

# Agenda

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## East Area Planning Committee

Date: **Wednesday 5 September 2018**

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Time: **6.00 pm**

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Place: **The Old Library - Oxford Town Hall**

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For any further information please contact the Committee Services Officer:

**Jennifer Thompson, Committee and Member Services Officer**

Telephone: 01865 252275

Email: [democraticservices@oxford.gov.uk](mailto:democraticservices@oxford.gov.uk)

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If you intend to record the meeting, it would be helpful if you speak to the Committee Services Officer before the start of the meeting.

# East Area Planning Committee

## Membership

<b>Chair</b>	Councillor Sian Taylor*	Northfield Brook;
<b>Vice-Chair</b>	Councillor David Henwood	Cowley;
	Councillor Shaista Aziz	Rose Hill and Iffley;
	Councillor Nigel Chapman	Headington Hill and Northway;
	Councillor Mary Clarkson	Marston;
	Councillor Stef Garden	Headington;
	Councillor Mark Lygo	Churchill;
	Councillor John Tanner	Littlemore;
	Councillor Roz Smith	Quarry and Risinghurst;

\* Has given apologies: Substitute will be Councillor Alex Hollingsworth. Councillor Henwood will be in the Chair.

The quorum for this meeting is five members. Substitutes are permitted.

### Copies of this agenda

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# AGENDA

Pages

- 1 **Apologies for absence and substitutions**
- 2 **Declarations of interest**
- 3 **18/01173/FUL: "Swan School", The Harlow Centre, Raymund Road, Oxford, OX3 0PG**

13 - 90

**Site address:** The Harlow Centre (site of Meadowbrook College), Raymund Road.

**Proposal:** Demolition of existing buildings on the site and their replacement with a new two-storey education facility, associated parking and external play areas for Meadowbrook College. Erection of a new secondary school in the form mix of one and three-storey buildings together with provision of a new access from Marston Ferry Road, associated car and cycle parking along with formal and informal play and sport provision. Erection of a multi-use games area (MUGA) and eco-shelter for St Nicholas Primary School. (Amended description) (Amended plans and additional information).

**Recommendation:** East Area Planning Committee is recommended to:

- (a) approve the application for the reasons given in the report and subject to:
  - 1. the satisfactory completion of a legal agreement and/or unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in the report; and
  - 2. the required planning conditions set out in section 12 of the reportand grant planning permission; and
- (b) agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:
  - 1. finalise the recommended conditions as set out in the report and the possible additional conditions referred to above including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary; and
  - 2. finalise the recommended legal agreement or unilateral undertaking under section 106 of the Town and Country Planning

Act 1990 and other enabling powers as set out in the report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in the report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary; and

3. issue the planning permission.

**4 18/01697/FUL: Temporary buildings at The Harlow Centre, Raymund Road, Oxford OX3 0PG**

91 - 104

**Site Address:** The Harlow Centre, Raymund Road, Oxford, OX3 0PG

**Proposal:** Partial demolition of the existing Meadowbrook College buildings and erection of modular units to provide a temporary education facility for Meadowbrook College, including the provision of an external play area to the south of the modular units to be enclosed by a 3.0 metre high rebound fence for a period of no more than two years and other associated works.

**Recommendation:** East Area Planning Committee is recommended to:

- (a) approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission.
- (b) agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

**5 17/03050/FUL: Land North Of Littlemore Healthcare Trust, Sandford Road, Littlemore, Oxford, OX4 4XN**

105 - 136

**Site Address:** Land North Of Littlemore Healthcare Trust, Sandford Road, Littlemore, Oxford

**Proposal:** 141 residential units together with roads, parking, landscaping and open space.

**Recommendation:** East Area Planning Committee is recommended to:

- (a) approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission subject to:

1. the satisfactory completion of a legal agreement under s.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in the report; and
  2. the Ecological Impact Assessment satisfying the Oxford City Council Ecologist and Natural England that the proposal will not have an adverse ecological impact and that any impact can be mitigated by appropriately worded conditions.
- (b) agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:
1. finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;
  2. finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in the report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary; and
  3. complete the section 106 legal agreement referred to above and issue the planning permission.

**6 18/01789/CT3: Land Off Kersington Crescent and Amory Close, OX4 3RL**

137 -  
148

**Site Address:** Street Record, Amory Close, Oxford,

**Proposal:** Formation of 18No. residents' car parking spaces using existing grass verges.

**Recommendation:** East Area Planning Committee is recommended to:

- (a) approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission.
- (b) agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

finalise the recommended conditions as set out in the report including

such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

## 7 **18/01555/FUL: 5 Colwell Drive Oxford OX3 8XD**

149 -  
156

**Site Address:** 5 Colwell Drive, Oxford, OX3 8XD,

**Proposal:** Erection of extension to front in association with conversion of garage into habitable space. Extension of tarmac driveway and landscaping to front.

**Reason at Committee:** Called in by Councillors Rowley, Tanner, Fry, Turner, Taylor, Rush and Clarkson because of the loss of parking.

**Recommendation:** East Area Planning Committee is recommended to:

- (a) approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of the report and grant planning permission.
- (b) agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

## 8 **Minutes**

157 -  
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**Recommendation:** That the minutes of the meeting held on 1 August 2018 are approved as a true and accurate record.

## 9 **Forthcoming applications**

Items currently expected to be considered by the committee at future meetings are listed for information. This is not a definitive list and applications may be added or removed at any point. These are not for discussion at this meeting.

16/02549/FUL: Land Adjacent 4  
Wychwood Lane, OX3 8HG

Non-delegated  
application (as at July,  
still awaiting additional  
information

17/01338/OUT: 23 And Land To The  
Rear Of 25 Spring Lane, Littlemore,  
OX4 6LE

Called in

17/01519/FUL: 55 Collinwood Road Oxford OX3 8HN	Called in
17/03380/FUL: The Iffley Academy, Iffley Turn, Oxford, OX4 4DU	Major development: listed building
17/03425/FUL: Land to the Rear of 2 and 4 Fern Hill Road, OX4 2JN (refused delegated 10/5/18)	Called in
18/00217/CT3: Site Of (cons), 1 - 36 Brome Place, Oxford	Council application
18/00571/FUL: 11 Horseman Close, Oxford, OX3 0NR	Called in
18/00591/VAR: 255A Marston Road, Oxford, OX3 0EN	Committee level decision
18/00686/OUT: 1 Gurl Close	Called in
18/00870/FUL: 1 Pullens Lane, Oxford, OX3 0BX	Committee level decision
18/01081/FUL: 75 Bartholomew Road, Oxford, OX4 3QN (says delegated on website)	Committee level decision
18/01091/FUL: The Stadium Grenoble Road, Oxford, OX4 4XP	Called in
18/01468/VAR - TM Rana Court, 138- 142 Hollow Way, OX4 2NL	Committee level decision
18/01477/VAR - John Radcliffe Hospital, Sandfield Road OX3 9DU	Committee decision
18/01654/FUL - Littlemore Mental Health Centre OX4 4XN	Committee level decision
18/01758/FUL - 244 Barns Road, Oxford OX4 3RW	Committee Application
18/01773/CT3 - 42 Stubbs Avenue Oxford OX3 8RT	Committee level decision
18/01851/FUL: John Radcliffe Hospital, Sandfield Road, Oxford, OX3 9DU	Committee level decision - Major development
18/02061/FUL: Leys Pool And Leisure Centre , Pegasus Road, Oxford, OX4 6JL	Committee level decision
18/02231/VAR: Littlemore Park, Armstrong Road, Oxford, OX4 4XG	Major development - variation to 14/02940/OUT

## 10 Dates of future meetings

Future meetings are at 6.00pm on

3 Oct 2018

7 Nov 2018

5 Dec 2018

16 Jan 2019

6 Feb 2019

6 Mar 2019

3 Apr 2019

22 May 2019



## **Councillors declaring interests**

### **General duty**

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

### **What is a disclosable pecuniary interest?**

Disclosable pecuniary interests relate to your\* employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

### **Declaring an interest**

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

### **Members' Code of Conduct and public perception**

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

\*Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

## **Code of practice for dealing with planning applications at area planning committees and planning review committee**

Planning controls the development and use of land in the public interest. Applications must be determined in accordance with the Council's adopted policies, unless material planning considerations indicate otherwise. The Committee must be conducted in an orderly, fair and impartial manner. Advice on bias, predetermination and declarations of interest is available from the Monitoring Officer.

The following minimum standards of practice will be followed.

### **At the meeting**

1. All Members will have pre-read the officers' report. Members are also encouraged to view any supporting material and to visit the site if they feel that would be helpful (in accordance with the rules contained in the Planning Code of Practice contained in the Council's Constitution).
2. At the meeting the Chair may draw attention to this code of practice. The Chair will also explain who is entitled to vote.
3. The sequence for each application discussed at Committee shall be as follows:-
  - (a) the Planning Officer will introduce it with a short presentation;
  - (b) any objectors may speak for up to 5 minutes in total;
  - (c) any supporters may speak for up to 5 minutes in total;
  - (d) speaking times may be extended by the Chair, provided that equal time is given to both sides. Any non-voting City Councillors and/or Parish and County Councillors who may wish to speak for or against the application will have to do so as part of the two 5-minute slots mentioned above;
  - (e) voting members of the Committee may raise questions (which shall be directed via the Chair to the lead officer presenting the application, who may pass them to other relevant Officers and/or other speakers); and
  - (f) voting members will debate and determine the application.

### **Preparation of Planning Policy documents – Public Meetings**

4. At public meetings Councillors should be careful to be neutral and to listen to all points of view. They should take care to express themselves with respect to all present including officers. They should never say anything that could be taken to mean they have already made up their mind before an application is determined.

### **Public requests to speak**

5. Members of the public wishing to speak must notify the Democratic Services Officer by noon on the working day before the meeting, giving their name, the application/agenda item they wish to speak on and whether they are objecting to or supporting the application. Notifications can be made in person, via e-mail or telephone, to the Democratic Services Officer (whose details are on the front of the Committee agenda).

### **Written statements from the public**

6. Any written statements that members of the public and Councillors wish to be considered should be sent to the planning officer by noon two working days before the day of the meeting. The planning officer will report these at the meeting. Material received from the public at the meeting will not be accepted or circulated, as Councillors are unable to view give proper consideration to the new information and officers may not be able to check for accuracy or provide considered advice on any material consideration arising. Any such material will not be displayed or shown at the meeting.

### **Exhibiting model and displays at the meeting**

7. Applicants or members of the public can exhibit models or displays at the meeting as long as they notify the Democratic Services Officer of their intention by noon, two working days before the start of the meeting so that members can be notified.

### **Recording meetings**

8. Members of the public and press can record the proceedings of any public meeting of the Council. If you do wish to record the meeting, please notify the Committee clerk prior to the meeting so that they can inform the Chair and direct you to the best place to record. You are not allowed to disturb the meeting and the chair will stop the meeting if they feel a recording is disruptive.
9. The Council asks those recording the meeting:
  - Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule, or show a lack of respect towards those being recorded.
  - To avoid recording members of the public present unless they are addressing the meeting.

### **Meeting Etiquette**

10. All representations should be heard in silence and without interruption. The Chair will not permit disruptive behaviour. Members of the public are reminded that if the meeting is not allowed to proceed in an orderly manner then the Chair will withdraw the opportunity to address the Committee. The Committee is a meeting held in public, not a public meeting.
11. Members should not:
  - (a) rely on considerations which are not material planning considerations in law;
  - (b) question the personal integrity or professionalism of officers in public;
  - (c) proceed to a vote if minded to determine an application against officer's recommendation until the reasons for that decision have been formulated; or
  - (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

**Code updated to reflect Constitution changes agreed at Council in April 2017.**

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## EAST AREA PLANNING COMMITTEE

5 September 2018

**Application number:** 18/01173/FUL  
**Decision due by** 10 August 2018  
**Extension of time** 12 September 2018

**Proposal** Demolition of existing buildings on the site and their replacement with a new two-storey education facility, associated parking and external play areas for Meadowbrook College. Erection of a new secondary school in the form mix of one and three-storey buildings together with provision of a new access from Marston Ferry Road, associated car and cycle parking along with formal and informal play and sport provision. Erection of a multi-use games area (MUGA) and eco-shelter for St Nicholas Primary School. (Amended description) (Amended plans and additional information)

**Site address** The Harlow Centre (site of Meadowbrook College),  
Raymund Road – see paragraph 5.5 for site plan

**Ward** Marston Ward

**Case officer** Nadia Robinson

**Agent:** JPPC **Applicant:** Galliford Try Ltd

**Reason at Committee** Major development

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### 1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to

- the satisfactory completion of a legal agreement and/or unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and
- the required planning conditions set out in section 12 of this report and grant planning permission;

1.1.2. **agree to delegate authority** to the Head of Planning, Sustainable Development and Regulatory Services to:

- finalise the recommended conditions as set out in this report and the

possible additional conditions referred to above including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary; and

- finalise the recommended legal agreement or unilateral undertaking under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary; and
- issue the planning permission.

## **2. EXECUTIVE SUMMARY**

2.1. This report considers a proposal to demolish the existing Harlow Centre building in Marston and replace it with a new three-storey secondary school and two-storey alternative provision unit. See **appendix 1** for the proposed site plan.

2.2. The key matters for assessment set out in this report include the following:

- Principle of development
- Green Belt
- Impact on designated heritage assets
- Site layout, form and massing
- Landscape and open space
- Highways and transport
- Neighbouring impact
- Archaeology
- Flooding and drainage
- Biodiversity
- Energy and sustainability
- Air quality
- Land quality

2.3. Officers consider that the proposal would accord with the policies of the development plan when considered as a whole and the range of material considerations, on balance, support the grant of planning permission.

- 2.4. The scheme would also accord with the aims and objectives of the National Planning Policy Framework, would constitute sustainable development, and, given conformity with the development plan as a whole, paragraph 11 advises that the development proposal should be approved without delay. Furthermore there are not any material considerations that would outweigh the compliance with these national and local plan policies.

### **3. LEGAL AGREEMENT**

- 3.1. A Section 106 agreement or unilateral undertaking is required to secure the full implementation, monitoring and review of the Swan School Travel Plan over a period to academic year beginning September 2027 and a requirement to enter into a further period of Travel Plan monitoring should its targets not be met by 2027. The legal agreement would secure financial contributions for Travel Plan monitoring fees. The legal agreement would also include a requirement for the secondary school to use best endeavours to ensure staff parking is limited to on-site parking and does not overspill onto local streets, and that student drop-offs by car are limited to those granted permits and do not occur off-site in the immediate area around the school.
- 3.2. Although the County Council has requested financial contributions in relation to a change in speed limit from 40mph to 30mph (amending the traffic regulation order and highway works), this is separate from the planning process; the contributions are to be made to the County Council directly via unilateral undertaking.
- 3.3. A Section 278 agreement is required for the construction of the site access. The site access comprises a priority junction with dedicated right and left turn lanes on Marston Ferry Road, a raised table across the site and road markings requiring vehicles to give way to cycles on the cycle lane.

