging local and national planning policy. Retention of two mature Black Poplar Trees has been achieved and significant tree planting is proposed to compensate for the loss of trees identified.

The measures detailed in the Ecological Impact Assessment from SSE dated February 2021 should be secured with a planning condition requiring a Construction Environment Plan (CEMP) which will detail how the features will be protected during the construction process and a Habitat Management Plan (HMP) which will detail the habitat enhancements features along with their long term management prescriptions to ensure they are maintained in perpetuity. Further to this measures to secure the species specific enhancements should be included within the Habitat Management plan detailing the location and specification of the enhancement features.

**Further comments (March 2021)** The applicant has provided a Construction Environmental Management Plan & Habitat Management Plan from the ecological consultant SES dated March 2021. This document sets out how the construction phase of the application can be carried out in accordance with the ecological constraints identified. Further to this the Habitat Management Plan details how the enhancements measures and the ecological features retained will be managed for the duration of the developments life. This document is considered to be an acceptable approach to deal with the ecological impacts of the construction and subsequent habitat management plan for the retained and enhanced ecological elements. These proposals should be secured with a suitably worded planning condition.

**Highways** – As part of this outline application (10/02649/AOP) the impact of traffic movements was considered and judged to be acceptable, and as such this proposal and these comments will not investigate the traffic impact of the site. It should also be noted that the applicant and the Highway Authority have been involved in pre-application discussions to ensure the site meets the required standards.

With regards to the main vehicular access points, the applicant has worked alongside the Highway Authority in the pre-application phases to ensure that this layout is satisfactory from a highways safety perspective. The proposed entrance and exit points which adjoin the highway are of sufficient width to accommodate the vehicle movements associated with the proposed development. Additionally, visibility of 43m x 2.4m in line with guidance stated in Manual for Streets is achievable from the exit point as shown on drawing 20-018/008.

Drawing 20-018/008 shows visibility splays for the maintenance access point to the south of the main access points. As described in the Transport Statement this is an access for service vehicles that *'would infrequently visit the site to maintain the external plant area and equipment associated with the school'*. The visibility splays are in line with guidance as above.

The Transport Statement mentions a *'proposed maintenance access on Burcott Lane will also be used on a very infrequent basis for playing field maintenance.'* Whilst this part of the drawing does not contain any visibility splays or tracking information the track is wide enough for the proposed movements. The visibility splays have also been measured and whilst the drawing does not show the full western visibility splay (ending at around 36m) it is not envisaged that there would be any

issue with the remaining 8m. The use of both of these accesses should be restricted to maintenance vehicles only.

Drawing number 20-018/007 rev B within the Transport Statement shows the tracking data for a selection of vehicles that will be manoeuvring around the site. These drawings show that the vehicles will be able to make the required manoeuvres within the site without difficulty or danger to other users.

Regarding parking after assessing the submitted plan, adequate parking spaces of sufficient size can be located within the site. The applicant has also provided adequate manoeuvring space for each of the parking spaces.

As part of the application the applicant has submitted a School Travel Plan which is being considered by the Council's travel planning team and if found to be satisfactory would be secured by way of condition.

The Highway Authority has no objection to the proposed development in principal subject to conditions.

**Lead Local Flood Authority** – Flood Risk - The Flood Map for Surface Water (FMfSW) provided by the Environment Agency shows that the majority of the site lies in an area of very low risk of surface water flooding (meaning there is less than 0.1% likelihood of flooding occurring in a given year). There are however 2 localised areas of flooding shown towards the north of the site (in the location of the grass playing fields) that are shown to be at high risk of surface water flooding with anticipated depths of between 0.15m and 0.60m. Additionally there is an area to the south west of the site at high risk of surface water flooding (meaning there is greater than 3.3% likelihood of flooding occurring in a given year) with anticipated flood depths of between 0.15m and 0.60m for the 3.3% Annual Exceedance Probability (AEP) event. This risk increases in extent for both the 1% and 0.1% AEP events.

Groundwater flood risk - Groundwater emergence potential mapping, provided by Jeremy Benn Associates 2016, shows the groundwater level in the location of the proposed development to be between 0.025m to 0.5m below the ground surface for a 1 in 100 year return period. This means that there is a high risk of groundwater flooding to surface water sub-surface assets. There is the possibility of groundwater emerging at the surface locally. It is noted that groundwater was encountered between 1.7m and 4.2m below ground level however this was not during the winter period when groundwater recharge is at its peak. Due to the encountered high groundwater levels, floatation calculations will be required based on the worst case scenario of groundwater assumed to be at surface level or based on groundwater levels following groundwater monitoring results over the winter period. Historic flood records There is a historic flood record held by Buckinghamshire Council, just north of the site (March 2018). This record is a surface water flood event attributed to water exceeding the capacity of a culvert and also surface water runoff from the adjacent fields and track onto the highway and rear garden of a property on Marshalls Lea, Burcott.

Surface water drainage - Surface water runoff generated by the proposed development is to be attenuated on site, prior to discharging at a rate of 26l/s to a watercourse which borders the west of the site. Infiltration is not viable as a means of surface water disposal at this site, as identified during the outline application for the wider Kingsbrook development. Whilst the surface water drainage strategy in principle is acceptable, the lack multifunction SuDS included within the scheme is disappointing and there are several queries with the scheme itself.