### **4. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

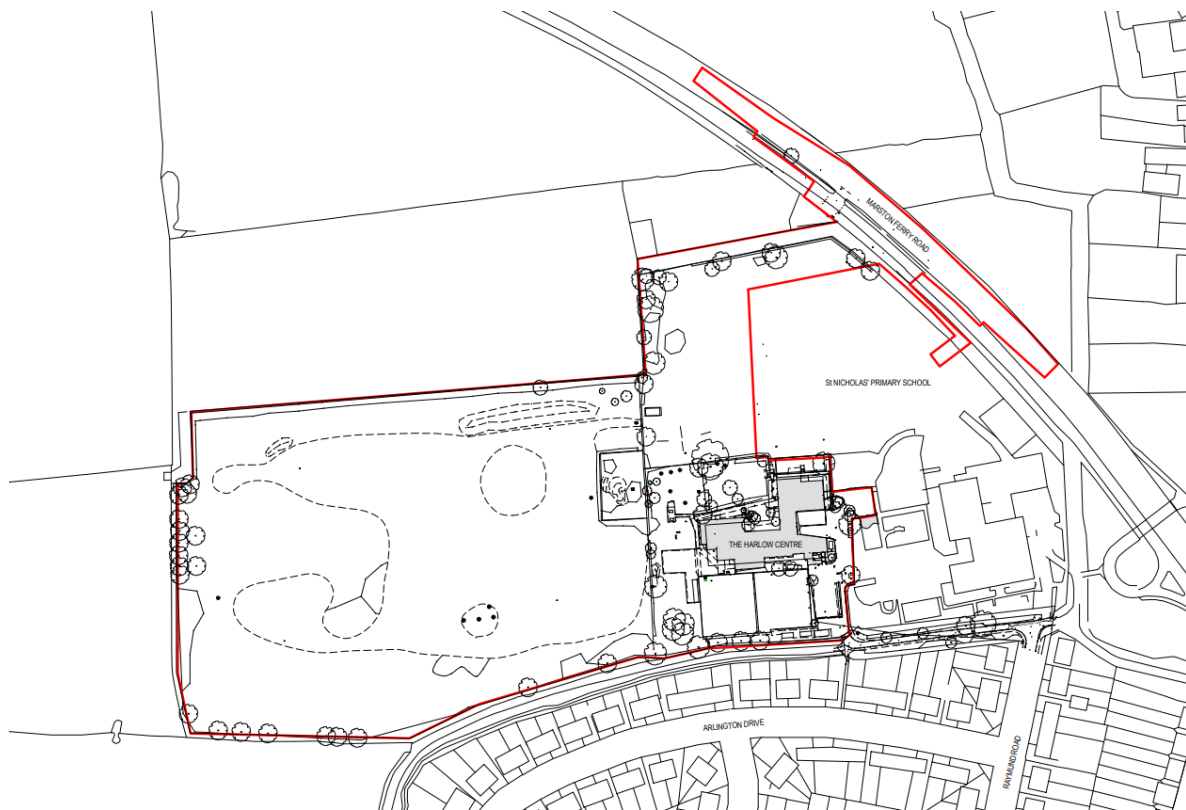
- 4.1. The development would be liable for CIL contribution of £254,897.14. Please note that charitable institutions are able to apply for exemption from CIL and so this amount may not be payable.

### **5. SITE AND SURROUNDINGS**

- 5.1. The 5.5 hectare site includes within its boundary the existing Harlow Centre buildings and its outdoor spaces, from where Meadowbrook College Alternative Provision Unit (APU) operates, plus a section of land that is currently the northern part of St Nicholas Primary School playing fields.
- 5.2. The site lies to the north of Raymond Road, from where it is currently accessed, with the south west of the site bounded by a tree belt, public bridleway, Marston brook, and the rear of properties on Arlington Drive beyond. To the north-east of the site is the Marston Ferry Road (B4459) and its cycle/footway that is segregated from traffic by a hedgerow. The site includes two fields enclosed by hedgerows: a grass field in the western part

of the site and a field within St Nicholas School in the northern part of the site. Fields lie to the north and west of the application site with the River Cherwell beyond, to the west. A public footpath runs along much of the western and northern boundary of the site.

- 5.3. Land designated as Green Belt lies to the north and west of the existing Harlow Centre building, with the field to the north and field to the west also designated as protected open air sports facilities. The red line of the application includes both Green Belt and protected open air sports facility land.
- 5.4. The conservation area of Old Marston lies to the east of the site, and the majority is on the other side of the Marston Ferry Road from the site; it does, however include the triangle of green space east of St Nicholas School. No part of the site lies within the conservation area.
- 5.5. See site plan below:



## 6. PROPOSAL

- 6.1. The proposal is for the redevelopment of the existing Harlow Centre site to provide a new secondary school for 1260 pupils and re-provide Meadowbrook College, following demolition of the existing Meadowbrook College buildings. Some additional outdoor facilities for St Nicholas Primary School are also proposed.



- 6.2. The development is required to meet an identified need for secondary school places for pupils in Oxford and would be funded through the Government's free schools programme by the Education and Skills Funding Agency. It is proposed to be managed by the River Learning Trust, which is the trust that manages Cherwell School.
- 6.3. The new secondary school, referred to in the application as Swan School, would be a six-form entry school for 1260 students (of which 360 would be sixth form students). It would employ 132 full-time equivalent staff. A three-storey building is proposed for the main school, with attached hall, and a separate sports centre. A new vehicular, pedestrian and cycle access to the secondary school is proposed from Marston Ferry Road. A cycle store, sports pitches, landscaping, and parking areas are included in the proposal.
- 6.4. Meadowbrook College is an APU for approximately 60 primary and secondary aged pupils outside mainstream education. The existing building is a former middle school and so was not purpose built for their needs and is now in poor condition. A purpose built replacement building over two storeys is proposed in the south-west part of the site along with external landscaping, parking and outdoor sports facilities. Access to Meadowbrook would be from Raymund Road, as at present. No increase or change to student or staff numbers is proposed from the existing facility.
- 6.5. The northern part of the St Nicholas Primary site is proposed to be released to provide access into the proposed Swan School and, as a result, outdoor sports facilities are to be provided for the primary school to compensate for this loss. In addition, a replacement ecology hut in the north east of the primary school's site is proposed.
- 6.6. The application states that the school proposes to operate in off-site temporary accommodation for the first year from September 2019 for the first year 7 intake of 120 places. Officers understand that detail of how and where this will be provided has not yet been decided.
- 6.7. If permission is granted, it is proposed that Meadowbrook College would remain on site in temporary accommodation during construction before moving into the new building. A separate planning application, reference 18/01697/FUL, is under consideration for the temporary buildings.
- 6.8. Amended plans and additional information were received during the course of the application, and this was then re-advertised. The main changes were:
- Updated tree survey along the site's southern boundary close to the proposed new Meadowbrook College;
  - Repositioning of Meadowbrook College as a result of the revised tree data;
  - Minor design changes to the entrance of Swan School;
  - Further information on transport and highways matters including an addendum to the transport assessment and revised Travel Plans.

## 7. RELEVANT PLANNING HISTORY

7.1. The table below sets out the relevant planning history for the application site:

54/00344/M\_H - Erection of secondary modern school – Approved 30.03.1955

56/00160/M\_H - Erection of a secondary modern school – Approved 06.03.1956

56/00280/M\_H - Erection of Secondary Modern School. – Approved 08.05.1956

71/00190/M\_H - New art and pottery room. – Approved 15.03.1971

75/00050/SON\_H - Extensions, alterations and erection of additional new building by the County Council – Approved 02.05.1975

83/00596/SON - Construction of new car park and paved areas on existing hard play area – Approved 01.03.1984

93/00266/DF - Erection of a double prefabricated classroom building for a temporary period – Deemed consent 12.07.1993

96/00168/DF - Construction of 5 class extension, external works and landscaping Temporary access to Marston Ferry Road for construction traffic for the period of the building contract (Amended plans) – Raise no objection 15.04.1996

97/00960/DF - Erection of a prefabricated classroom building for a temporary period. – Raise no objection 12.08.1997

02/00155/CC3 - Erection of prefabricated single classroom building for temporary period until August 2003 – No objection 04.04.2002 – Approved by County

02/01157/CC3 - Retention of prefabricated classroom building for a temporary period (renewal of temporary consent 97/00960/DF) – No objection 29.07.2002 – Approved by County

03/01655/CC3 - Renewal of temporary consent under planning permission 02/1157/CC3 for continued use of double prefabricated unit (E111). Erection of single prefabricated unit (E243), for use by the visually impaired service, for a temporary period of one year – No objection 25.09.2003 – Approved by County

## 8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Other planning documents
Design	124-132	CP1 CP6 CP8 CP9 CP10 CP20	CS18_	HP14_	
Conservation/ Heritage	184-202	HE2 HE7 HE10			
Natural environment	133-147 148-169 170-183	CP11 NE15	CS4_ CS12_		
Social and community	91-101	CP13 CP19 CP21 SR2	CS16_		
Transport	102-111	TR1 TR2 TR3 TR4	CS13_		Parking Standards SPD
Environmental	117-121	CP17 CP18 CP22 CP23 NE14	CS2_ CS9_ CS10_ CS11_ CS21_		Natural Resource Impact Analysis SPD
Miscellaneous	7-12			MP1	

## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 23 May 2018 and an advertisement was published in The Oxford Times newspaper on 24 May 2018. Additional information and amended plans were advertised via site notices displayed around the application site on 26 July 2018 and an advertisement was published in The Oxford Times newspaper on 2nd August 2018.

- 9.2. The consultation responses received in relation to the application are summarised below. Officers would make members aware that copies of all the consultation responses listed below are available to view in full on the Council's public access website.

### **Statutory and non-statutory consultees**

#### Oxfordshire County Council (Highways)

*Response dated 22 June 2018*

- 9.3. No objection subject to conditions.

- 9.4. Comments relating to Swan School:

- Access off Marston Ferry Road - design ensures that cycles on Marston Ferry Road are given priority over vehicles and dedicated right and left turn lanes ensure vehicles on the carriageway are not obstructed.
- Car parking provided in line with adopted standards.
- Cycle parking provided significantly above adopted cycle parking standards, however due to predicted cycling levels amongst students, the County Council is seeking additional cycle parking.
- Management of the cycle lane:
  - a. Design of the access to give priority to cyclists using the cycle lane;
  - b. Staggered start time for Swan School to avoid period when cycle lane is in high usage by Cherwell School students;
  - c. Wardens present during peak periods for the school to manage cycles on the cycle lane and vehicles entering and leaving the site;
  - d. Gates closed when cycle lane is in high use;
  - e. Implementing a Travel Plan which seeks to reduce vehicle trip generation of the site; and
  - f. Implementing a car park management plan which again will seek to limit the usage of the car park.
- A Travel Plan has been submitted. The County Council has recommended more ambitious targets to reduce car use, especially amongst staff, and stronger measures.
- The County Council would also like to see the Travel Plan set penalties if targets are not met.

- 9.5. Comments relating to Meadowbrook College:

- The proposal seeks to provide replacement buildings for Meadowbrook College, however, expansion of the school is not proposed. Therefore, the transport impact of the college in comparison to existing is unlikely to be materially different.
- The County Council requires an updated Travel Plan to be submitted

which will implement measures to encourage more sustainable travel to address existing issues on Raymund Road.

*Response dated 15 August 2018*

- 9.6. No objection subject to conditions, as previous comment. Please note that the comments in the original response dated 22 June 2018 remain valid unless they are discussed in the following comments.
- 9.7. This response has been prepared following the submission of additional documents by the applicant. These submissions address the concerns the County Council raised in relation to the following:
- Cycle parking.
  - Travel Plans for both Swan School and Meadowbrook College.
  - Construction traffic.
  - Provision of car parking spaces to car sharers.
- 9.8. It is proposed to change the speed limit on Marston Ferry Road from 40mph to 30mph which is welcomed by the County Council.
- 9.9. A Stage 1 Road Safety Audit on the access design has been submitted along with a Designer's Response. This has been reviewed by the County Council's Traffic and Road Safety team.
- 9.10. Careful consideration has been given to the impact of the proposal, particularly in relation to the proposed site access and cycle safety. The proposed site access meets the required standards. Furthermore, the proposed measures to manage the site access and car park will ensure that the school's impact on the cycle lane will be controlled.
- 9.11. Legal agreement required to secure:
- A Section 278 agreement is required for the construction of the site access (as per drawing no. 4479/008/T/SK-211/P9 submitted with the planning application [*Officer note: within the Car Park and Access Management Plan*]). The site access comprises a priority junction with dedicated right and left turn lanes on Marston Ferry Road, a raised table across the site and stop markings requiring vehicles to give way to cycles on the cycle lane.
  - A Section 106 agreement to secure the following financial contributions: a Travel Plan Monitoring fee of £3,280 for 6 years monitoring for Swan School and £1,240 for 3 years monitoring of Meadowbrook College; Traffic Regulation Order (TRO) amendment for Marston Ferry Road of £2,600; and £3,500 towards Highway works to relocate the speed limit roundels and road markings. [*Officer note: the Travel Plan Monitoring Fees would be secured via legal agreement as part of this planning application; the fees relating to amendments to the TRO and highway works would be covered by separate agreement with the County*]

*Council since they relate to a separate process to change the speed limit – this is likely to be via unilateral undertaking to make payment prior to issuing of any permission.]*

Oxfordshire County Council (Drainage)

- 9.12. No objection subject to condition.

Oxfordshire County Council (Education)

- 9.13. The Education Sufficiency & Access team for Oxfordshire County Council fully supports this proposed development for the reasons given in the applicant's Planning Statement.
- 9.14. The proposed new school is vital to ensure that all Oxford's secondary pupils can secure a place at a school in the city. The need for this school has been mainly generated by the rising pupil population already evident in the city's primary schools. This population growth will result in a significant increase in demand for secondary school places in 2019, and a further, sustained, increase in 2021.
- 9.15. The additional capacity the school will provide will also ensure sufficient places for pupils generated by housing growth across the city.
- 9.16. The combined scale of growth in demand for secondary school places resulting from both the existing population growth and expected housing growth exceeds the potential to provide sufficient capacity through school expansions, and requires a new school.
- 9.17. Any new secondary school inevitably serves a large area. The County Council's Education team supports the location of this school on the proposed site, as Marston has proved to be an area where families have a lower likelihood of securing a place at their preferred schools.
- 9.18. This development provides added value in also providing for the reprovision of Meadowbrook College in purpose-built accommodation.
- 9.19. The development includes appropriate enhancements to the site of St Nicholas Primary School, as part of a land swap to facilitate access to the new school.

Thames Water

*Waste Comments*

- 9.20. Following initial investigations, Thames Water has identified an inability of the existing foul water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a phasing and infrastructure strategy for foul water but have been unable to do so in the time available and as such Thames Water request a condition be added to any planning permission.

- 9.21. The application indicates that surface waters will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

#### *Water Comments*

- 9.22. Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a water strategy but have been unable to do so in the time available and as such Thames Water request that a condition be added to any planning permission.
- 9.23. Thames Water advises that discussions are on-going concerning the proposed drainage strategy for this site with the developer.

#### Natural England

- 9.24. No objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.
- 9.25. Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection. We do however have some recommendations:
- 9.26. According to the submitted plans, water will be held in underground cells prior to release. We suggest holding the water in ponds instead, which could be multifunctional by benefitting biodiversity and acting as an education resource.
- 9.27. We recommend considering green roofs on more of the buildings, and using native wildflowers on the roofs rather than sedum which would have more biodiversity benefits and could complement the habitats on the SSSI.

#### Environment Agency

- 9.28. No objection. We understand from the Proposed Masterplan that the southern boundary of the site borders a main river, the Marston Brook. If development takes place within 8 metres of the watercourse, the development may require a permit.

#### Historic England

- 9.29. Do not wish to offer any comments.

## Sport England

- 9.30. No objection subject to conditions.
- 9.31. Sport England has considered the application in light of the National Planning Policy Framework (in particular Para. 74), and against its own playing fields policy.
- 9.32. [The proposal] will result in the loss of approximately 0.86 hectares of playing field. However there is a replacement of approximately 1.71 hectares of playing field including Multi Use Games Areas (MUGA), creating a net gain of 0.85 hectares of playing field area. There is also an additional sports hall for the Swan School. Meadowbrook School also creates an additional football pitch and MUGA.
- 9.33. This application relates to the loss of existing playing fields and/or the provision of replacement playing fields. It therefore needs to be considered against exception 4 of [Sport England's] policy, which states:
- 9.34. 'The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:
- of equivalent or better quality, and
  - of equivalent or greater quantity, and
  - in a suitable location, and
  - subject to equivalent or better accessibility and management arrangements.'
- 9.35. Oxford City Council are currently updating their playing pitch strategy. Notwithstanding this there is a net gain in playing field provision which is supplemented with MUGAs and a Sports hall.
- 9.36. The applicants' agents have not really addressed the impact on the playing field which is disappointing, however, I am satisfied that subject to planning conditions ensuring that the playing fields re-provision and the proposed MUGAs are fit for purpose, then the proposal would meet our planning policy exception E4.
- 9.37. The applicants do discuss opening up the sports hall to the community in their planning statement which we welcome, however we would recommend a community use agreement to ensure that this is monitored and delivered.
- 9.38. There is a lack of details for the sports hall, and again I would recommend a condition to ensure the sports hall is fit for purpose.
- 9.39. Given the above assessment, Sport England does not wish to raise an objection to this application as it is considered to meet exception 4 of the above policy. The absence of an objection is subject to conditions.