Existing flood risk - The drainage strategy discusses the existing flood risk in two locations; it is noted that for location 1 the proposed levels will direct the water to the west of the site however no drawings showing this has been provided. In order to understand how the existing surface water flood risk to the site is to be managed the applicant must provide a drawing showing how flows will be routed across the site. For location 2, to the south west of the site, a larger extent of high risk of flooding is shown. For this area it is discussed that 'earthworks have been designed to address overland flow to ensure that no flooding will occur within the site boundary', it is not clear what is meant by this statement. No information has been provided to address this matter and therefore in light of the information discussed within this section, the applicant must provide further information as to how the existing flood risk to the site is to be managed. This is required to ensure that flood risk is not increased offsite as a result of the development; this includes ensuring that storage capacity of above ground features is not detrimentally impacted upon by the existing flood risk to the site. The development must not increase flood risk off site in order to accord with the NPPF.

Pumps - A surface water pump is included within the scheme between the attenuation tank and the final flow control device however no supporting commentary is provided regarding this and this is not acceptable. The applicant must provide supporting evidence to demonstrate whether a surface water pumping station is necessary for inclusion within the proposed scheme. The Non Statutory Technical Standards for Sustainable Drainage Systems (Defra, 2015) advises that pumping should only be used to facilitate drainage for those parts of the site where it is not reasonably practicable to drain water by gravity. Following this, where the inclusion of a pump is deemed necessary and it is demonstrated that this part of the site cannot be drained via gravity, then the applicant must demonstrate that any residual risk (such as pump failure) can be safely managed; this is required as per Paragraph 163 of the NPPF. In this instance, the drainage strategy must provide additional information on pump maintenance and details of exceedance routes (volume, depth and direction) in the event of failure, blockage or a rainfall event that exceeds the provided storage.

Above ground SuDS - At present the proposed surface water drainage strategy for the development is not in keeping with the vision of the Kingsbrook development, as outlined within the design and access statement which states that 'Kingsbrook is considered to be a flagship nature friendly development and sets a new benchmark for housing developments in Britain. A wide range of measures are being incorporated into the development to ensure that substantial benefits are delivered for wildlife. The design of the school will complement the wildlife friendly ethos of the wider Kingsbrook scheme'. The LLFA are disappointed with the lack of incorporation of SuDS that provide multifunctional benefits; above ground SuDS components have the potential to be used as a beneficial educational tool where they are appropriately designed to fit into the landscape of a school. At the outline application stage, this parcel of the development was

required to be inclusive of 'Aquacell for roof runoff (30%), porous paving for parking and players (30%) draining to dry swales/filter drains and retention pond (40%)', as shown on drawing 06-039/121 Rev.B. The parking areas and roof runoff are directed into a very large attenuation tank, the overflow for which bypasses the attenuation pond meaning that no water quality benefits are being provided and this raises concerns. Priority must be given to above ground attenuation features rather than below ground tanks; above ground features are easier to maintain and would provide amenity and biodiversity benefits to the site. The green spaces within the car park present excellent opportunities for the inclusion of bioretention areas and/or tree pits and rain gardens. The land either side of the main access pathway/road could be used for conveyance swales and/or ponds. The inclusion of ponds in this area would significantly reduce the requirement for vast amount of underground attenuation storage currently provided on site, whilst also providing the SuDS features agreed at the outline stage of the planning process. The grassed area which currently sits above the attenuation tank to the south of the site could also be utilised to provide above ground SuDS features which could in turn be connected to a swale running parallel to the 3G pitch and MUGA. The inclusion of swales throughout the site should be prioritised over an underground piped network. By providing additional SuDS components they will not only provide additional water quality and quantity benefits but aid in the provision of amenity and biodiversity benefits to the development. No reasonable justification has been provided for the exclusion for multifunctional SuDS and the applicant must provide an assessment, with supporting evidence, for the inclusion of additional above ground SuDS components that provide multifunctional benefits. Additional areas of permeable paving or permeable asphalt should be provided on site; there are multiple pathways/roads around the site where this can and should be facilitated. The development presents opportunities for active rainwater harvesting to aid in the management and disposal of surface water from the site. At present, the attenuation tank provided is large and the prioritisation of rainwater re-use within the development should be expected which would reduce the storage capacity required.

Water quality assessment - The applicant must demonstrate their compliance with the water quality assessment criteria (Section 26, CIRIA SuDS Manual, 2015) to ensure that pollution is adequately managed. This must be undertaken for all sources of impermeable area of the proposed development. Often a combination of various SuDS components are required to meet the criteria. At present the drainage strategy is not suitable for addressing the requirements of the water quality assessment.

Drainage layout - The drainage layout will need to be revised in accordance with any revisions/amendments to the proposed drainage scheme following the information discussed above. At present the side slopes of Figure 1: Site layout taken from Site Sections drawing (DN483877-AHR-ZZ-SX-DR-L-0001 P01, 17.11.2020, AHR Architects Ltd.) Areas where above ground SuDS features should be prioritised, highlighted in dark blue the pond and swale currently proposed have not been presented; it is expected that these will be a minimum of 1:3 as per best practice guidance (CIRIA SuDS Manual C753, 2015). With regards to the proposed attenuation tank, the proposal is to bypass any above ground SuDS features, the pump from the attenuation tank connects directly into the final flow control device; so no treatment is provided prior to discharging flows offsite and this is not acceptable. This supports the requirement for further investigation into the viability of including above ground SuDS features that provide

multifunctional benefits to the site and additionally the receiving watercourse. It is anticipated that with the inclusion of additional SuDS components the required storage volume of the attenuation tank will be reduced. The attenuation tank should not be removed from the scheme entirely, as it is likely to be required in some form to provide the volume of storage required, however there are opportunities to reduce the size of this tank. Where large volumes of storage remain to be provided within an attenuation tank, details must be provided as to whether air vents are required for ventilation due to the scale of the attenuation tank, along with details of how this component will be accessed for maintenance.