Old Marston Parish Council (1<sup>st</sup> representation)

- 9.40. At their meeting held on the 4th June 2018 Old Marston Parish Council made the following comments on this application:-
- 9.41. Although it is understood that the need for additional school places is great, the Council had serious concerns with regard to the access. The safety of cyclists and pedestrians must be the priority, not only those going to and from any of the schools, but also those using the Marston Ferry cycle track in their daily life. It is reported that this cycle track is one of the busiest in the country yet the developer seems to find it adequate to have vehicles crossing it; mix vehicles, cyclists and pedestrians and at peak times placing the burden of responsibility on wardens from the school to manage the situation. In my Councils opinion this is unacceptable. This is on a busy road which can be used to access sites such as the John Radcliffe complex, Brookes University, Churchill Hospital, Cherwell School, Summertown, North Oxford and Oxford Railway Station.
- 9.42. In supporting these comments I would like to draw your attention to the Local Plan:-
- 9.43. CP10 Planning permission will only be granted where proposed developments are sited to ensure that; a) access to the site is practicable, with priority given to pedestrians and cyclists, b) circulation within the site, and site entrance, give priority to pedestrians and cyclists
- 9.44. My Council does not believe this application has given enough evidence that the site access is practicable. Although it is stated in the application that priority is given to the cyclists, in the opinion of my Council, due to the heavy usage of this particular cycle track, not enough has been done to ensure cyclists and pedestrians safety.
- 9.45. Also the National Planning Policy Framework states:
- 9.46. 4.30 Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
- 9.47. 4.32 ... safe and suitable access to the site can be achieved for all people.
- 9.48. 162 Infrastructure - .. take account of the need for strategic infrastructure including nationally significant infrastructure within their area.
- 9.49. My Council are concerned that this application will add to the congestion rather than reduce it and that better, alternative, suitable access has not been explored, such as an underpass. They feel that the application has not taken into account the needs of all those using this nationally significant infrastructure located within the area.

Old Marston Parish Council (2<sup>nd</sup> representation)

- 9.50. Old Marston Parish Council strongly objects to this application on the following grounds:-

- 9.51. OVERDEVELOPMENT OF SITE: The Council has said from the outset that this is the wrong location for a development of this size. To date nothing has been tabled to change this opinion.
- 9.52. ACCESS: the access point onto and from the Marston Ferry Road does not address the volume of cyclists already using the cycle track, let alone the additional amount this application will generate. Then to introduce vehicles using the same entrance point and crossing the cycle track is unworkable. The proposed management of all this is inadequate.
- 9.53. ENTRANCE: The design for cyclists, pedestrians and car drivers merging is an accident waiting to happen.
- 9.54. TRAFFIC: Traffic congestion is already severe at peak times and any addition to this will make the situation impossible. Pollution levels will increase, with a harmful effect on local communities and school children. This is in total contrast to the Oxford City Councils aims and policies to reduce air pollution.
- 9.55. PARKING: There are insufficient onsite parking facilities for staff. This will result in cars being parked on the surrounding streets. The developers park & stride policy will only encourage this. There is already a problem with commuter parking where people park their cars and travel to either the JR Hospital, Brookes University or Oxford.
- 9.56. DRAINAGE: It is proposed for surface water to drain into the already existing brook, which is part owned by the residents of Arlington Drive, therefore giving serious concern for potential flooding of these properties and the proposed school.

Meadowbrook College

- 9.57. Meadowbrook College is providing excellent educational opportunities for some of Oxford and Oxfordshire's most disadvantaged young people. They are currently being educated in a building that is not fit for purpose, and the development of the Swan School will enable Meadowbrook College to have a new building, offering excellent teaching, learning and vocational facilities. This is an opportunity that must not be missed for this Alternative Education Academy, and represents no change of use for the site.

Oxford Preservation Trust

- 9.58. Oxford Preservation Trust (OPT) is a significant landowner in the vicinity. We note the re-use of the brownfield site which currently comprises a number of poor quality buildings, however we are aware that the majority of the site is Green Belt, and as such, serves all five purposes of the Green Belt, as set out at Paragraph 80 of the NPPF. The site specifically prevents the suburbs of Marston and Summertown merging, safeguarding the countryside that lies between from encroachment.
- 9.59. OPT does not object in principle to the development. Community use of sports facilities should be tied in via legal agreement or condition.

- 9.60. Design of the school is blocky, large scale and mass – this should be broken up to minimise impact on Green Belt and views.
- 9.61. The buildings will be visible from viewpoints 20, 21 and 23 which will change the special characteristics of the land here, making the green space feel less open. Although thought has been given to the materials on these visible elements, they should be redesigned to reduce visibility. There are also concerns regarding light pollution.
- 9.62. A precedent should not be set for encroachment into the Green Belt and the role of the Green Belt in this particular location in preventing Summertown and Marston from merging.

### Cyclox

- 9.63. Cyclox objects to the proposals for motorised vehicle access to the new Swan School across the Marston Ferry Road cycle tracks. This route is heavily used by Cherwell School students at present and is the reason why Cherwell School has such a high cycling rate. These rates should be met or exceeded by the Swan School students. The at-grade crossing of the cycle track proposed will suppress cycling rates of both Cherwell School and Swan School students, something that is totally unacceptable.
- 9.64. Blocking a cycle track (the busiest in town) to permit motor vehicle access is counter to LTP4 policies. The fact that the crossing will need to be marshalled at the start and end of the school day shows how absurd the proposal is. The cost of providing staff to undertake this will over a 15 – 20 year period, which is the likely lifetime of this development, would almost certainly approximate to the cost of building an underpass.
- 9.65. We are of the view that the integrity of the cycle route must be preserved and therefore it is essential that an underpass must be built which has spur routes into the Swan School physically separated from the motor vehicle access.
- 9.66. If an underpass is not possible then we think that you need to consider Raymond Rd as the main vehicle entrance to prevent the inevitable conflict of vehicles crossing the cycle path from the Marston Ferry Road.
- 9.67. If the plans for an at-grade crossing continue to be considered the chosen option, we object to them and make the following suggestions:
- The Marston Ferry Road continues to be 40mph at the entrance to the school. The 30mph zone should be extended north westward beyond the entrance to the school.
  - Suitable bollards/planters etc need to be in place to prevent vehicles turning onto the cycle track to park/wait for children. Further along the same track there were a few years ago complaints about users of the rugby club using the cycle track as a car park at weekends, so it does/could happen.

- On the current design there will be congestion and conflict around the end of the Marston Ferry cycle route which is already coping with St Nicholas School and Cherwell School students. Appropriate segregated provision for cycles and pedestrians need to be provided.
  - The pelican crossing at the end of Oxford Road Marston needs to become a toucan.
  - Access to the school by cycle and foot from the estates within 3 miles of the school needs to be given more priority or there will inevitably be increased use of the car to transport students to the school.
  - There needs to be cycle & pedestrian crossing facilities across Oxford Road (South) linking with the proposed cycle route on Cherwell Drive/Headley Way.
  - It is essential that there is a safe quiet route from Barton Park. This could include a properly signed route coming in at Foxwell Drive going through Northway, crossing Marsh Lane with a Toucan crossing, and then a cycle route going through Horseman Close to Boulton Lane.
  - A route from Old Marston Village from the Marston Ferry Road cycle tracks, via the Victoria Arms pub could be created.
- 9.68. Every opportunity needs to be taken to reduce vehicular access to the school and encourage more cycling, walking and public transport. There should be no on street parking in the residential areas around the school. These areas should have controlled parking zones. Use of the Park and Rides needs to be encouraged, with access to bike hire and a dedicated bus route down Cherwell Drive. We propose that there should be exclusion of any motorised vehicles in the vicinity of the school for two hours at the beginning and end of the school day.
- 9.69. We think that there should be more student cycle parking to encourage the highest possible rate of cycle use. Cycle parking needs to be convenient & adjacent to the main school building entrance, overlooked, and located to deter organised theft.

Oxford Civic Society

- 9.70. Objection due to:
- Lack of rationale for the chosen location in relation to the geographical need for school places
  - Overdevelopment of site
  - management of traffic, particularly cycles,
  - projections of traffic volumes do not take account of the existing flows of both cars and cycles on Marston Ferry Road
  - Motor vehicle congestion and pollution
  - Cumulative impact development with future developments at Ewart House/Diamond Place and the Summertown Strategic Site

- Compromising the Marston Ferry Road cycle track
- inappropriate timber cladding - robustness and fire-resistance

Protect Old Marston & Elsfield

9.71. Objection due to:

- Contrary to draft Oxford Local Plan 2036: Preferred Option for Access to Education is to support extensions and more intensive uses on site (i.e. of existing schools).
- Rugby Club would be a better location
- Ripping up of Marston Ferry Road cycle path
- Contrary to draft Oxford Local Plan 2036 in key transport objectives due to junction on Marston Ferry Road for cars over cycle and pedestrian route, pollution and danger.
- Increased traffic on Marston Ferry Road
- Expensive flood mitigation works likely, impact on local water channels and reduce flood plain land.

Residents' Association for Oxford Road and Elsfield Road, Old Marston Village

9.72. Objection due to:

- existing lack of adherence to traffic regulations on Oxford Road and Elsfield Road – no entry to the village unless for access, and 20 miles per hour limit
- proposed plans are inadequate in terms of access routes and traffic management
- impact on the neighbouring conservation area has not been considered
- exacerbation of existing traffic problems in the Old Marston Village
- developers should make a significant contribution to the cost of the enforcement measures that will be needed to prevent an increase in traffic problems and safety issues in the village that the school will cause.

Cherwell Travel Action Group (1<sup>st</sup> representation)

9.73. Objection due to:

- motor vehicle access road across the Marston Ferry Road cycle track; a cycle and pedestrian subway should be constructed below this access road
- The cycle path is a key resource for encouraging people out of cars and onto cycles and thus helping cut pollution and assist the City's drive to improve air quality.

- OCC highways not honest in recognising transport problems and finding solutions instead accepting the paper weight of traffic assessment reports, indicating the risks have been properly and appropriately managed.
- Local cycling infrastructure needs to be improved to support new school, yet there is no contribution towards a greater traffic-free cycle route network in the catchment area that will support young people from further afield, to feel confident in travelling to school without an escort.
- traffic-free cycle route is a major factor in Cherwell School achieving 89% of students cycling, walking and travelling by bus to school.
- Raymund Road not properly considered as the main vehicle access
- inadequate junction of the Marston Ferry Road cycle track with the School Lane alleyway to St Nicholas School
- lack of formal cycle & pedestrian crossing facilities across Oxford Road (South)
- illegal use of the pelican pedestrian crossing of Marston Ferry Road between new & old Marston, by 98% of cycle users
- lack of provision of traffic-free paths and cycle paths to the new Swan School as part of an active travel policy in the area
- New paths should be created in a westerly & southern direction from St. Nicholas school along the existing bridle path adjacent to Marston Brook
- New routes should be created to Old Marston Village from the Marston Ferry Road cycle tracks, via the Victoria Arms pub.
- A new 2.2 mile cycle route should be created to the New Barton Park catchment area to the Swan School
- lack of workplace car parking on and off site of the new Swan School
- proposal of "park & stride": that teachers without on-site car parking should use Marston Ferry Road and other residential roads in the vicinity of the St Nicholas primary school, to park their cars and complete their journey on foot
- Insufficient on site staff parking will encourage on street parking in Old Marston & New Marston
- teacher parking: most other workers including public sector workers in the NHS & Local Government in Oxford are expected to use Park & Ride services
- no additional off-site parking and a dedicated P&R bus service
- jumbled design of the school entrance
- no case for motor vehicles to mix with, or cross, flows of pedestrians or cycles.
- a poor case that staff vehicles should mix with school buses.

- no case for pedestrian school pupils to mix with cycle users.
- no case for bus users to alight into the path of cycles.
- transport modes should be clearly separated with separate entrances

Cherwell Travel Action Group (2<sup>nd</sup> representation)

9.74. In response to Highways Authority formal comment in relation to creating a tunnel or underpass, we ask:

- What are "extensive ramps"?
- What are the required standards for a subway or underpass?
- What is undesirable: the required standards or extensive ramps, and why?
- What is the minimum headroom for a subway / underpass?

9.75. I think the developers are trying to confuse the planning authority: its officers and members. Cycle user groups are seeking a straight-through underpass, (not a pedestrian subway with characteristic hairpin bends), along the cycle track. It is very important that everyone clearly distinguishes between a car free / traffic-free cycle TRACK, from an on-road cycle LANE.

Oxfordshire Cycling network

9.76. We object to the proposals for motor vehicle access crossing the Marston Ferry Road cycleway to enter the proposed Swan School.

9.77. The Marston Ferry Road cycleway is a heavily used route, by adults and children alike. It is used particularly by pupils and teachers at the nearby Cherwell School, which has one of the highest cycle-to-school rates in the country, and which gains multiple benefits from this. The cycleway is highly used because of its safety and convenience, and this comes in no small part from having few roads crossing it, and having priority over those that do.

9.78. This proposal threatens to undo this public benefit, by allowing large number of vehicles to cross the cycleway at its busiest times, using a marshal to stop the people on cycles while the vehicles pass. This will make cycling less convenient and less safe, and inevitably fewer people will choose this more sustainable, less congesting and healthier transport option. Thus the proposal works against the County Council's transport policy.

9.79. We urge the designers and the County and City Councils to reconsider the access to this new landmark school. A solution can be found that does not have these problems and is fit for today and the future. We should be promoting active travel, not putting marshals in to block it.

## **Public representations**

9.80. A total of 218 representations were received with 156 representations objecting to the application, 43 in support and 15 general comments neither in support nor objecting. An objection was received from Oxfordshire County Councillor Dr Suzanne Bartington. Four further objections were received following re-advertisement of the application.

9.81. In summary, the main points of objection were:

- Overdevelopment of the site and in the area; site too small for a secondary school
- Increase in traffic and pollution in the immediate, already congested, area, including cumulative impact from other developments such as Barton Park
- Increase in traffic would impact access to the John Radcliffe Hospital
- Use of Cherwell School travel statistics is unsound due to wider catchment area and fewer bus services to the site
- Insufficient staff car parking leading to parking on adjacent streets
- Long dark corridors in Swan School building
- Value of homes in area decreasing
- Concerns over vandalism and anti-social behaviour
- Concerns over construction traffic
- Unofficial wardens controlling car movements across the cycle/footway is inadequate
- Use of permits and timings for drop-offs inadequate and hard to control
- Pupil drop offs likely to happen in front of the gates
- Chaos will result from vehicles being turned away at the gates and having to manoeuvre
- Need in this location not demonstrated
- Cycle routes from catchment area are not safe or suitable
- Cars likely to cut through Old Marston, and pupils being dropping off
- Congestion around Oxford Road junction with pupils being dropped off by car to St Nicholas Primary as well as the proposed secondary
- Cycle and car conflicts at the Oxford Road junction with Marston Ferry Road
- Cherwell School should expand its south site
- Danger and inconvenience for cyclists of vehicles cutting across busy and well-used cycle track with insufficient mitigation
- Impact the cycle route crossover would have on cycling behaviour – reducing cycling



- Compromise to an exemplar piece of cycle infrastructure
- School should be built north of the A40
- Loss of St Nicholas Primary's play area
- Change to the character of the area
- Opportunistic not strategic site selection
- Loss of hedgerow bank and bund to create access
- Closer proximity of Meadowbrook College to Arlington Drive houses and their gardens – noise, disturbance and loss of privacy
- Harm to views from Arlington Drive houses
- Problems with flooding in Marston, and risk to Marston Brook, will be exacerbated
- Development should be car-free
- Insufficient case for very special circumstances for development in the Green Belt
- Other ways of meeting school places have not been investigated
- Underpass for cyclist and pedestrians recommended
- New cycle routes should be created
- School staff should have to use the park and ride, as other local government and NHS workers have to
- Entrance to secondary school is not inspiring
- Various transport modes mixed at the entrance is not well designed juxtaposition
- Insufficient cycle parking
- Staff cycle parking must be secure
- Juxtaposition of Meadowbrook College and a new secondary school is unwise
- No priority for pupils living in Marston; the school is to meet needs of pupils across Oxford yet is sited in Marston
- Restricted times for proposed secondary school will only prolong traffic problems in the area
- Design of the access route into the new school relegates cycles – should be priority users
- Developers intend to direct rain water to the Brook behind Arlington Drive (half owned by the residents of Arlington Drive), houses previously flooded when Harlow Pool overflowed
- Inadequate meeting of the Marston Ferry Road cycle track with the Back Lane alleyway to St. Nicholas School
- Lack of formal cycle and pedestrian crossing facilities across Oxford

Road (South) towards the proposed cycle tracks on Cherwell Drive

- The pelican crossing of Marston Ferry Road between new & old Marston should be converted to a “Toucan” crossing as part of the overall transport plan
- Objection to the jumbled design of the school entrance
- The different transport modes should be clearly separated with separated entrances for staff cars; school buses; service vehicles; pedestrians and cycle users
- Lack of student cycle parking
- Fencing around the new school is unsuitable and inadequate
- Concerns that adding more teenagers might cause more issues to residents
- Concern for the wonderful wildlife. Deer live in the area and countless birds including green woodpeckers, loss of habitat; variety of butterflies; wild flowers

9.82. In summary, the main points in support were:

- Need for secondary school places
- Need for provision for pupils living in Marston so that they can walk or cycle to school
- Concerns over parking and access have been addressed well
- High-quality education offer
- Improve character of the area
- Improved community facilities
- A well designed project taking into account the local area, traffic and access
- Chance to build a fantastic community facility to replace a low quality facility and enhance the area and provide much needed school
- Benefit to families living near to school
- Good visibility for both cyclist and vehicle drivers leading to the junction
- Sufficient space between the main road and the cycle track for right of way
- Development provides Meadowbrook with much needed improved accommodation
- Good pedestrian and cycle lanes are already in place

9.83. In summary, the main general points, neither in support nor objecting were:

- Green roof for main school flat roof
- Proposal should encourage more cycling and public transport use

- Cherwell School is good but not great so does not represent value added
- There needs to be an easy and safe access
- General plans are fine on design and sustainability – it's just the location is unsuitable
- A new school can be built at the place of greater demand
- Other safer solutions are possible
- If approved, school contribute to having a blanket parking zone
- Consideration to a two-school solution for the provision of secondary places across Oxford
- Oxford needs a new school but the Harlow Centre is not an appropriate location
- Good local schools need to be situated near to where children and young people live (ie. Barton Park)
- Bridge needs to be built to carry the bicycle track and the footpath over the access road
- Flashing lights to cycle track to remind cyclists that other vehicles use the track
- The site was chosen because it was cheap not because it was the best site
- Council should impose a requirement of grade separation
- Important that everyone clearly distinguishes between a car free/traffic free cycle track from an on-road cycle lane
- Cycle user groups seeking a straight-through underpass (not a pedestrian subway) along the cycle track

## **10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- a. Principle of development
- b. Green Belt
- c. Impact on designated heritage assets
- d. Site layout, form and massing
- e. Landscape and open space
- f. Highways and transport
- g. Neighbouring impact
- h. Archaeology
- i. Flooding and drainage
- j. Biodiversity
- k. Energy and sustainability
- l. Air quality
- m. Land quality

## **a. Principle of development**

### *Education use*

- 10.2. The National Planning Policy Framework, in paragraph 94, states that local planning authorities should take a proactive, positive and collaborative approach to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and that great weight must be given to the need to create, expand or alter schools.
- 10.3. Policy CS16 of the Oxford Core Strategy seeks to improve access to all levels of education, through new or improved facilities, throughout Oxford, but particularly in areas of population growth. It states that planning permission will only be granted for new education facilities in locations accessible by walking, cycling and public transport. Provision for community as well as educational use will be sought.
- 10.4. There is a clear and identified ongoing need for secondary school places from 2019 according to the County Council's assessment as local education authority. The County Council's pupil forecast is based on known numbers currently within Oxford City primary schools. There is in excess of 100 places needed above current numbers of available Year 7 places within the City. This equates to approximately four additional forms of entry.
- 10.5. The demand in 2019 is followed by a further significant peak in 2022 where the additional need is closer to 280 spaces per year group above current capacity (additional 10 forms of entry). There have been a number of extensive redevelopments of existing secondary schools but no new school has been built in the city since Cherwell School in the early 1960s.
- 10.6. To meet the demand that has been forecast, the application sets out that significant expansion of existing schools would be needed – five form-entry at Cherwell School, two form-entry at Cheney School and three form-entry at Oxford Spires Academy. The County Council does not consider this viable and, while less significant expansion is taking place at other schools, a new secondary school is proposed to meet the bulk of demand. Officers consider that the need for school places, and for this to be met in large part through the provision of a new secondary school, has been robustly justified in the planning application.
- 10.7. It is considered that new and bespoke provision of facilities for Meadowbrook College and its pupils, and the replacement of the current poor standard of learning facilities, is consistent with the aims of national and local planning policy in relation to education provision.
- 10.8. As discussed in greater detail later in this report, the proposed site is well located for sustainable travel. Community uses of the Swan School facilities are proposed. The principle of a new secondary school and improved APU is therefore considered acceptable in respect of local and national planning policy relating to education.

### *Site selection*

- 10.9. The planning application includes a site search and appraisal which identified 29 potential sites for a new secondary school. These were assessed against four criteria. The need to deliver school places in a tight timeframe eliminated many of the sites where these were deemed unavailable for development within the time needed. In other cases, the size of the site and the co-location of existing uses with a new secondary school made development unachievable.
- 10.10. The site selection document notes that the Barton Park outline planning permission does not identify a site for a secondary school, and therefore no land is available within this consent. At the time of the Area Action Plan and outline consent, the need for a primary school was identified, but not a secondary school. It was considered at that time that the existing secondary schools in Oxford could accommodate demand from Barton Park.
- 10.11. The Oxford rugby club site (adjacent to the Cherwell School south site) is included in the site search document. Although the site was not vacant at the time of the site search, the site is nevertheless not suitable for a new secondary school because the land forms part of the playing fields for Cherwell School and is designated as protected open space. There would not be enough land to provide outdoor sports facilities for both schools and a new secondary school.
- 10.12. The location of the selected site is appropriate to meet the need for places and would keep travel-to-school distances short for pupils. Oxfordshire County Council data demonstrates that the majority of Oxford pupils who failed to obtain a place at their first choice school, Cherwell School, live in Marston and Northway. When the data is mapped, a clear pattern emerges that shows a need for secondary school places for pupils living in the north-eastern part of Oxford.
- 10.13. Officers consider the site selection work to be comprehensive and logically and robustly carried out. Although the report concludes that The Harlow Centre is the most suitable and achievable site, it notes some of the challenges of the site, including access, neighbouring amenity and Green Belt encroachment. These matters are considered in this report as part of the planning assessment.

### *Green Belt*

- 10.14. Much of the site lies within the Green Belt. The new buildings proposed with this development do not fall into any of the exceptions listed in the NPPF and the proposal would therefore constitute inappropriate development. Paragraph 143 of the NPPF states that such development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF continues in paragraph 144, "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green

Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”

- 10.15. Policy CS4 of the Oxford Core Strategy supports this position, stating that, in accordance with national policy, planning permission will not be granted for inappropriate development.
- 10.16. Therefore, the principle of this development can only be acceptable if very special circumstances exist whereby the harm it would cause to the Green Belt is outweighed by other considerations. This is considered below in the next section of this report.

*Loss of open-air sports facilities*

- 10.17. The red line boundary of the site includes land protected by policy SR2 of the Oxford Local Plan as open-air sports facilities. Paragraph 97 of the NPPF sets out three sets of circumstances whereby building on playing fields can be permitted. One is where the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.
- 10.18. A net increase of 0.85 hectares of open-air sports facilities is to be provided as part of the development. There is therefore no conflict with policy SR2 and the development would comply with paragraph 97 of the NPPF. Sport England has raised no objection because it states that the development would meet exception 4 of its Playing Fields Policy and Guidance for the same reason.
- 10.19. Conditions have been requested by Sport England to secure an appropriate quality of outdoor sports provision and secure community use, and officers have recommended these be added to any permission.

**b. Green Belt**

- 10.20. The NPPF at paragraph 133 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. At paragraph 89 it states that local planning authorities should regard the construction of new buildings as inappropriate in Green Belt. The proposed Meadowbrook College building, the secondary school sports centre, a large part of the main secondary school building (the two westerly wings), the access road into the site and the cycle store for the secondary school are proposed to be located in the Green Belt. Thus, the development is inappropriate and, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 10.21. The application includes a Landscape Character and Visual Impact Assessment (LVIA) which assesses the impact of the development proposal on the landscape setting and the visual impact of the proposed development on the surrounding areas from which views are possible.

10.22. The assessment as to whether very special circumstances exist is structured as follows:

- Purpose of the Green Belt in this location and its characteristics;
- Harm the development would cause to the openness and permanence of the Green Belt and the purpose(s) identified;
- If and how the harm is proposed to be minimised and mitigated;
- The material planning considerations in favour of the development, and the weight attributed to each;
- Balancing exercise testing whether the harm is clearly outweighed by other considerations.

*Purpose of Green Belt in this location*

10.23. Paragraph 134 of the NPPF states that Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

10.24. The proposed development would encroach onto a part of the Green Belt that forms a 'finger' of land either side of the River Cherwell. This is made up of floodplain for the river, open pasture, the wooded banks of the river, outdoor sports, recreation and open space provision and some very limited built form. This parcel of the Green Belt is referred to as OX5 in the Oxford Green Belt Study (LUC, October 2015). Park Town and Summertown lie to the west of the finger of land, and Marston lies to the east.

10.25. This parcel of the Green Belt therefore acts to prevent sprawl from urban form to the east and west, maintaining the openness of the Cherwell valley and the separation between the suburbs. The river valley acts as a green 'wedge' that links the broader open countryside with the historic core of Oxford, and as such is regarded as a key element of the City's setting. There are views towards the spires from some locations within the parcel, although strong tree and hedgerow field boundaries limit this. This parcel of Green Belt therefore serves all five purposes listed above to some extent.

*Harm to Green Belt*

10.26. The section of parcel OX5 affected by this development, within the application site boundary, is heavily screened by trees, has levels that fall away from north to south and is therefore visually contained in relation to the fields beyond the site boundary within the Green Belt. The north and west site boundaries are also field boundaries and so the site is enclosed

by mature hedgerow and tree canopy, albeit that this screening is more visually permeable in the winter.

- 10.27. The LVIA demonstrates that the proposed locations for the built form are the least visually intrusive. Meadowbrook College is sited very close to the urban edge and the residential properties in Arlington Drive. The secondary school is proposed in the east of the site, overlapping with the footprint of the existing Harlow Centre, close to the primary school. As such the buildings would be viewed in conjunction with the urban edge rather than as isolated incongruous buildings deeper in the Green Belt.
- 10.28. The LVIA viewpoints study identifies points from which the buildings would be visible and these are from local public rights of way to the west, north and south of the site, and in close proximity to it. These views are from the footpath that runs around the site boundary and, to a lesser degree, in distant views from the footpath along the River Cherwell. The secondary school would be set back into the site and the six-to-12-metre trees and vegetation will be largely effective in screening all but the very top of the three storey building of which there may be glimpses where the tree canopy is gappy and in the winter months. The tree screening around the proposed Meadowbrook College is tall, at up to 16 metres, and the land form is such that the two-storey building would sit at a low level in the landscape.
- 10.29. The proposed new entrance from Marston Ferry Road will necessitate removal of hedging and bund between the cycle route and the carriageway and will create an opening into the car park and school entrance beyond. The road itself makes an urban intrusion into the green wedge between Summertown and Marston, although cyclists and pedestrians using the route experience leaving the urban settlements behind and moving through a landscaped rural corridor. The introduction of the entrance and loss of landscape fabric will extend the urban character along the road, reading as part of the settlement of Marston, but this is a local effect and the overall significance is judged to be moderate in the LVIA, with which officer concur.
- 10.30. With respect to the five purposes of the Green Belt, the development does result in encroachment, an extension of the built-up urban area of Marston and would marginally reduce the gap between Marston and Summertown. The development is not considered to impact the setting of Oxford or its special character since any glimpses of the development in views of the city are long distance and very hard to pick out with the naked eye. The development itself involves some recycling of urban land which is in part driven by the Green Belt designation.
- 10.31. The landscape, containment and siting of buildings within the site and in relation to existing built form are such that the buildings would have low visibility and therefore development would not significantly impact the sense of openness that is provided by this 'green wedge' of Green Belt. The impact will be low and perceived in localised views only. Nevertheless, the NPPF requires the local planning authority to give substantial weight to any harm to the Green Belt. The incursion is, by definition, harmful to the openness and permanence of the Green Belt. Therefore, although the level



of harm identified is low, substantial weight must be given to this harm in the balancing exercise carried out below.

*Mitigation of harm*

- 10.32. The application proposes a number of measures to minimise and mitigate the harm to the Green Belt from the development. Additional tree planting is proposed to strengthen the boundary screening, to fill in gaps in hedgerows and to strengthen the green character. Tree planting within the site is also proposed, most notably along the northern boundary for Meadowbrook College, to provide additional screening.
- 10.33. Although the main secondary school building is arranged over three floors, which is largely driven by operational requirements of the school, the height has been broken up to avoid a monolithic flat roof form. The more sensitive viewpoints identified in the LVIA were used to test out different orientations and articulation of the main secondary school building. This has resulted in the more visible elevations having a more natural timber treatment that will better integrate with the countryside beyond, as well as green walls (climbing plants). The sports centre was rotated to reduce its visual prominence, and is proposed to have a green roof with wildflowers visible through the hit-and-miss timber cladding to help this building integrate with the landscape.
- 10.34. A lighting strategy forms part of the application and details are provided within the design and access statement of both internal and external lighting. Clearly, there is potential for lighting to harmfully impact the rural character of the Green Belt. Internal lighting is designed to switch off automatically when rooms are unoccupied and external lighting has been kept to a minimum. In the car parks, pedestrian pathway, building perimeter and building entrances, lower level bollards are proposed to be used in place of columns to minimise light spillage.
- 10.35. Being mindful of the operational requirements of the two schools, officers consider that the mitigation measures proposed are appropriate and sufficient to minimise the harm identified to the Green Belt.

*Material planning considerations*

- 10.36. There are a number of considerations that would weigh in favour of the development. These are identified below, along with the weight officers would attribute to each.
- 10.37. The need for a secondary school discussed in paragraphs 10.4 to 10.6, the time constraints on provision of this facility and the site selection process that was undertaken are significant material planning considerations. The application sets out the case that there are no other feasible options that can meet the need for the secondary school places. Officers find the evidence to be compelling and, in line with the requirements of the NPPF paragraph 94, would give great weight to the need to create the secondary school.

- 10.38. The site selection process necessitates the reprovision of Meadowbrook College and officers consider that a bespoke, fit-for-purpose, modern facility for the APU is a significant planning consideration in meeting the education objectives of local planning policy. Again, this would be consistent with paragraph 94 of the NPPF and great weight is given to this consideration.
- 10.39. Paragraph 141 of the NPPF encourages local planning authorities to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land. The development would offer community use of the sports facilities, thus providing opportunities for outdoor sport. However, little weight should be given to this benefit since this is a separate requirement under policy CS16 of the Core Strategy. Improvements to landscape have been considered as part of mitigation measures and so should not be 'double counted' as a factor in favour of the development.

*Balancing exercise*

- 10.40. A case for very special circumstances is needed to justify inappropriate development in the Green Belt, as per paragraph 143 of the NPPF. It should be noted that very special circumstances occur if and when other considerations outweigh the harm to the Green Belt, i.e. they are the result of the balancing exercise. Very special circumstances are not a single issue, such as the need for a secondary school.
- 10.41. In this case, the harm caused to the openness and permanence of the Green Belt and its purposes is limited to localised impacts and is low-level. It has been mitigated through design and landscape enhancements. Great weight is given to this low-level harm, but officers consider that the great weight that must be attributed to the urgent provision of school places, the lack of other suitable sites, and the high-quality APU provision clearly outweighs the harm to the Green Belt. As such, very special circumstances exist with this case and the harm to the Green Belt that would be caused by development is acceptable in compliance with local and national Green Belt policy.