Calculations – These must be updated in accordance with any revisions/amendments to the proposed drainage scheme following the assessments discussed above. It remains that the future areas of expansion should also be taken into account within any updated calculations. Calculations for the proposed surface water drainage scheme will be required for the events detailed below:

- 1 in 1 year event demonstrating that there is no surcharging within the system in line with Sewers for Adoption
- 1 in 30 year event demonstrating that the system does not flood
- 1 in 100 year event plus 40% climate change demonstrating that any flooding is contained on site

These calculations must include details of critical storm durations and associated storage volumes and demonstrate how the proposed system as a whole will function during different storm events.

Exceedance - At present it is noted that flooding occurs on site for the 1 in 100 year plus 40% climate change event. If flooding occurs on site following any revisions to the scheme, then details of where this flooding will occur, and the volume of the flooding must be provided.

Overall further information is required at this stage of the planning process in terms of existing flood risk, the proposed surface water drainage scheme and the inclusion of SuDS that provide multifunctional benefits to the development.

#### Further comments (February 2021)

Existing flood risk - Whilst drawings showing the proposed overland flood flow routes in the event of system exceedance or failure for the whole site have been provided, the applicant has not addressed the matters regarding 'location 1' and 'location 2' as highlighted within previous comments. It is crucial that this information is provided in order to accord with the National Planning Policy Framework (2019) and ensure that flood risk is not increased as a result of the development.

Pumps - The applicant has stated that the inclusion of a pump within the site is necessary due to spatial constraints, however the level of detail provided in support of this conclusion is insufficient. Through the assessment of including additional SuDS components, discussed hereafter and within my previous letter, there is the opportunity that by providing additional above ground SuDS components, a reduction in storage depths could be achieved and thus the requirement for a pump could be removed. The development site presents excellent opportunities for the inclusion of additional SuDS components and this needs to be investigated further prior to the conclusion being made that a pump, for the large volume of water stored within the attenuation tank, is necessary.

Above ground SuDS - The information currently provided regarding the inclusion of additional SuDS components is not satisfactory and further assessment must be undertaken. The applicant should revisit my previous letter whereby further guidance on the information required is outlined, specifically paragraphs 8, 9, 10, 11 and 12 and Figure 1. The inclusion and prioritisation of above ground SuDS features will reduce the requirement for such a large underground attenuation tank, which as stated above, may also reduce the requirement of a pump within the scheme by allowing for the system to be designed to shallower depths.

Water quality assessment - It is acknowledged that a water quality assessment has been undertaken, however this has not been undertaken for each sub-catchment of the development. The applicant is required to undertake a water quality assessment to show how each sub-catchment will drain through the SuDS components proposed to ensure that sufficient treatment is provided. As previously discussed, at present the attenuation tank has no downstream treatment prior to discharging flows off site and to the receiving watercourse and this is not acceptable.

Drainage layout - The LLFA acknowledge that the pond and the swale are to have maximum side slopes of 1:3 however it remains that the applicant has not addressed my concerns regarding the attenuation tank.

Calculations - Following any revisions/amendments to the proposed scheme, following the assessments discussed above and within my last letter, the applicant must provide updated storage calculations. Please note that if flooding is shown to occur on site then details of where this flooding will occur, and the volume of the flooding must be provided.

#### Further comments (March 2021)

Existing flood risk - In order to alleviate the existing surface water flood risk shown in 'location 1', the proposed development levels have been designed to direct water away from this location, with the levels of the field sports pitch set to ensure fall towards the swale and pond to the west and south-west of the site. Whilst site levels will be directed away from 'location 1', the applicant has provided insufficient information regarding the existing flood risk to the site in 'location 2'. At the detailed design stage of the planning process the applicant must demonstrate that the proposed above ground SuDS components are not located in an area of existing flood risk. To demonstrate this it is requested that the FMfSW provided by the Environment Agency is overlain on the drainage layout to demonstrate whether or not the proposed pond is located in an area of existing surface water flooding. The applicant must demonstrate that the SuDS components are not located in any areas of existing flood risk as to ensure that their storage capacity is not reduced.

Pumps - As the scheme is inclusive of a pump (pumping station) the applicant must provide a comprehensive maintenance plan for the pumping station along with details of a pump warning system in the event of pump failure. The National Planning Policy Framework (para.163) requires that planning applications demonstrate the any residual risk (such as pump failure) can be safely managed. At present the drainage strategy does not provide information on pump maintenance and details of exceedance routes (volume, depth and direction) in the event of failure, blockage or a rainfall event that exceeds the provided storage and this information is required.