**c. Impact on designated heritage assets**

- 10.42. The NPPF in section 16 requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. It states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, and the positive contribution that conservation of heritage assets can make.

- 10.43. Policy HE10 of the Oxford Local Plan 2001-2016 seeks to retain significant views both within Oxford and from outside. It states that planning permission will not be granted for buildings or structures proposed within or close to the areas that are of special importance for the preservation of views of Oxford (the view cones) or buildings that are of a height which would detract from these views.
- 10.44. The LVIA found, through desk-based analysis and site visits using binoculars, that the site is not visible from the Elsfied view cone. It found that the existing Harlow Centre is just visible from Doris Field Memorial Park and so it is likely that the proposed development will be also. The extent of the view at this distance and the chance of actually being in the right place within the field to see this view mean that any perception of change would be low to negligible. The development is therefore considered to be compliant with the view cone policy HE10.
- 10.45. Oxford Local Plan Policy HE7 seeks to preserve or enhance the special character and appearance of conservation areas and their settings while policy HE3 of the Oxford Local Plan 2001-2016 requires development to be appropriate in terms of its scale and location and which uses materials and colours that respect the character of the surroundings, and have due regard to the setting of any listed building.
- 10.46. The conservation area of Old Marston lies to the east of the site, mostly on the other side of the Marston Ferry Road from the site but includes the triangle of green space east of St Nicholas School. There are several listed buildings located within Old Marston along Oxford Road and the nearest of these is approximately 200 metres away, but is screened by mature planting along the east boundary of the site and by St Nicholas School and planting to the southwest of Marston Ferry Road. Any impact on Old Marston Conservation Area is limited by intervening mature tree screens that preclude any significant intervisibility between the site and Old Marston. Therefore no harm is identified to the character or appearance of the conservation area nor to the setting of listed buildings.
- 10.47. Special attention has been paid to the statutory test of preserving the setting of listed buildings or their setting or any features of special architectural or historic interest which they possess, and special attention has be paid to the desirability of preserving or enhancing the character or appearance of the conservation area in accordance with section 16 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty. It has been concluded that the development would preserve the setting of the nearby listed buildings and preserve the character and appearance of the conservation area and so the proposal accords with section 16 and 72 of the Act.
- 10.48. The proposal would comply with the NPPF and local plan policies with regard to designated heritage assets.

**d. Site layout, form and massing**

- 10.49. Paragraph 127 of the NPPF requires new development to function well and add to the overall quality of the area; be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; be sympathetic to local character and history, including the surrounding built environment and landscape setting; establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.
- 10.50. Policy CS18 of the Oxford Core Strategy 2026 requires development to demonstrate high-quality urban design that responds appropriately to the site and surroundings; creates a strong sense of place; attractive public realm; and high quality architecture. The Oxford Local Plan 2001-2016 requires development to enhance the quality of the environment, with Policy CP1 central to this purpose. Policy CP6 emphasises the need to make an efficient use of land, in a manner where the built form and site layout suits the site's capacity and surrounding area. Policy CP8 states that the siting, massing, and design of new development should create an appropriate visual relationship with the built form of the surrounding area.
- 10.51. The built form proposed on the site has been through an extensive pre-application process including two reviews by the ODRP to push the design to respond to the site constraints and landscape.
- 10.52. The main points raised by the ODRP over the two reviews are as follows:
- Seek opportunities for shared facilities for all three schools to make better use of the land – a campus approach
  - Adopt a landscape-led approach, informed by landscape visual impact assessment, rather than one driven by Green Belt constraints
  - Questionable location of Meadowbrook College
  - Car park dominated environment
  - Green roofs and solar energy to be incorporated
  - Landscape and architecture should relate to context
  - More architectural variety
- 10.53. A number of masterplan layout options were explored during the pre-application process, and these are presented in section 5 of the Design and Access Statement. The now-proposed siting of the two school buildings (Meadowbrook College and the secondary school) and the sports centre is considered appropriate in that, as far as possible within the site boundary, it makes use of the previously developed area of land (the existing Meadowbrook College) and seeks to minimise visibility in the Green Belt, reflecting the findings of the Landscape Visual Impact Assessment (LVIA), discussed above.
- 10.54. Operational requirements of both schools have driven the internal layout and arrangements, as would be expected. A campus approach to the three

schools (including St Nicholas primary school), as suggested by the ODRP, was not considered feasible due to the different age groups and needs of the children and young people at each institution, in addition to each school falling under different management.

- 10.55. The loss of the existing Meadowbrook College buildings is not resisted as they are in a poor state of repair and of no particular architectural merit. The proposal for the replacement Meadowbrook College is a simple two-storey form predominantly in robust brick. The mass is broken up by the building's footprint and the timber-clad gym to the front of the building. The entrance is clearly defined by the high canopy while the green roof softens the flat roof form. Subject to a condition to approve sample materials, the design of the Meadowbrook College building is considered acceptable.
- 10.56. The secondary school clearly necessitates a much larger floor area and so results in a building of greater scale than Meadowbrook College. A significant amount of work was done during pre-application discussions to break up the massing of the building. This is evident in the now-proposed scheme which has a loose footprint with a number of wings, creating a variety of external courtyard spaces. The choice of materials – naturally weathering larch and metal cladding, with some areas of render – is appropriate in this semi-rural/agricultural setting. The use of materials and setbacks between elements to visually break up the various sections of the building help to reduce the bulk, as does the variation in height that has been achieved by varying the parapet height of different parts of the building. Architectural variety has been introduced through projecting timber cladding detail which will provide depth, shadow and texture.
- 10.57. Some minor revisions to the design were made during the consideration of this application, including work to bring greater emphasis and sense of arrival to the main entrance, and breaking up the external appearance of the school hall. These changes are welcomed.
- 10.58. The looser, perforated timber parapet and green roof of the sports hall reflects its siting further into the rural landscape and Green Belt. Trellises to support climbing plants are proposed on more sensitive elevations to soften the architecture and integrate it with the landscape. The sedum roof proposed to the simple yet large-scale cycle store is welcome.
- 10.59. Overall, it is considered that the siting, massing, materials and detailing of the proposed secondary school have been thoughtfully developed and result in a building of sufficient quality that integrates well with the surrounding landscape.
- 10.60. As such the proposal for both schools is considered to be compliant with local plan policies on design and would meet the design requirements set out in section 12 of the NPPF.

#### **e. Landscape and open space**

- 10.61. Paragraph 127 of the NPPF requires new development to be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and to be sympathetic to the surrounding and landscape setting. Policies CP1, CP11, and NE15 of the Oxford Local Plan safeguard trees and landscape features of public amenity or ecological interest and require appropriate new landscape proposals for new development.
- 10.62. The scheme includes a LVIA, Arboricultural and Ecology reports. Base-line tree data has informed an arboricultural implications assessment and draft tree protection measures in the form of an Arboricultural Method Statement (AMS). A masterplan and detailed landscape planting proposals and detailed drainage strategy plans are also included in this application.

*Arboricultural implications*

- 10.63. The direct impact of the proposal involves removing around 40 individual trees and 2 minor tree groups; most of these removals are from the site's interior, except for those removals that are to facilitate the new access from Marston Ferry Road.
- 10.64. The LVIA concludes that there is limited visibility of the site from the surrounding landscape. A number of local views into the site are identified; the potential for significant views is confined to locations just to the north of the site (VP22) and from the Marston Ferry Road (VP24).
- 10.65. The school buildings are proposed to be located in the southern portion of the site in order that the development is viewed in the context of the existing urban built form; thus reducing intrusion into the open area of the site.
- 10.66. The exception to tree losses being confined to the site's interior is the proposed new access from Marston Road, which will create a seven-metre gap through the tree belt along the eastern boundary breaking this contiguous vegetation buffer. The location of the proposed gap coincides with an area where the vegetation is less dense and with lesser trees being present at this location.
- 10.67. The western boundary vegetation of the site is maintained; this is important in reducing any visual impacts as received from the public footpath, which runs along the outside of this boundary.
- 10.68. The southern projection of the Meadowbrook building brings it into close proximity to a public footpath which runs parallel with the rear gardens of Arlington Drive. The building may be visible as an intrusive element in views from the footpath at this limited point (approximately at the position of View 14 of the LVIA but from the opposite direction).
- 10.69. Drainage plans for the site show that the majority of the drainage system is routed away from existing trees. There is however, a minor tangential incursion into the root protection area (RPA) of tree group G3, but with

potentially more significant spurs off to the Marston Brook to the south, which could have adverse implications for some individually significant retained trees along this boundary. Officers therefore recommend conditions to control mitigation of this.

*Landscape mitigation proposals*

- 10.70. The application includes landscape plans with species selections indicated. The proposed layout indicates a total of 100 new trees to be planted as part of the new landscaping scheme. This level of new planting is sufficient to compensate for the loss of 40 trees, two groups and sections from four groups of trees.
- 10.71. A new hedgerow including trees, running east to west, is proposed, which will enclose and separate the new Meadowbrook College part of the development from the proposed secondary school. This feature enhances the existing landscape infrastructure and its orientation integrates appropriately with the existing grain of the hedgerow pattern in the wider landscape.
- 10.72. Species selections in the detailed landscape plan proposals make appropriate use of native and exotic amenity species as appropriate for various and different location functions across the site.
- 10.73. The proposed mitigation measures include reinforcement planting of hedgerow species along the existing northern boundary hedge line, with the inclusion of native birch, cherry and hornbeam in the corner near the proposed new access and car parking; these proposals are anticipated to help screen out adverse views from VP22 over time to an acceptable level.
- 10.74. The effects of the change on Marston Ferry Road are very local in extent within the Green Belt, confined to a short length of the road in both directions. This is discussed in paragraph 10.29 of this report.
- 10.75. Preliminary tree protection measures, such as construction exclusion zones appear to be fit for purpose. A finalised Tree Protection Plan appropriate to all design and construction requirements is recommended to be secured by condition.
- 10.76. The perimeter vegetation of the site boundary is left relatively untouched by the proposed development; the bulk of tree removals are internal to the site. Therefore the implications for public visual amenity are less significant than the numbers of tree losses implies. A condition is recommended to prevent the trees proposed to be retained as part of the development from being removed at a later date. This will ensure the existing effective landscape screen is retained.
- 10.77. Nevertheless substantive replacement tree planting will be required in order to off-set the significant numbers of trees removed, and to mitigate the identified impacts to visual receptors identified in the LVIA. The residual visual impacts associated around VP22 require landscape proposals to

reinforce the screening of the proposed secondary school buildings from the public footpath immediately to the north of the site.

- 10.78. The landscape details proposed achieve these mitigation requirements and are therefore considered to be generally acceptable; however, further details of soft and hard landscape treatments and materials are required, including details for the proposed new Marston Ferry Road access. Therefore a condition to the effect that notwithstanding the existing landscape details further details should need to be approved by the local planning authority.
- 10.79. Drainage proposals with implications with the southern boundary trees should be subject to conditions to the effect that notwithstanding the existing details further information and details need to be approved in order to prevent unacceptable or avoidable harm to important landscape trees.
- 10.80. The Arboricultural Method Statement and Tree Protection Plan within the arboricultural report may require further finalised details in order to accommodate as yet unknown construction logistical requirements; this can be secured via the recommended conditions.
- 10.81. Overall, the tree and landscape proposals are considered appropriate and the development would comply with paragraph 127 of the NPPF and with local plan policies CP1, CP11 and NE15.

#### **f. Highways and transport**

- 10.82. Paragraph 103 of the NPPF states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Paragraphs 108 and 109 require that safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree; development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 110 requires priority be given first to pedestrian and cycle movements; and that development creates places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles. Paragraph 111 notes that all developments that will generate significant amounts of movement should be required to provide a Travel Plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
- 10.83. Policy CP1 of the Oxford Local Plan 2001-2016 requires development to be acceptable in respect of access, parking, highway safety, traffic generation, pedestrian and cycle movements, while policy CP10 requires developments to ensure that access to the site is practicable, with priority given to pedestrians and cyclists. Policies TR1 and TR2 of the Oxford Local Plan



require a Transport Assessment and Travel Plan to be submitted with applications likely to have significant transport implications. These policies state that the City Council must be satisfied that adequate and appropriate transport-related measures will be put in place. Policies TR3 and TR4 set out car and cycle parking standards for non-residential developments, such as this.

10.84. The application is for two schools and the plans for management of traffic and transport are presented separately, each school having:

- a Travel Plan,
- a Car Park and Access Management Plan, and
- a Delivery and Service Plan.

The transport and highways issues for the two schools are therefore discussed separately in this report; firstly dealing with the main transport issues for Meadowbrook College, followed by the proposed Swan School.

#### *Meadowbrook College*

10.85. The proposal does not seek to expand Meadowbrook College or change its operation. Therefore, the change in transport impact of the proposal compared to existing is minimal during the operational phase. There will be an impact during the construction phase which is recommended to be managed through the Construction Traffic Management Plan by condition. The new Meadowbrook building would be served from the same Raymund Road access as at present.

10.86. As a majority of students have special needs, vehicle travel to the site is high with minibuses, taxis and parents dropping off and picking up. This results in congestion and informal parking on Raymund Road which is a narrow road and therefore is undesirable, particularly as it affects students walking to St Nicholas School. Although it is recognised that the proposal only seeks to relocate the school and not expand it, a robust Travel Plan is needed to influence staff travel to site and where possible student travel to the site and therefore minimise its current impacts.

10.87. A Travel Plan has been submitted which deals adequately with these issues, as well as a Car Park Management Plan. Student drop-offs will take place within the site via the one-way system. The Travel Plan will require updating with survey data and resubmitting for approval soon after occupation; a condition is recommended in this respect.

#### *Access and highways – Swan School*

10.88. The application proposes a new access from Marston Ferry Road to serve the proposed secondary school. This would have dedicated right and left turn lanes to allow ahead traffic to continue along Marston Ferry Road without being obstructed by vehicles waiting to turn into the site.

- 10.89. The new access would take vehicles entering and exiting the site across the existing Marston Ferry Road cycle track. Priority for cyclists was originally proposed to be maintained through 'give way' road markings for vehicles and a raised table that cars would need to cross. Amendments were submitted during the application to change the 'give way' markings to 'stop' markings, and retaining the raised table. These measures and the detail of the design would be secured through the Section 278 agreement. At busy periods at the start and end of the day, wardens would be stationed at the gates to supervise and implement the proposed Car Park and Access Management Plan. There would be periods at the start and end of the school day when the school gates would be closed and no vehicle access allowed; these are times when the cycle lane is most intensively used by Cherwell School students (0800-0830 and 1500-1530) and when Swan School pupils are arriving and leaving school (0850-0915 and 1645-1700 Monday to Thursday and 1600-1615 Fridays).
- 10.90. The proposed access is the result of pre-application discussions with the Highways Authority (Oxfordshire County Council) and the testing of other access points for the secondary school. The other access points considered are set out in chapter 6 of the Transport Assessment for Swan School. This access point was selected as the best option to avoid exacerbating the existing issues on Raymund Road in relation to Meadowbrook College and the informal drop-offs occurring for St Nicholas School, plus the need to encourage cycling to Swan School. City and county officers have observed these issues in Raymund Road at school drop-off and pick-up times and concur that the most reasonable option is an access off Marston Ferry Road. However, due to concerns regarding potential conflicts with users of the cycle lane, the access is designed to ensure cycle lane priority is retained and the proposal includes comprehensive management of the access to minimise the impact on the cycle lane, discussed later in this report.
- 10.91. The County Council requested that the applicants investigate the provision of a subway to allow the cycle lane to be continued uninterrupted. At Appendix D of the Transport Assessment Addendum, the applicant has provided an assessment based on current standards and guidance of the need for a tunnel to maintain an uninterrupted cycle lane on Marston Ferry Road. This concludes that a subway at this location would not be justified given that traffic volumes across the cycle lane will be low. The junction and traffic management proposal under consideration has been assessed by officers and the Highways Authority as acceptable in highway safety terms.
- 10.92. The County Council has noted that the gradients on Marston Ferry Road are such that extensive ramps would be required to meet the required standards gradients, which is undesirable. A scheme for an underpass would necessitate widening of the existing cycle track to allow for cycle and pedestrian access into the new school as well as for people continuing along Marston Ferry Road. Such an operation would impact tree roots and significant excavation which would have a stark impact on the landscape. The resulting highly engineered and costly scheme is not a straightforward solution and, as set out by the applicants to the satisfaction of the Highways

Authority, is not deemed necessary to mitigate the impact of this development. Officers therefore have no grounds to require a tunnel or underpass to be built. An underpass is not proposed and, therefore, the submitted scheme before Committee must be assessed as submitted.