Above ground SuDS - The assessment of SuDS components is not sufficient. It is acknowledged that the site has the potential for expansion in the future however, despite certain areas being reserved for expansion it remains that there are multiple locations on site where above ground SuDS components can and should be prioritised. At the detailed design stage of the planning process, the applicant must undertake a detailed assessment of the viability of including additional above ground SuDS components to demonstrate that SuDS with multifunctional benefits have been included where possible. These can be included on the frontage and open areas of the development. Additional SuDS components include, but are not limited, tree pits, detention basins, swales and rain gardens. Pleased with the inclusion of above ground SuDS features currently proposed, but the site presents excellent opportunities for the inclusion of additional SuDS components that provide multifunctional benefits, including being used as an educational tool for future students. It is acknowledged that a pump is required to drain certain areas of the site and that including additional SuDS components could not completely alleviate this requirement however, by including additional multifunctional SuDS components this could help reduce the requirement for such a large underground attenuation tank. Please note that following any amendments to the proposed scheme, i.e. where additional SuDS components are included within the scheme, the drainage layout must be updated accordingly.

Water quality assessment - The applicant has provided a water quality assessment which demonstrates that the pollution hazard indices of the development are exceeded by the SuDS mitigation indices of the proposed components. The drainage layout has been updated to allow for all runoff to pass through the attenuation pond prior to flows being discharged off site.

Calculations - The applicant has provided calculations to demonstrate that the system has been designed to contain all storm events up to an including the 1 in 100 year storm event +40% climate allowance. Following any amendments to the scheme, the calculations must be updated accordingly. If any flooding occurs for the 1 in 100 year plus 40% climate change event, details of where this flooding will occur, and the volume of the flooding must be provided.

Construction details - Construction drawings for all surface water drainage components are required; these must be shown in the form of cross-sectional diagrams and be inclusive of cover and invert levels, along with details of materials. The applicant must also provide an updated construction drawing of the pond to show the anticipated water levels for the different storm events and the freeboard that will be provided between the top of the bank and the 1 in 100 year +40% climate change allowance storm event.

Whole-life maintenance - A whole-life maintenance plan for the full surface water drainage system is required; this must outline the maintenance tasks required, the frequency by which they are to be undertaken and details of the persons responsible for undertaking maintenance.

No objections overall subject to conditions.

**Environmental Health** – Whilst there are no environmental health objections to this application the noise impact assessment produced by RSK, report reference 298116-RSK-RP-002-(OO), has identified potential noise mitigation required in relation to indoor ambient noise levels, construction works, plant noise emissions and use of the outdoor games areas including the MUGA and all weather pitch. It is suggested that the noise mitigations identified be incorporated in the development and thereafter maintained. There are particular concerns regarding the use of

the MUGA and all weather pitch outside of normal school hours, both in relation to the potential noise impacts and the impacts of floodlighting from these facilities. The lighting assessment provided indicates that light spill towards the houses on Engine Lane to the south of the site will be minimized with minimal light spill impacting the properties themselves. However, the use of the floodlighting is likely to be clearly visible to these properties through the vegetation in the green corridor separating them from the school and will draw attention to the use of these facilities. Given these concerns it is suggested that a management plan needs to be developed for use of these facilities outside of normal school hours to ensure that noise levels are minimized as far as is reasonably practicable and that the floodlighting is carefully controlled to ensure that these facilities are only lit when necessary. A condition is recommended to secure this.

**RSPB – (March 2021)** a) Welcome the adjustments that have been made to safeguard some of the Black Poplars;

b) Accept that, pragmatically, school design requirements mean the loss of some trees, so welcome the compensation package for those that are to be lost. However, as stated before, the RSPB defer to the Council's ecologist and tree officer for their expertise and first-hand knowledge of these trees;

c) Very much appreciate the efforts made to secure a positive Biodiversity Net Gain;

d) One remaining concern is the proposed hedgerow on the western boundary, which would seem an ideal location to achieve a broader, taller treeline/hedgeline to better replace the type of hedge being lost, and provide better screening. Greater clarity on the keyed instructions for the planting of hedges across the site would also be welcomed, to ensure that in practice the delivery does not default to single line planting when double line is achievable.

Our thanks to the Council and the developers for their efforts to address the concerns.

**Strategic Access Officer** – Footpath BWB/8/1 links the canal bridge in the south with Aylesbury Road, Berton to the north, close to the new A418 / eastern link road junction. The central length of this footpath is subsumed into the Kingsbrook residential development and disappears. It's not yet clear exactly where the new permanent footpath alignment will follow, but initial discussions with Barratt Homes suggest the GI corridor east of the electricity sub-station is most likely. The northern part remains unaffected, but this passes across agricultural fields, has a number of stiles across it which are outside the council's control to replace, and passes beside a residential garden to the west of Corner Farm. It is also unsurfaced and unlit, and is unsuitable as a route to school. Footpath BWB/9/1 and Burcott Lane pass respectively alongside the proposed new school boundary on south-western and north-western sides. Both Footpaths BWB/9/1 (linking Burcott Lane with Pulver Road) and BWB/6/1 (linking Burcott Lane with Parsons Lane) have evolved into a busy walking route to Berton Junior School for Oakfield Village residents and vice versa for Berton residents funnelling into Kingsbrook. As a result of this increased pedestrian demand, the applicant has funded surface improvements to both BWB/9/1 (Photo 1) and BWB/6/1, and constructed new roadside footways along the north side of Burcott Lane where these didn't previously exist. All very welcome, but not instigated as part of the planning process. The agent

has recently confirmed that as well as the existing public right of way to the west and the footpath / cycle way to the south, it is understood that Barratts will be implementing the footpath to the north of the primary school land which will provide access to both the primary and secondary schools from Bierton to the east.

Turning to the application, two pedestrian access points are shown into the school, located close together, from the east and the red edge is shown parallel with Footpath BWB/9/1 to the west. Para 2.5 of the Design & Access Statement summarises the 'key driver for the entire development is the encouragement of walking and cycling'. An informal pedestrian and cycling route is shown north of the sub-station road and south of the new secondary school (the 'Railway Park') leading east from Footpath BWB/9/1 (not submitted as part of this application). The agent confirms route 1 is to be provided. Clearly, this corridor is important for the sustainability of the development as a whole as there are large blocks of housing to the east wishing to gain walking and cycling access to Bierton's residential areas and facilities via Burcott Lane (especially bearing in mind the character of the northern half of BWB/8/1 as described above). Presumably route 1 will follow an alignment to the south of what appears to be a SUDS pond in this area and can follow a wide, attractive corridor against one of the northern school boundary fences. Moreover, with corridor 1 provided, together with the new footways on the north side of Burcott Lane, there is less concern with the loss of corridor 2 into the school grounds (and therefore remaining private) as it doesn't compromise pedestrian permeability. Once in place, it would seem that routes 1, 3 and 4 will be the primary routes for children travelling to the secondary school from both Bierton (routes 1, 3 and 4) and Oakfield (route 3). Thus, route 1 links through the future GI corridor providing easy access to both primary and secondary schools and the wider eastern parts of Kingsbrook for the public in general; and routes 3 and 4 provide easy access from Parson's Lane via BWB/6/1 and towards the school entrances via the Railway Park. Nevertheless, the existing pleasant amenity of Footpath BWB/9/1 on the western edge of the schools grounds should be retained as this will remain a busy walking corridor.

Concern 1 - With regard to the western boundary treatment along Footpath BWB/9/1, a 1.8m high weldmesh fence is proposed, situated 2m from the footpath edge. When combined with the existing metal palisade fence to Burcott Lodge Farm, this doesn't seem very attractive and creates a double-fenced corridor for half the length of this link, which can be intimidating and leads to walkers feeling unsafe, especially while this remains unlit. Granted, there does seem to be an 'escape route' west planned situated to the south of Burcott Lodge Farm, but the preference is for the fence to retreat an additional 2m into the school site from the surfaced footpath edge (4m in all), especially if others propose a hedge to screen the fence from the public's view from the footpath. If the 4m is provided, this doesn't appear to have any material impact on the proposed location of the maintenance track or Swale No.2.

Concern 2 - The second concern relates to the surface treatment and lighting of the Railway Walk 'Footpath and Cycleway'. There appears to be no existing planning obligation to provide any sealed surface or lighting for this route. The agent stated:

'Given that this is a key route along the green corridor linking Railway Park, the school, existing PRow and the Sports Pitches we would envisage that this route will be surfaced and will form part of the Green Infrastructure managed by Barratts.'

On other parts of the Kingsbrook development the 'Footpath and Cycle ways' have been surfaced with a loose stone, hogan-type material at a width of around 1.5m, which isn't ideal in wet winter conditions, and children are likely to walk mud into the school if this is used.

The application identifies the south-west corner is an 'optimum location for shared pedestrian and cycling for access' to the school from Oakfield village along the Railway Park. It also serves as part of the wider western access link from BWB/6/1 and Parsons Lane, Bierton (Route 4). The hogan path shown above is not ideal in terms of width and material. Evidently, it can become muddy in wet weather and it's not wide enough for shared walking and cycle use. It is suggested that the walking and cycling route through the Railway Park needs to be 3m wide and bitumen to accommodate the likely busy pedestrian and cycle movements to school site. In addition, if not lit, in winter those children seeking a safer route would have to use the longer and less pleasant alternative around Bellingham Way (south of the electricity sub-station), increasing the likelihood of children being driven to school or picked up by car from breakfast-/after-school clubs due to safety concerns.

While these improvements may normally be secured by planning condition, there is no blue edge plan covering this land as it lies within Barratt Homes' land holding and it is not clear of the timing or delivery of the walking and cycling route along the Railway Park compared to the predicted secondary school opening. Retrospective improvements should be avoided. The agent confirms an improved route is 'envisaged', but without any obligation the Railway Park could in theory be left simply as grass.

Alternative north-western access - It would appear the proposed maintenance access off Burcott Lane or the access off the right angle bend on Burcott Lane could be used as an additional school pedestrian entrance (opened and locked at the start and end of each school day), but this seems to have been discounted due to security and safety concerns. The playing field's maintenance access track, running generally east to west between grass and all-weather pitches, and which appears to be mostly lit and surfaced, could be utilised to provide convenient walking access at no additional cost. It is understood that the Kingsbrook primary school south of the electricity sub-station is planned to have two entrances to facilitate pedestrian convenience.

**Thames Water** - The application indicates that surface water will not be discharged to the public network and as such Thames Water has no objection. With regard to foul water sewerage network infrastructure capacity, there is no objection based on the information provided. Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such there is no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network. With regard to water supply, this comes within the area of Leep Utilities Ltd.

**Tree Officer** - The supporting arboricultural report is an Arboricultural Method Statement (ref 2481216). At section 1.4 it references a previous Arboricultural Impact Assessment, but none has been supplied with the supporting evidence – although a “summary” of impacts has been provided. The proposal is stated to require the removal of 9 individual trees, 1 group of trees and 4 hedgerows. Of these 6 individual trees are rated category A or B. There is minor encroachment

into the RPA of a category A Oak. Based on the available information, the impacts appear predominantly related to tree removals.