- 10.93. The site access is able to achieve visibility splays of 2.4 x 120 metres which is in accordance with Design Manual for Roads and Bridges. Visibility splays of 2.4 x 33 metres can also be achieved for vehicles exiting the site access onto the cycle lane, allowing vehicles to have sight of any cyclists before traversing across the cycle lane.
- 10.94. During the course of the application, the applicant proposed to reduce the speed limit on Marston Ferry Road from 40mph to 30mph along a 200 metre section of road on the approach to the junction with Oxford Road. It should be noted that the reduction of the speed limit is subject to a separate process from planning, which is subject to consultation. It cannot therefore be secured as part of the planning process, but it is understood that the applicant is to enter into a unilateral undertaking prior to the issuing of any permission to make financial contributions towards the Traffic Regulation Order amendment and relocation of speed limit roundels and road markings that would be required to implement a speed limit change. The application is considered acceptable without a reduction in speed limit, although the 30mph proposal is welcomed by the Highways Authority.
- 10.95. The Transport Assessment Addendum also includes a Stage 1 Road Safety Audit (RSA) and Designer's Response. The RSA was undertaken on the previous design before the give-way markings on the cycle lane were changed to stop markings. It should be noted that many of the issues raised in the RSA can be addressed at detail design stage when the applicant submits the design for Technical Approval to the Road Agreements Team at the County Council as part of the Section 278 agreement.
- 10.96. The Highways Authority's Traffic and Road Safety team states that the proposed access design meets required standards and does not present a severe problem, even with the retention of the existing speed limit along the Marston Ferry Road. Some concerns were raised regarding the responsibility of the wardens and how their role will work in practice. It is therefore proposed that the County Council monitor the operation of the school access through the Travel Plan and yearly site visits to give the opportunity to address any measures that are not working in practice.
- 10.97. A condition is recommended for a Stage 2 Road Safety Audit. These are carried out after the preliminary design has been audited (Stage 1 RSA), prior to the construction of the access, to inform detailed design matters.
- 10.98. Although the reports of accidents along the cycle lane are low, it is understood that not all incidents are recorded formally. Management of the proposed Swan School access is therefore crucial for safety reasons as well as to maintain existing cycling levels both for the nearby Cherwell School and the proposed new secondary school.

10.99. The following measures are proposed to minimise the impact of the proposed new access on the Marston Ferry Road cycle lane:

- The access design ensures that vehicles entering and exiting the site give priority to cycles on the cycle lane, as discussed above.
- Peak usage of the Marston Ferry cycle lane is linked to the start and end of the school day at Cherwell School. Cherwell School starts at 0830 and ends at 1505 hours. To avoid conflict between vehicles accessing the new secondary school and cyclists using the cycle lane, the application proposes to stagger the start and end times for Swan School so that it would start at 0915 and finish at 1645 (Mondays to Thursdays) and 1600 (on Fridays).
- Access gates to be closed during peak periods of cycle lane usage as Cherwell School pupils cycle to and from school, and during Swan School start and finish times to allow students to walk and cycle safely to and from the site. There would be no vehicle access at this time.
- Wardens on operation at the site access to manage cycles on the cycle lane and vehicles entering and leaving the site for student drop-offs and pick-ups (for those with permits). As the site gates will only be open outside of the peak periods for the cycle lane, the wardens will have fewer cycles on the cycle lane to manage and thus can give them priority by making vehicles wait for them to pass before entering or leaving the site.
- A Travel Plan which sets out measures to reduce car trip generation of the school.
- A car park management plan through which the County Council will seek to ensure that car parking spaces are allocated to car sharers and only to members of staff who have no alternative modes of travel.

10.100. These measures will ensure that the impact of the proposed access on the cycle lane will be minimised, protecting cyclists and helping to maintain current levels of cycling on the cycle lane. It is noted that similar measures are not in place for other accesses across the Marston Ferry Road cycle lane, such as at the rugby club and Cherwell School south site.

*Sustainable travel to site – Swan School*

10.101. The new secondary school can be accessed by foot and cycle along Marston Ferry Road. The 'Access to Headington' scheme currently being implemented by the County Council will provide further improvements in the vicinity of the school, including a new Toucan crossing on Cherwell Drive (north of its junction with Oxford Road) and cycle lanes in either direction on Cherwell Drive which will provide better access for both pedestrians and cyclists.

10.102. As most of the pupils to the new school are expected to live in the eastern part of Oxford, most cyclists and pedestrians are likely to route along Oxford Road, Headley Way and Cherwell Drive which provide facilities for

pedestrians and cyclists. Similarly, pedestrians and cyclists approaching the site from the north and south are able to access the Marston Ferry foot/cycle way which will provide access to the site.

- 10.103. The use of the crossing across Oxford Road will be increased with the addition of Swan School. The Access to Headington scheme will improve the pedestrian refuge on Oxford Road by widening it to allow cyclists to wait as well installing a side road entry treatment (by way of a raised table). These improvements will help pedestrians and cyclists to cross the road safely.
- 10.104. The closest bus stops to the proposed school are on Cherwell Drive and Oxford Road and these are served by frequent bus services from the city centre, north Oxford and Headington.
- 10.105. Officers remind members that improvements to cycle infrastructure are covered by CIL.
- 10.106. Given the above, which shows there is great potential to reduce car trips generated by both students and staff of the new school, the Travel Plan is expected to achieve ambitious targets to suppress traffic generation of the site through its Travel Plan. The site is considered to be sustainable located in accordance with policy CS16 of the Core Strategy.

#### *Car parking – Swan School*

- 10.107. The proposal will provide 66 car parking spaces at the secondary school. This meets the adopted standards for the proposed staff numbers. A lower level of car parking spaces than is required by adopted policy could lead to overspill parking on surrounding streets, which are not currently within a controlled parking zone.
- 10.108. The Travel Plan seeks to reduce car travel to the site. The estimated percentage of staff travelling to school by car (excluding car share) is 54.7 per cent, based on the data from nearby Cherwell School. This is set to reduce by 2027 to 39.7 per cent by 2027 through the Travel Plan measures. Fifteen per cent of spaces will be allocated to car sharers. The Transport Statement Addendum submitted during the course of the application also states that the use of these spaces will be monitored and the number of car sharer spaces offered will be increased if the uptake of car sharing increases. This can be done through monitoring of the Travel Plan.
- 10.109. The following table (populated with data from the Travel Plan) summarises the number of staff cars proposed to park on site over the period covered by the Travel Plan to full occupation of the school, and demonstrates that the 66 proposed car parking spaces is appropriate. Note that the proportion/percentage of car users decreases over time while the overall number of staff members increases over time as the school reaches its full capacity in 2027.

year	staff cars	staff car share	total cars
2020	16	2	<b>18</b>
2021	28	1	<b>29</b>
2022	37	3	<b>39</b>
2023	45	5	<b>50</b>
2024	51	7	<b>58</b>
2025	55	10	<b>65</b>
2026	52	11	<b>63</b>
2027	52	13	<b>65</b>

- 10.110. A time limit is proposed on when staff can enter and leave the site using a vehicle. Time slots will be allocated for staff vehicles to enter the site at the start and end of the day, between 0700 and 0800 and again between 1715 (Monday to Thursday) or 1700 (Friday) and 1800. This is to reduce the impact on the cycle lane at peak times.
- 10.111. The car park will be used by staff; student drop-offs would take place along the coach set-down area within the site. A car park management plan has been submitted with the planning application which states that the school will implement a permit system for staff. Permits will only be issued to those with mobility issues, car sharers, those with caring duties and those who cannot travel to the site by other modes.
- 10.112. The Travel Plan states that that the school will implement an application system for parents/carers to obtain a drop-off parking permit, again, prioritising those with mobility impairment. There will only be permits available for up to 10 per cent of pupils and this proportion will be regularly monitored and decreased accordingly in future years in line with the set targets. The Travel Plan (see below) includes targets for car drop-off that start at 9.8% of pupils (approximately 27 pupils/cars) in 2020 to 2.8% of pupils (approximately 35 pupils/cars) at full occupation in 2027. Parents will be required to apply and justify that car travel is the only feasible option.

*Drop off arrangements – Swan School*

- 10.113. There is existing informal 'drop-off' of students and pupils in the area because of the existing schools. Raymund Road and an informal area off Oxford Road (close to its junction with Cherwell Drive) which leads to the bridleway suffering from informal drop-off. It is crucial that the new proposal does not exacerbate this situation, particularly as cyclists leaving the Marston Ferry Road cycle lane turn across the latter area to continue along the service road adjacent to Oxford Road.
- 10.114. It has been discussed whether vehicle access could be restricted to the informal area off Oxford Road discussed above. However, this access provides vehicular access to a property and therefore cannot be restricted without further consultation. However, the County Council, as part of its Access to Headington scheme, has stated that it will review how cycle access across this area could be improved.

- 10.115. Students will be able to be dropped off within the car park of the proposed Swan School which will help prevent exacerbating the issues highlighted above. However, access to this on-site facility will be limited through the closure of the access gates to prevent dropping off occurring when the cycle lane is in high use. The gates will be open to allow drop off between 0830 and 0850 and again between 1645 and 1700 to allow student pick-ups. Close monitoring of the Travel Plan by the Travel Plan Coordinator and through annual monitoring visits from a highway officer will determine if additional measures need to be implemented to keep pupil drop-off rates within a 10 per cent threshold for permit holders. Highway officer visits will include monitoring drop offs on surrounding streets.

*Cycle parking – Swan School*

- 10.116. The Council's minimum cycle parking standard requires the scheme to provide 285 cycle parking spaces at Swan School. The proposal seeks to provide a total of 762 cycle parking spaces, in recognition that promoting cycling to and from the school is essential to reduce vehicle trips and to manage the site access.
- 10.117. Cycle use amongst students is expected to be 54.6% in both peaks (equates to 688 trips), which is very high. The Transport Addendum has confirmed that 712 cycle parking spaces would be available for use by students. Separate staff cycle parking is proposed. Through the Travel Plan, the applicant has also made a commitment to monitor the use of these spaces and if necessary increase provision to meet demand.
- 10.118. A condition is recommended for the development to provide details of showers and lockers for staff cycling to work in accordance with policy TR4 of the Oxford Local Plan 2001-2016.

*Trip generation and traffic impact – Swan School*

- 10.119. The trip generation of the Swan School has been estimated based on the travel patterns of the Cherwell School, given that the schools are in close proximity and are operated by the same educational trust. In the AM peak 10.1% of student trips and in the PM peak 9.5% student trips will be made by vehicular transport. This equates to 127 and 120 vehicular trips respectively. However, as the school will encourage car sharing and with the take up of Breakfast Clubs and After School Clubs, the actual vehicular trip generation during the peak hours is expected to be less. This will be monitored through the Travel Plan.
- 10.120. Barton Park has been considered as part of the catchment area, however the primary school located within Barton Park is a feeder school to Cheney School, therefore the number of pupils likely to be attending Swan School from Barton Park will be small. Any pupils attending from Barton Park are more likely to be dropped off than arrive by foot, cycle or bus. However, the increase in vehicular trips as a result of this is likely to be small.

- 10.121. Similarly to Cherwell School, 54.7% of staff trips to Swan School are expected to be made by car. The Travel Plan includes ambitious targets to reduce vehicular trips by staff and measures to encourage sustainable travel.
- 10.122. The traffic impact of the proposed school at the following junctions has been assessed for the future year 2025 in the AM and PM peak hours:
- Moreton Road / Marston Ferry Road / Banbury Road signalised junction;
  - Cherwell Drive / Marsh Lane / Headley Way / Marston Road junction (to be signalised with Access to Headington works); and
  - Swan School access / Marston Ferry Road priority junction.
- 10.123. All arms of the first two junctions listed above are predicted to operate with a degree of saturation under 90% with the addition of the traffic that is estimated to be generated by the school.
- 10.124. The proposed priority junction for the school access will operate with spare capacity and the predicted queues can be accommodated by the proposed dedicated right and left turn lanes, thus not obstructing ahead traffic on Marston Ferry Road.

*Travel Plan – Swan School and Meadowbrook College*

- 10.125. Travel Plans for both Meadowbrook and Swan School were submitted with the planning application with revisions submitted during the course of the application.
- 10.126. The Swan School Travel Plan (revised version dated July 2018) assumes a similar proportion of students will arrive by car as currently do to Cherwell School and uses this data as the baseline or starting point for the first year of the school (2020), with targets then set for each year to reduce travel by car and increase sustainable travel to school. Such a methodology – a gradual step change year on year to reduce car use – is more long lasting and more likely to establish sustainable levels than imposing unrealistic targets from the start.
- 10.127. The revised Travel Plan for Swan School includes the following points:
- Monitoring and refinements every year from 2021 to 2027.
  - Commitment from the River Learning Trust to achieve the targets set out in the Travel Plan.
  - The targets set out for staff travel have been revised and is now more ambitious as recommended by the County Council. Over 6 years, car use is to reduce from 54.7% to 39.7%.
  - Dedication of car parking spaces for car sharers.
  - A permit system will be applied to parents dropping off.



- The Travel Plan has been updated to provide more information on communication to parents to encourage sustainable travel and training for students.
  - It has also been updated to offer salary sacrifice schemes for staff for purchase of season tickets, cycles, etc.
  - The revised Travel Plan has committed to following the STARS accreditation scheme, which is widely recognised, should targets for mode splits not be met by 2027. The Modeshift STARS Accreditation System requires the school to implement a certain number of measures and initiatives to achieve a certain level of accreditation (gold, silver, bronze). This will allow the County Council to gauge the effectiveness of the Travel Plan.
- 10.128. Both Travel Plans propose a Welcome Pack for students and parents/carers setting out the travel strategy for the school including information about sustainable travel and routes to school. The Swan School Travel Plan includes consultations with the school's stakeholders including organisations and groups located close to the school.
- 10.129. A wide range of measures are proposed in both Swan School and Meadowbrook Travel Plans, including SMART objectives, and conditions are recommended to secure further refined and improved Travel Plans for both schools and their monitoring in order to mitigate the travel impact of the development and maximise sustainable transport use.
- 10.130. Achieving the stipulated targets to reduce the number of car trips to site (and increase sustainable methods of transport) will control and minimise traffic volumes, the number of cars crossing the Marston Ferry Road cycleway, informal student drop-offs and cars parked on nearby streets. Officers therefore consider the full implementation of and compliance with the Swan School Travel Plan to be critical to mitigate the impact of the proposed new secondary school. It is noted that the River Learning Trust who would manage the proposed school has registered its commitment to implement the Travel Plan. In light of these factors, the Travel Plan is proposed to be secured by legal agreement to cover annual monitoring against targets, review of the Travel Plan to incorporate new measures as appropriate to ensure targets are met, and to secure a further six-year period of monitoring should targets not have been met by 2027. The legal agreement would also cover travel plan monitoring fees. This is considered necessary in order to give real weight to the Travel Plan targets. Given the River Learning Trust's commitment to minimising car use, and the more frequent monitoring by and support from the County Council than on other developments, it is considered unlikely that the school would fail to meet the targets.

*Delivery and servicing – Swan School and Meadowbrook College*

- 10.131. The Delivery and Servicing Management Plans, subject to revisions recommended to be required by condition, will ensure deliveries take place outside peak hours and the busiest periods of cycle lane usage.