The report has inaccurately identified trees as hybrid black poplars, when they are in fact native black poplars, a nationally rare tree which should receive special consideration. In particular T48, 49, 50, 56 and 60 are all proposed to be removed. No tree survey data has been provided with the application and it is understood that there are some concerns that there may be veteran trees among the proposed removals, which would also trigger NPPF paragraph 175c:

*When determining planning applications, local planning authorities should apply the following principles... development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists...*

It is not made clear in the report why these trees are to be removed (although some are within the footprint of proposed recreation facilities), and it is not considered that adequate justification has been provided in this case, nor appropriate mitigation.

The proposed removals are generally of high importance with regard their visual amenity and collective impact – they also offer significant cumulative wider values and ecosystem services, as set out in NPPF para 170. Commensurate or greater new planting provision is crucial to mitigating the arboricultural impacts of the proposal. However it is not clear how commensurate new planting can be provided: the report offers no recommendations or suggestions as to what would constitute appropriate new planting. The soft landscape drawing shows a significant number of new trees, however, most of the species shown are apparently for hedging or screening, and consideration does not appear to have been given to compensating for the removal of large existing trees and their value – particularly at the northern end of the site, where the greatest extent of tree loss takes place, including the black poplars.

Sceptical that the proposed trees will be achievable when site constraints and species requirements (particularly soil volume and space for future growth) are taken into account, many of these trees are shown too densely planted, or in too restricted a soil environment to be reasonably expected to establish or achieve their full growth potential. Additional detail is required to show that planting is appropriate, feasible and able to offer at least commensurate value to the trees to be removed. Consideration does not appear to have been given to the guidance within BS5837:2012 clause 5.6, nor to the guidance within BS8545:2014. Therefore the indicative landscape drawings should be given limited weight at this time and it is suggested that they do not demonstrate adequate replacement planting is possible.

Overall the proposals call for the removal of a significant proportion of the tree cover on site and include the loss of native black poplars, there is no tree survey data, nor has a full evaluation of the impacts been provided in support of the application, and it is considered that the arboricultural impact of the proposal would result in substantial local harm. As a minimum, further information, particularly with regard to black poplars, veteran trees and new planting is required. Ideally revisions to the proposed layout that allow reduced impacts to retained trees, and better provision of replacement planting.

Further comments (March 2021) – To be reported.

## Representations:

1 representation has been received making neutral comments on the following grounds:

- Encouraging to see the arborist's report that the boundary hedgerow onto Burcott Lane will be retained.
- The maintenance access onto Burcott Lane should be locked and used minimally. If students are allowed access to the school site from Burcott Lane, this will encourage school traffic onto the lane. Burcott Lane is a quiet, narrow lane with two right-angled sharp bends either side of this access point. It would cause much congestion and a danger to pedestrians if this became a student access point to the site.

Broughton Crossing Residents Association object (summary):

- Includes the felling of mature rare Black Poplar trees on this site.
- RSPB are extremely concerned that felling these mature trees will deprive Red Kites and Buzzards of their hunting roosts and nesting sites.
- Adverse impact on protected species.
- Loss of habitat for nesting and hunting roosts of generations of Red Kites and Buzzards in the tallest trees left in the area because of felling of many mature trees by Kingsbrook developer Barratt David Wilson Homes.
- The best way to protect these trees is to append a Tree Preservation Order.
- Ongoing horticultural program sponsored by Buckinghamshire Council based at the Lindengate site at Dobbies Garden Centre Wendover where Black Poplars were being propagated from seed and grown on for planting at various sites around the county does not mitigate the felling of mature Black Poplars.
- The school buildings will be visible from Broughton Crossing unless the present landscape planning for tree planting to the southwest is upgraded to dense screening and not the odd clump of trees.
- Lighting also visible after dark.
- Would result in an urban character to an otherwise rural area, dominating the eastern horizon as it does.
- The southwest of school site should be screened adequately with hedging and substantial tree species.

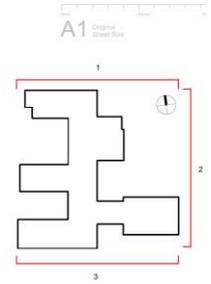
Woodland Trust – Comments have also been received on behalf of the Woodland Trust commenting that they are aware that a number of mature black poplar trees would be removed to facilitate the construction of this development. While these trees do not appear to be considered ancient or veteran specimens and are therefore not necessarily protected by means of planning policy, retaining healthy mature trees on account of the benefits that they deliver for people and the environment is favoured. Mature trees offer immense benefits from filtering our air, to helping with flooding and providing a home to wildlife. In the case of black poplars, it has been noted by the Forestry Commission (now known as Forestry England) that this species is the most endangered native tree in the UK. As such, every effort must be made to retain and protect any

remaining populations of black poplar. Request that the applicant seeks to redesign the scheme to avoid the removal of any black poplar trees from this site. If the applicant is to redesign the scheme to retain these black poplars they must also avoidance of impact from encroachment within the root protection area of such trees. As such, any redesigns must follow the guidance contained within the 'BS5837: Trees in relation to design, demolition and construction' guidelines. Rare and threatened native tree species, such as black poplar, must be protected from adverse impact.

# Appendix B: Plans



1 Planning - North Elevation  
1:200



2 Planning - East Elevation  
1:200



**3 Planning - South Elevation**  
1 : 200

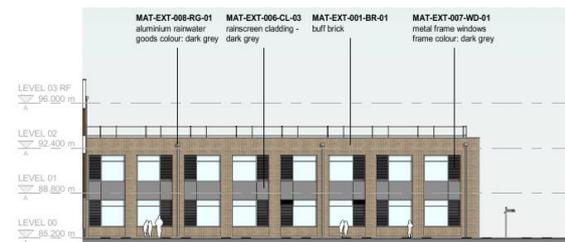


**1 Planning - West Elevation**  
1 : 200

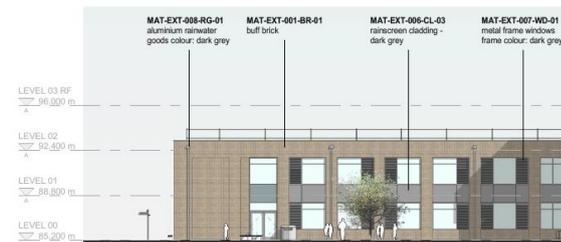
**1 Planning - West Elevation**  
1 : 200



**2 Planning - Dining Courtyard - Elevation 2**  
1 : 200



**3 Planning - Dining Courtyard - Elevation 3**  
1 : 200



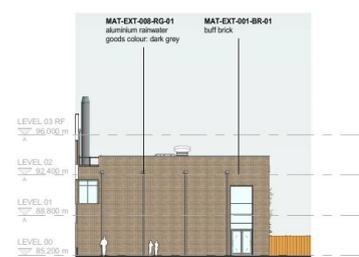
**4 Planning - Study Courtyard - Elevation 4**  
1 : 200



**5 Planning - Study Courtyard - Elevation 5**  
1 : 200



**6 Planning - Entrance Courtyard - Elevation 6**  
1 : 200



**7 Planning - Entrance Courtyard - Elevation 7**  
1 : 200

## **Appendix C: Schedule of submitted documents**

- Planning Statement including Statement of Community Involvement prepared by Smith Jenkins Ltd dated November 2020, reference 760;
- Design and Access Statement prepared by AHR Architects, dated November 2020, reference DN483877-AHR-XX-ZZ-RP-A-0004 Rev P04;
- School Supporting Statement prepared by Buckinghamshire Council;
- Transport Statement prepared by BCAL Consulting dated November 2020, reference DN483877-BCL-ZZ-ZZ-RP-C-0001\_P01\_TransportStatement Rev A;
- Draft Travel Plan prepared by BCAL Consulting dated November 2020, reference DN483877-BCL-ZZ-ZZ-RP-C-0002\_P01\_TravelPlan Rev A;
- Drainage Strategy Incorporating Assessment Of Flood Hazard, Sustainable Drainage System Statement & Maintenance Advice prepared by BCAL Consulting dated November 2020, reference 6530001 FRA Rev 1;
- MicroDrainage Calculations – SW Network2\_A (26.01.2021 BCAL Consulting) (all output sheets)
- MicroDrainage Calculations – SW Network1\_B (26.01.2021 BCAL Consulting) (all output sheets)
- Drainage Layout 1 of 4 (6530-0500 P5, 25.01.2021, BCAL Consulting)
- Drainage Layout 2 of 4 (6530-0501 P5, 25.01.2021, BCAL Consulting)
- Drainage Layout 3 of 4 (6530-0502 P5, 01.03.2021, BCAL Consulting)
- Drainage Layout 4 of 4 (6530-0503 P6, 25.01.2021, BCAL Consulting)
- Pond - General Arrangement (6530-0505 P1, 10.02.2021, BCAL Consulting)
- External Levels 1 of 4 (6530-0600 P5, 01.03.2021, BCAL Consulting)
- External Levels 2 of 4 (6530-0601 P5, 01.03.2021, BCAL Consulting)
- External Levels 3 of 4 (6530-0602 P5, 01.03.2021, BCAL Consulting)
- External Levels 4 of 4 (6530-0603 P5, 01.03.2021, BCAL Consulting)
- Details 1 of 2 (6530-0800 P2, 25.01.2021, BCAL Consulting)
- Details 2 of 2 (6530-0801 P1, 03.11.2020, BCAL Consulting)
- External Finishes (6530-0700 P2, 25.01.2021, BCAL Consulting)
- Water Quality SuDS Assessment Tool document
- Attenuation Volume Capacity Calc. (6530 C 1, 01.03.2021, BCAL Consulting)
- Email Correspondence from BCAL (04.02.2021, BCAL Consulting)
- Email Correspondence from BCAL (01.03.2021, BCAL Consulting)
- Landscape and Visual Impact Assessment prepared by RSK dated November 2020, reference RSK/MLs/P32442/05/01 Rev02;
- Stage 3 Arboricultural Method Statement Report prepared by RSK dated February 2021, reference 2481216 Final – Rev. 3;
- Ecological Impact Assessment, Rev B prepared by Southern Ecological Solutions Ltd dated February 2021;
- BNG DEFRA Metric 2.0 Rev F prepared by Southern Ecological Solutions Ltd;
- Construction Environmental Management Plan & Habitat Management Plan, prepared by Southern Ecological Solutions Ltd, dated March 2021