*Construction Traffic Management Plan (CTMP) – Swan School and Meadowbrook College*

- 10.132. A construction traffic management plan has been submitted with the planning application which meets the requirements of the County Council. It is important that the construction phase does not unduly impact upon the operation of the surrounding highway network and also that it does not raise any safety issues on the Marston Ferry cycle lane. The measures set out in the CTMP address these concerns.
- 10.133. The CTMP will not permit deliveries and other vehicles to the site during school travel times and network peak periods. Vehicles will not be permitted to enter the site between 0730 to 0930 and 1500 to 1830. It is proposed that a banksman will walk any vehicles from Marston Ferry Road into the site across the cycle lane and also to erect temporary barriers across the cycle lane to prevent any collisions between cyclists and construction vehicles.
- 10.134. Construction vehicles will access the site from the A40 along the B4150 and Marston Ferry Road. Where this is not possible, for example during roadwork, vehicles will access the site from the A40 via Summertown.
- 10.135. The CTMP outlines a comprehensive communications strategy and provides necessary contacts for the site manager. It also sets out the measures that will be used to prevent workers from driving in private cars onto the site. Cycle parking will be provided on site for workers.

*Conclusion – highways and transport*

- 10.136. It is considered that the applicant has addressed the safety concerns about the vehicle access across the cycle lane in a variety of ways to produce a comprehensive, holistic proposal. The development seeks to drive down car trips to the site via the Travel Plan, with no cars accessing at peak cycleway times when the gates will be closed. A collection of measures to encourage sustainable transport, from high levels of cycle parking to initiatives in the Travel Plan, are proposed. There would be physical measures installed including the raised table and road markings for cars, in addition to 'soft' measures such as wardens supervising at peak times. A reduction in speed limit is proposed by the applicants to be carried out via a separate process. The Travel Plan is proposed to be secured by legal agreement.
- 10.137. It is accepted that a vehicle access across the cycle lane is not ideal or welcomed, and this aspect of the development has clearly been of great concern to Oxford residents in relation to cycle safety, as the quantum of objections indicates. It is anticipated that the provision of an underpass would be likely to cause harm, including by creating an inhospitable cycling and walking environment and a significant landscape intrusion. No underpass is proposed and officers do not consider it reasonable to require this. The proposal submitted for consideration retains the cycle lane and

priority for cyclists. It will be the responsibility of motorists crossing the cycle lane to stop and give way to cyclists.

- 10.138. The development's transport proposals do not contravene any standards and have been deemed acceptable in highway safety terms by the Highways Authority as statutory consultee. The scheme ensures priority for cyclists and pedestrians is retained and includes a variety of measures to minimise conflicts between pedestrians, cyclists and vehicles. No unacceptable impact on highway safety has been identified, nor have the residual cumulative impacts on the road network been found to be severe. In accordance with the NPPF, therefore, the development should not be refused on highway grounds.
- 10.139. Subject to conditions and securing the Travel Plan targets through a Section 106 legal agreement as set out in paragraph 10.130, the development is considered acceptable in transport and highways terms in relation to the NPPF and policies CP1, CP10, TR1, TR2, TR3 and TR4 of the Oxford Local Plan 2001-2016.

#### **g. Neighbouring impact**

- 10.140. Policy HP14 of the Sites and Housing Plan states that development should provide reasonable privacy and daylight for the occupants of both existing and new dwellings and guards against overbearing development. Policy CP10 of the Oxford Local Plan 2001-2016 requires development proposals to be sited in a manner which meets functional need, but also in a manner that safeguards the amenities of other properties. Policies CP19 and CP21 protect against unacceptable nuisance and noise.
- 10.141. The development will result in an increase in built form close to properties in Arlington Drive, both from the proposed Meadowbrook College, and from the southern part of the proposed secondary school. Meadowbrook College is sited in the far south-west corner of the site, where Arlington Drive bends away in a south-westerly direction. The properties closest to the building are over 40 metres away with mature, screening trees, the brook, footpath and garden boundary treatments between. The secondary school building is also 40 metres from the nearest properties, further east along Arlington Drive. The entrance to Meadowbrook College and a further line of newly planted trees provides additional separation. Such distances and intervening screening make for a comfortable juxtaposition of uses when considering the potential for any overlooking from classrooms down into gardens or rear windows of residential properties. There is no harmful loss of residential amenity as a result of the development.
- 10.142. There will be increased activity on site as a result of the intensification of the existing land use (education) and outdoor activity spaces including sports facilities. Again, considering the distances and screening between residential properties and the outdoor spaces for the two schools, and the fact that activity will take place during the daytime on weekdays, there is not considered to be a harmful impact on local residents.

- 10.143. An Environmental Noise Report was submitted with the application. This includes acoustic survey results which show night time background levels to be low, as might be expected of this semi-rural location. Noise from mechanical heating and ventilation plant serving the proposed development are then referred to and appropriate criteria are cited. There are no specific external noise control requirements for either of the schools; the soundproofing provided by the fabric of the building is sufficient.
- 10.144. Additional information by way of an addendum to the report was submitted. This refers to other potential noise sources from the site including use of sports facilities, car parks and music facilities. These are very limited, with community sports use limited to daylight hours (no floodlighting is proposed) and no events proposed for Meadowbrook College. Overall these are stated to be unlikely to cause significant impacts. Officers concur but recommend that the use of outdoor sports facilities is not allowed after 9pm or before 8am, and an appropriate condition is recommended in this respect.
- 10.145. A condition is recommended relating to lighting, to control the impact on neighbouring amenity as well as for biodiversity and landscape impact reasons. The retention of existing landscaping is also recommended to be secured by condition, in part to safeguard residential amenity.

#### **h. Archaeology**

- 10.146. Paragraph 189 of the NPPF states that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. This is supported by policy HE2 of the Oxford Local Plan 2001-2016.
- 10.147. This site is of interest in archaeological terms because the application involves sizable area of ground disturbance in a poorly understood area of the city. The submitted desk based assessment has identified a series of parch marks that might represent a prehistoric field system east of the Cherwell to the north-east that might extend into the site. This may suggest relatively localised alluvial cover over the mudstone in this area. The application site rises gently onto the 2nd gravel terrace (Summertown Radley Terrace) which has further archaeological potential as an attractive location for activity in the prehistoric period.
- 10.148. Officers reviewed the information in the Oxford Historic Environment Record, the submitted Heritage Statement (RPS 2017) and the results of the field evaluation undertaken by Cotswold Archaeology (2018). In this case, bearing in mind the results of the archaeological field evaluation, officers request that, in line with the advice in the NPPF, any consent granted for this application should be subject to an foundation condition and an archaeological condition.

#### **i. Flooding and drainage**

- 10.149. The NPPF states that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere (paragraph 163), supported where appropriate by a site-specific flood-risk assessment. Oxford Core Strategy Policy CS11 states that development will not be permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.
- 10.150. A flood risk assessment, drainage strategy, drainage plan and detailed drainage layout drawings have been submitted as part of the application.
- 10.151. The site is not at significant risk of flooding from any sources and officers consider the proposed drainage system to be acceptable in principle. Surface water will be attenuated by the use of geocellular storage crates, and discharged via gravity to the Marston Brook via two outfalls. This will be discharged at the greenfield runoff rate therefore not increasing flood risk downstream. The outfalls will necessitate part of the drainage system crossing the narrow strip of land between the site boundary and the brook. For the reassurance of officers, confirmation that the drainage scheme could be implemented was sought, since the outfalls are outside the red line site boundary. The applicant provided sufficient assurance (conveyance agreement from the Land Registry) that it has the right to take surface water into the stream south of the adjoining track. The maintenance plans submitted for the drainage systems are detailed. Sports pitches are to be drained via infiltration swale.
- 10.152. The site drainage system shows some flooding for the 1 in 100 + 40% climate change scenario. The drainage strategy states that no flood water will leave the site for the 100 + 40% climate change event.
- 10.153. Conditions are recommended to secure outfall details, exceedance routes in the event of extreme rainfall events that overwhelm the sewer, and an operation and maintenance manual.
- 10.154. The Environment Agency raised no objection noted the discharge into Marston Brook. An informative is recommended to be applied to any permission regarding obtaining an Environmental Permit for works close to a main river bank. The County Council as Lead Local Flood Authority also raised no objection and has recommended a condition requiring details of the drainage system. Subject to such a condition, the proposal accords with the NPPF and the policies in the development plan relating to flooding and drainage.

#### **j. Biodiversity**

- 10.155. Policy CS12 of the Core Strategy states that development will not be permitted if it results in a net loss of sites and species of ecological value. Where there is opportunity, development will be expected to enhance Oxford's biodiversity.
- 10.156. The submitted ecological survey documents demonstrate that the status of protected species within the site has been given due regard. Habitat loss

will include the buildings, amenity and semi-improved grassland, scrub and rough grassland, with a minor loss of hedgerow to facilitate access. The majority of hedgerows, trees and broad-leaved woodland are to be retained, with enhancements in the form of new native planting where practicable, along with creation of new waterbodies and green-roofs. The biodiversity calculator has shown a net gain in biodiversity overall.

- 10.157. Safeguards have been provided for the protection of protected species known to be present, with the provision for pre-construction site walkovers to assess the up to date condition of the site in respect of species such as great crested newt and badger. All works are to be undertaken in strict accordance with the supplied Ecological Mitigation and Management Plan, and a condition is recommended to secure this.
- 10.158. Natural England has recommended considering green roofs on more of the buildings, and using native wildflowers on the roofs rather than sedum which would have more biodiversity benefits and could complement the habitats on the SSSI. It is understood that additional green roofs would be financially prohibitive for the scheme but native wildflowers are proposed to be included in the green roofs. This would be secured via the recommended landscape conditions.
- 10.159. Officers are also recommending conditions relating to vegetation clearance to protect nesting birds, and to control lighting to prevent disturbance to bats. Subject to these three conditions, the proposal would comply with policy CS12.

#### **k. Energy and sustainability**

- 10.160. Core Strategy Policy CS9 states that all developments should seek to minimise their carbon emissions and should demonstrate sustainable design and construction methods and energy efficiency through design, layout, orientation, landscaping and materials. The proposal exceeds the threshold for “qualifying developments” and so it must achieve the target of 20 per cent renewable or low-carbon energy and incorporate recycled or reclaimed materials.
- 10.161. A Sustainability / Compliance Report has been submitted to demonstrate how the development would achieve the policy target of 20 per cent of energy from on-site renewables and zero, low carbon technologies. This is to be achieved through a combination of ‘fabric-first’ and passive to reduce carbon emissions plus an air-source heat pump for each of the two schools for water heating, with some space heating provided through a high-efficiency heat recovery system. Details of recycled materials are contained in the Natural Resource Impact Analysis submitted. Officers are satisfied that the 20 percent target can be met through these measures and so the development would comply with policy CS9 of the Oxford Core Strategy. A condition is recommended to secure the proposed measures.

#### **l. Air quality**

- 10.162. Policy CP23 of the Oxford Local Plan guards against development which would have a net adverse impact upon the air quality in the Air Quality Management Area, or in other areas where air quality objectives are unlikely to be met.
- 10.163. An air quality assessment was submitted as part of the application and officers assessed this alongside the various transport and construction documents and the details of the proposed gas-fired boilers. These reports confirm that there will be no negative air quality impacts over current and future receptors as a result of the new development.
- 10.164. With regards to the potential emissions from dust during the development's construction phase, the site's construction management plan includes the site-specific mitigation measures identified in the dust assessment. A condition is recommended to ensure the development is carried out in accordance with this plan, which also covers construction traffic.
- 10.165. The NPPF requires development to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles. Oxford City Council's Air Quality Action Plan 2013 commits to seeking to ensure that new developments make appropriate provision for walking, cycling, public transport and low emission vehicle infrastructure e.g. Electric Vehicle charging points. The development provides charging points for 12 cars which is in excess of the recommended 10 per cent of parking spaces and this is welcomed. The measures are recommended to be secured by condition.
- 10.166. The proposal would comply with the NPPF and local plan policies relating to air quality.

#### **m. Land quality**

- 10.167. The Phase I and II Geo-Environmental Assessment site investigation submitted with the application did not identify any contamination that could present a potentially significant risk of harm to future users of the site or other nearby environmental receptors.
- 10.168. Officers are satisfied with the conclusions that no specific remedial works are required. A condition is recommended to deal with the possibility that unexpected contamination could be identified during the course of site development. The proposal would accord with policy CP22 of the Oxford Local Plan.

### **11. CONCLUSION**

- 11.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.

- 11.2. The NPPF recognises the need to take decisions in accordance with Section 38(6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver Sustainable Development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF despite being adopted prior to the publication of the framework.

*Compliance with Development Plan Policies*

- 11.3. Therefore in conclusion it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which is inconsistent with the result of the application of the development plan as a whole.
- 11.4. The application site has been selected following an extensive site search with the need to provide secondary school places within a tight timeframe being an inescapable reality of site selection. The design, massing and layout has been carefully adjusted after a long period of pre-application consultation and reviews by the Oxford Design Review Panel, which particularly considered the impact on the openness of the Green Belt. The scheme retains priority for cyclists and pedestrians on the Marston Ferry Road cycle lane and includes a variety of measures to minimise conflicts between pedestrians, cyclists and vehicles. No unacceptable impact on highway safety has been identified, nor have the residual cumulative impacts on the road network been found to be severe. In accordance with the NPPF, therefore, the development should not be refused on highway grounds. An underpass for the cycleway beneath the traffic access is not proposed and is not necessary to mitigate the impact of the development. Robust Travel Plans are proposed, with the Swan School Travel Plan to be secured by legal agreement. All other aspects of the development, subject to appropriate conditions, are found to be in accordance with the NPPF and local development policies. The development would bring forward much needed purpose-built, contemporary accommodation for Meadowbrook College and secure community uses of sports and other school facilities.
- 11.5. The main policy where there could be considered a departure from development plan policy would be with regard to Core Strategy Policy CS4 which states that permission will not be granted for inappropriate development, in accordance with national policy. The report sets out the balancing exercise which concludes that the proposal does give rise to very special circumstances that would allow development to be approved in the Green Belt, in accordance with national policy and therefore with policy CS4.
- 11.6. Therefore officers consider that the proposal would accord with the development plan as a whole.



### *Material considerations*

- 11.7. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.
- 11.8. National Planning Policy: The NPPF has a presumption in favour of sustainable development at its heart.
- 11.9. NPPF paragraph 11 states that proposals that accord with an up-to-date development plan should be approved 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 Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
- 11.10. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.
- 11.11. Officers would advise members that having considered the application carefully including all representations made with respect to the application, that the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016 and Sites and Housing Plan 2013, when considered as a whole, and that there are no material considerations that would outweigh these policies.
- 11.12. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the recommended conditions and satisfactory completion (under authority delegated to the Head of Planning, Sustainable Development and Regulatory Services) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

## **12. CONDITIONS**

### **1. Time limit**

The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

### **2. Approved plans**

Subject to condition 5, the development permitted shall be constructed in complete accordance with the specifications in the application and

approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

### **3. Material samples**

Prior to the commencement of construction works above ground level (excluding the demolition of the existing structures and site clearance), samples of the exterior materials and sample panels of brickwork and brick course to be used shall be submitted to, and approved in writing by, the local planning authority and only the approved materials and details shall be used.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP8 of the Oxford Local Plan 2001-2016 and policy CS18 of the Oxford Core Strategy 2026.

### **4. No felling or tree surgery**

As from the date of the grant of this permission no on-site trees and shrubs which are not identified for removal in the approved details shall be wilfully damaged or destroyed or uprooted, felled, lopped or topped without the prior written consent of the local planning authority.

Reason: For the purpose of preserving important landscape features in the interests of visual amenity in accordance with policies CP1 and CP11 of the Adopted Local Plan 2001-2016.

### **5. Landscaping details**

Notwithstanding the submitted landscaping details, landscaping details shall be submitted to, and approved in writing by, the local planning authority before first occupation of the site (excluding construction). The details shall include scale plans that indicate trees to be removed and shall show the locations of the existing retained trees including accurate representations of their crown spreads. The approved details shall show in detail all proposed tree and shrub planting (including nursery stock type, sizes, numbers of plants and planting densities where applicable), treatment of paved areas, and areas to be grassed or finished in a similar manner. The details shall include details of the green roofs which shall incorporate native wildflowers.