- Ecology and Trees Checklist prepared by Southern Ecological Solutions Ltd;
- External Lighting Planning Statement prepared by Anderson Green Ltd dated November 2020, reference DN483877-AGL-ZZ-XX-RP-ME-0009;
- External Lighting Strategy Plan prepared by Anderson Green Ltd, reference LE0152-AGL-ZZ-XX-DR-E-7401 S1 P01;
- External Lighting Strategy Plan Post Curfew prepared by Anderson Green Ltd, reference DN483877-AGL-ZZ-XX-DR-E-7401 S1 P02;
- Energy Strategy Report prepared by Anderson Green Ltd dated November 2020, reference DN483877-AGL-ZZ-XX-RP-J-0001 P02;
- Construction Phase Health and Safety Plan prepared by Morgan Sindall dated October 2020, reference 53Y011;
- Archaeological Written Scheme of Investigation prepared by MOLA dated February 2020, reference AYBCM:2020.XX;
- Phase 2 Geo-Environmental Assessment prepared by Ground Engineering dated November 2020 reference C15150; and
- Noise Impact Assessment prepared by RSK dated November 2020, reference 298116-RSK-RP-002-(00)
- Soil Volumes for Trees in Car Park Area
- Image of Root Protection Area for T60
- Material details: Ibstock brick specifications - Atlas Smooth Blue, Arundel Yellow MultiStock, Aqua Marine Glazed
- Material details: Rockpanel specifications (Rainscreen board)
- Material details: Colorcoat Prisma specifications (cladding)

## Plans

- SOR018082 Drawing 01 and 02 – Topographical Survey
- DN483877-AHR-ZZ-ZZ-DR-L-0002 P04 S2 – Site Location Plan
- DN483877-AHR-ZZ-ZZ-DR-L-0001 P03 S2 – Existing Site Plan
- DN483877-AHR-ZZ-SX-DR-L-0001 P02 S2 – Site Sections
- DN483877-AHR-ZZ-ZZ-DR-L-0003 P03 S2 – Block Plan
- DN483877-AHR-ZZ-ZZ-DR-L-0100 P08 S2 – Landscape GA
- DN483877-AHR-ZZ-ZZ-DR-L-0101 P05 S2 – Landscape GA East
- DN483877-AHR-ZZ-ZZ-DR-L-0102 P05 S2 – Landscape GA North West
- DN483877-AHR-ZZ-ZZ-DR-L-0103 P05 S2 – Landscape GA South West
- DN483877-AHR-ZZ-ZZ-DR-L-0104 P05 S2 – Landscape Fencing
- DN483877-AHR-ZZ-ZZ-DR-L-0105 P04 S2 – Landscape Furniture
- DN483877-AHR-ZZ-ZZ-DR-L-0107 P01 S2 – Landscape SEN Unit and Garden Area
- DN483877-AHR-ZZ-ZZ-DR-L-0111 P03 S2 – Landscape GA BB103 Area Schedule
- DN483877-AHR-ZZ-ZZ-DR-L-0112 P02 S2 – Boundary Treatments Strategy
- DN483877-AHR-ZZ-ZZ-DR-L-0121 P05 S2 – Access Strategy Pedestrian
- DN483877-AHR-ZZ-ZZ-DR-L-0122 P05 S2 – Access Strategy Vehicle

- DN483877-AHR-ZZ-ZZ-DR-L-0200 P01 S2 – Hard Landscape GA and Sheet Location
- DN483877-AHR-ZZ-ZZ-DR-L-0300 P05 S1 – Soft Landscape GA and Schedules
- DN483877-AHR-ZZ-ZZ-DR-L-0311 P05 S1 - Soft Landscape GA Tree, Native Mix and Hedge Planting
- DN483877-AHR-ZZ-ZZ-SH-L-0301 P03 S2 - Soft Landscape Maintenance Schedule Sheet 1
- DN483877-AHR-ZZ-ZZ-SH-L-0302 P03 S2 - Soft Landscape Maintenance Schedule Sheet 2
- DN483877-AHR-ZZ-ZZ-SH-L-0303 P01 S2 - Soft Landscape Maintenance Schedule Sheet 3
- DN483877-AHR-ZZ-ZZ-DR-L-0322 P02 S1 - Soil Cell and Root Barrier Arrangement
- DN483877-AHR-ZZ-ZZ-DR-L-0403 P03 S1 – Soft Landscape Typical Detail
- DN483877-AHR-ZZ-ZZ-DR-L-0411 P01 S1 – Soft Landscape Detail
- DN483877-AHR-ZZ-00-DR-A-0511 S2 P02 – Ground Floor Plan
- DN483877-AHR-ZZ-01-DR-A-0511 S2 P02 – First Floor Plan
- DN483877-AHR-ZZ-02-DR-A-0511 S2 P02 – Second Floor Plan
- DN483877-AHR-ZZ-EL-DR-A-0521 S2 P05 – Elevations - North, East & South
- DN483877-AHR-ZZ-EL-DR-A-0522 S2 P04 – Elevations - West & Courtyards
- DN483877-AHR-ZZ-EL-DR-A-0523 S2 P03 – Pavilion - Plan, Section and Elevations
- DN483877-AHR-ZZ-EL-DR-A-0524 S2 P03 – Bin Store - Plan, Section & Elevations
- DN483877-AHR-ZZ-EL-DR-A-0525 S2 P03 – Cycle Store - Plan, Section, Elevations
- DN483877-AHR-ZZ-R2-DR-A-0511 S2 P03 – Roof Plan
- DN483877-AHR-ZZ-SX-DR-A-0532 S2 P01 – Building Sections
- DN483877-AHR-ZZ-ZZ-DR-A-0541 S2 P02 – External Materials Palette