Reason: To ensure a high quality landscape design for private and public spaces; in the interests of visual amenity in accordance with policies CP1, CP11 and NE15 of the Adopted Local Plan 2001-2016.

### **6. Landscape management plan**

A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas including green roofs shall be submitted to and be approved in writing

by the local planning authority prior to the occupation of the development. The approved landscape management plan shall be carried out as approved.

Reason: In the interests of amenity and the appearance of the area in accordance with policies CP1 and CP11 of the Adopted Local Plan 2001-2016.

## **7. Completion of landscaping**

The landscaping proposals as approved by the local planning authority shall be carried out upon substantial completion of the development and be completed not later than the first planting season after substantial completion.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the Adopted Local Plan 2001-2016.

## **8. Hard Surfaces**

Prior to commencement of development (excluding demolition) details shall be submitted to and be approved in writing by the local planning authority, including a scale drawing, indicating the location, design and construction specifications of parking bays and other hard surfaces situated within the Root Protection Area (RPA) of retained trees. Such surfaces shall use a 'No-Dig' design approach as defined by Arboricultural Practice Note 12 (APN12) - 'Through the tree to development' and shall involve deployment of a 3-dimensional cellular confinement system as appropriate.

Reason: To avoid damage to the roots of the retained trees in accordance with policies CP1, CP11 and NE15 of the Adopted Local Plan 2001-2016.

## **9. Tree Protection Plan**

Detailed measures for the protection of trees to be retained during the development shall be submitted to, and be approved in writing by, the local planning authority (LPA) before any works on site begin. Such measures shall include scale plans indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. Unless otherwise agreed in writing by the LPA the approved measures shall be in accordance with relevant sections of BS 5837:2012 Trees in Relation to Design, Demolition and Construction-Recommendations. The approved measures shall be in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the LPA shall be informed in writing when the approved measures are in place in order to allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction in accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

#### **10. Arboricultural method statement**

A detailed statement setting out the methods of working within the Root Protection Areas of retained trees shall be submitted to and be approved in writing by the local planning authority (LPA) before any works on site begin. Such details shall take account of the need to avoid damage to tree roots through excavation, ground skimming, vehicle compaction and chemical spillages including lime and cement. The development shall be carried out in strict accordance with of the approved AMS unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction in accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

#### **11. Landscape underground services**

Prior to the start of any work on site, details of the location of all underground services and soakaways shall be submitted to and be approved in writing by the local planning authority (LPA). The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas (RPA) of retained trees as defined in the British Standard 5837:2012- 'Trees in relation to design, demolition and construction-Recommendations'. Works shall only be carried in accordance with the approved details.

Reason: To avoid damage to the roots of retained trees; in support of Adopted Local Plan Policies CP1, CP11 and NE15.

#### **12. Ecological Mitigation and Management Plan**

The development shall be undertaken in strict accordance with the provisions of the Ecological Mitigation and Management Plan (EMMP) produced by Thomson Ecology in April 2018 (report VGAL 105/012 001). The EMMP provides details of required measures for the avoidance of harm to protected species including, but not limited to, bats, great crested newts, reptiles and badgers. Site enhancements shall be undertaken in accordance with the details and timings in the EMMP, or within a year of commencement of development where timings are not specified, including provision and maintenance of landscape planting and artificial bat and bird roost features. The EMMP shall not be altered without the prior consent in writing of the local planning authority.

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026 and to ensure the survival of protected and notable species protected by legislation that may otherwise be affected by the development.

#### **13. Vegetation Clearance: Nesting Birds**

Removal of vegetation and demolition of buildings shall be undertaken outside of the bird nesting season. This is weather dependent but generally extends between March and August inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately

prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation or buildings shall not be removed until the fledglings have left the nest, as determined by the ecologist.

Reason: In the interests of preserving biodiversity and to comply with the requirements of the NPPF and Wildlife and Countryside Act 1981 (as amended).

#### **14. Lighting**

The development shall be undertaken in accordance with the provisions of the Ecological Mitigation and Management Plan produced by Thomson Ecology in April 2018 (report VGAL 105/012 001). The lighting scheme (Corde, 2017) does not result in direct illumination of existing and proposed boundary planting and includes hooded, downward facing lighting. Any lighting 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: In the interests of visual amenity, to avoid harm to the dark night skies of the countryside and to prevent disturbance to protected species such as bats in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.

#### **15. Electric vehicle charging points**

The electric vehicle charging points and infrastructure hereby approved shall be installed in accordance with the details submitted with this application prior to the first occupation of the development and shall be maintained and retained thereafter.

Reason: To contribute to improving local air quality in accordance with CP23 of the Oxford Local Plan 2001- 2016 and enable the provision of low emission vehicle infrastructure in accordance with the NPPF.

#### **16. Energy sustainability**

The development shall be carried out in full accordance with the measures detailed in the submitted Sustainability / Compliance Report issue number S4-P06 dated 15 July 2018 unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of sustainable energy use in accordance with policy CS9 of the Oxford Core Strategy 2026.

#### **17. Sports Hall**

The Sports Hall hereby permitted shall not be constructed other than substantially in accordance with Sport England Technical Design Guidance Note: Sports Halls Design and Layouts 2012 <https://www.sportengland.org/facilities-planning/design-and-costguidance/sports-halls/>

Reason: To ensure the development is fit for purpose and sustainable and to accord with Policy CS21 of the Oxford Core Strategy 2026.

### **18. MUGAs**

The Multi Use Games Areas hereby approved shall not be constructed until details of their design and layout have been submitted to and been approved in writing by the local planning authority. The Multi Use Games Areas shall not be constructed other than in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Policy CS21 of the Oxford Core Strategy 2026.

### **19. Sports pitches**

(a) Prior to commencement of development (excluding demolition) the following documents shall be submitted to and be approved in writing by the local planning authority:

(i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality; and

(ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints shall be submitted to and be approved in writing by the local planning authority. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation, maintenance and other operations associated with grass and sports turf establishment and a programme of implementation.

(b) Any approved scheme as defined in (ii) shall be carried out in full and in accordance with the approved programme of implementation prior to first occupation of the establishments hereby approved. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Policy CS21 of the Oxford Core Strategy 2026.

### **20. Community use**

Prior to first occupation of the development hereby permitted a community use agreement for Swan School shall be submitted to and be approved in writing by the local planning authority. The agreement shall apply to both the indoor and external sports facilities of the Swan School and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Policy CS16 of the Oxford Core Strategy 2026.

## **21. Waste water**

The development shall not be occupied until confirmation has been provided that either:

- all wastewater network upgrades required to accommodate the additional flows from the development have been completed; or
- an infrastructure phasing plan has been agreed in writing with the local planning authority in consultation with Thames Water to allow part of the development to be occupied. Where an infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed infrastructure phasing plan.

Reason - The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents in accordance with policy NE14 of the Oxford Local Plan 2001-2016.

## **22. Water network**

The development shall not be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or - an infrastructure phasing plan has been agreed in writing with the local planning authority in consultation with Thames Water to allow part of the development to be occupied. Where an infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed infrastructure phasing plan.

Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development in accordance with policy NE14 of the Oxford Local Plan 2001-2016.

## **23. Road Safety Audit**

Prior to the construction of the access to the site from Marston Ferry Road hereby approved, a Stage 2 Road Safety Audit accompanied by a Designer's Response shall be submitted to and be approved in writing by the local planning authority. The detailed design of the access shall be agreed in writing with the local planning authority in consultation with the Highways Authority.

Reason: In the interest of highway safety and in accordance with paragraphs 108-111 of the NPPF and policies CP1 and CP10 of the Oxford Local Plan 2001-2016.

## **24. Car Park and Access Management Plans**

The development shall be managed in accordance with the approved Meadowbrook College Car Park and Access Management Plan and Swan School Car Park and Access Management Plan for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reasons: In the interest of highway safety and to encourage sustainable travel in accordance with paragraphs 108-111 of the NPPF and policies CP1 and CP10 of the Oxford Local Plan 2001-2016.

## **25. Cycle Parking**

Prior to the construction or installation of cycle parking, detailed drawings of the cycle parking as shown in drawing no. CRD-00-XX-DR-L1903/ S4 P3 shall be submitted to and be approved in writing by the local planning authority. The approved cycle parking shall be constructed or installed prior to first occupation and maintained thereafter.

Reason: To encourage the use of sustainable modes of transport in accordance with paragraphs 108-111 of the NPPF and policies CP1, CP10 and TR4 of the Oxford Local Plan 2001-2016.

## **26. Travel Plan – Swan School**

Within three months of first occupation of the secondary school hereby approved, a full Swan School Travel Plan shall be submitted to and be approved in writing by the local planning authority. The Swan School Travel Plan shall:

1. Appoint a Travel Plan Coordinator;
2. Provide survey results;
3. Set targets to reduce car travel to and from the site;
4. Set out robust measures to encourage sustainable travel;
5. Be linked to the car park and access management plan;
6. Specify the frequency of stakeholder meetings;
7. Identify new measures if targets are not met; and
8. Provide monitoring yearly.

Paragraph 7.24 of the Travel Plan shall be corrected to state that the student drop-off permit system will be implemented from first occupation of the development. The approved Travel Plan shall be implemented in full and adhered to during the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reason: To encourage sustainable travel in accordance with paragraphs 108-111 of the NPPF and policies CP1, CP10 and TR2 of the Oxford Local Plan 2001-2016.

## **27. Travel Plan – Meadowbrook College**

Within three months of first occupation of the replacement Meadowbrook College building hereby approved, a full Meadowbrook College Travel Plan



shall be submitted to and be approved in writing by the local planning authority. The approved Travel Plan shall be implemented in full and adhered to during the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reason: To encourage sustainable travel in accordance with paragraphs 108-111 of the NPPF and policies CP1, CP10 and TR2 of the Oxford Local Plan 2001-2016.

### **28. Site Visits**

The Travel Plan Coordinator for Swan School shall arrange yearly site visits with a highway officer from Oxfordshire County Council to observe the operation of the site access, student pick up and drop off and use of the car park. This site visit must include a review of surrounding streets. The findings of the site visit and appropriate actions shall be included in annual updates to the Travel Plan up to and including an update in 2027.

Reason: In the interest of highway safety and to encourage sustainable travel in accordance with paragraphs 108-111 of the NPPF and policies CP1, CP10 and TR2 of the Oxford Local Plan 2001-2016.

### **29. Delivery and Servicing Management Plan - Meadowbrook College and Swan School**

The Meadowbrook College Delivery and Servicing Management Plan and the Swan School Delivery and Servicing Management Plan hereby approved shall be adhered to and implemented for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of highway safety and for efficient operation of the road network in accordance with paragraphs 108-111 of the NPPF and policies CP1 and CP10 of the Oxford Local Plan 2001-2016.

### **30. Construction Traffic Management Plan (CTMP)**

The development shall be carried out in complete accordance with the Construction Traffic Management Plan Revision D hereby approved.

Reason: In the interests of highway safety, to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times and to minimise dust impacts in accordance with paragraphs 108-111 of the NPPF and policies CP1, CP10 and CP23 of the Oxford Local Plan 2001-2016.

### **31. Visibility Splays**

Prior to the first use of the new vehicular access from Marston Ferry Road into the site, visibility splays shall be provided in both directions in accordance with drawing no. 4479/008/T/SK-211/P9. These splays must be maintained permanently with no obstruction to vision above 0.9 metres in height to the centre line of the adjacent carriageway over the whole of each visibility splay area.

Reason: In the interest of highway safety in accordance with paragraphs 108-111 of the NPPF and policies CP1 and CP10 of the Oxford Local Plan 2001-2016.

### **32. Showers and changing facilities – staff cycling to work**

Details of showers and changing facilities for staff for both Swan School and Meadowbrook College in accordance with the thresholds and minimum standards set out in Appendix 4 of the Oxford Local Plan 2001-2016 shall be submitted to and be approved in writing by the local planning authority. The approved details shall be implemented prior to first occupation of the development hereby approved and thereafter retained.

Reason: In the interest of sustainable travel and in accordance with paragraphs 108-111 of the NPPF and policy TR4 of the Oxford Local Plan 2001-2016

### **33. Unexpected contamination**

Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and be approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and be approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason- To ensure that any soil and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

### **34. Drainage**

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:

- Discharge Rates
- Discharge Volumes
- SUDS (Permeable Paving, Soakaways, Infiltration devices etc)
- Maintenance and management of SUDS features (To include provision of a SuDS Management and Maintenance Plan)
- Infiltration in accordance with BRE365 (To include seasonal monitoring and recording of groundwater levels)
- Detailed drainage layout with pipe numbers
- Network drainage calculations

- Flood Flow Routing in exceedance conditions (To include provision of a flood exceedance route plan)

Reason: To prevent flooding affecting the highway and in the interest of sustainable drainage in accordance with policy CS11 of the Oxford Core Strategy 2026.

### **35. Archaeology**

No development shall commence until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including Middle Iron Age, Late Iron Age and Roman remains (Local Plan Policy HE2).

### **36. Foundation condition**

No work on site (including site clearance) shall take place until a detailed design and method statement for the extent and design of all foundation and groundwork has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only take place in accordance with the detailed scheme agreed pursuant to this condition.

Reason: To ensure that the foundations and drainage are designed so as to minimise harm to the identified Middle Iron Age, Late Iron Age and Roman remains (Local Plan Policy HE2).

Scope of recording: The scope of the archaeological investigation will depend on the final details of the foundation design and landscaping works but is likely to consist of either further targeted trial trenching followed by targeted strip and record excavation and watching brief or more extensive phased strip and record excavation. The archaeological investigation should be undertaken by a professionally qualified archaeologist working to a brief issued by ourselves.

### **37. Outdoor sports facilities – hours of use**

The use of the outdoor sports facilities is restricted to the hours of 0800 to 2100 in perpetuity. No use of the outdoor sports facilities shall take place outside these hours unless otherwise approved in writing by the local planning authority.

Reason: in the interests of residential amenity in accordance with policy HP14 of the Sites and Housing Plan 2013.

### **13. INFORMATIVES**

1. The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Oxford City Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Oxford City Council prior to commencement of development. For more information see: [www.oxford.gov.uk/CIL](http://www.oxford.gov.uk/CIL)
2. In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.
3. If topsoil material is imported to the site the developer should obtain certification from the topsoil provider to ensure that the material is appropriate for the proposed end use. Please note that the responsibility to properly address contaminated land issues, irrespective of any involvement by this Authority, lies with the owner/developer of the site.
4. This development may require an Environmental Permit from the Environment Agency under the terms of the Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2016 for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of designated 'main rivers'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. An environmental permit is in addition to and a separate process from obtaining planning permission. Further details and guidance are available on the GOV.UK website: [www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits](http://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits).

5. The applicant is advised that the design and layout of the Multi Use Games Areas should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England. Particular attention is drawn to: Artificial Surfaces for Outdoor Sports: <https://www.sportengland.org/facilitiesplanning/design-and-cost-guidance/artificial-sports-surfaces/> The applicant is advised that the scheme should comply with the relevant industry Technical Guidance, including guidance published by Sport England. Particular attention is drawn to 'Natural Turf for Sport', (Sport England, 2011). <https://www.sportengland.org/facilities-planning/design-and-costguidance/natural-turf-for-sport/>
6. Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications>
7. As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. Thames Water will need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services it provides in any other way. The applicant is advised to read the guide to working near or diverting Thames Water pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>
8. Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. It further recommends, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.
9. The presence of European Protected Species, such as bats and great crested newt, is a material consideration in the planning process and the potential impacts that a proposed development may have on them should be considered at all stages of the process. In the event that any protected species is encountered in the absence of a suitably qualified ecologist, it is advised that the developer stops work immediately and seeks the advice of the local planning authority Ecology Officer and/or relevant statutory nature conservation organisation (e.g. Natural England).

#### **14. APPENDICES**

- **Appendix 1** – Proposed site plan
- **Appendix 2** – Oxford Design Review Panel letters

#### **15. HUMAN RIGHTS ACT 1998**

- 15.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

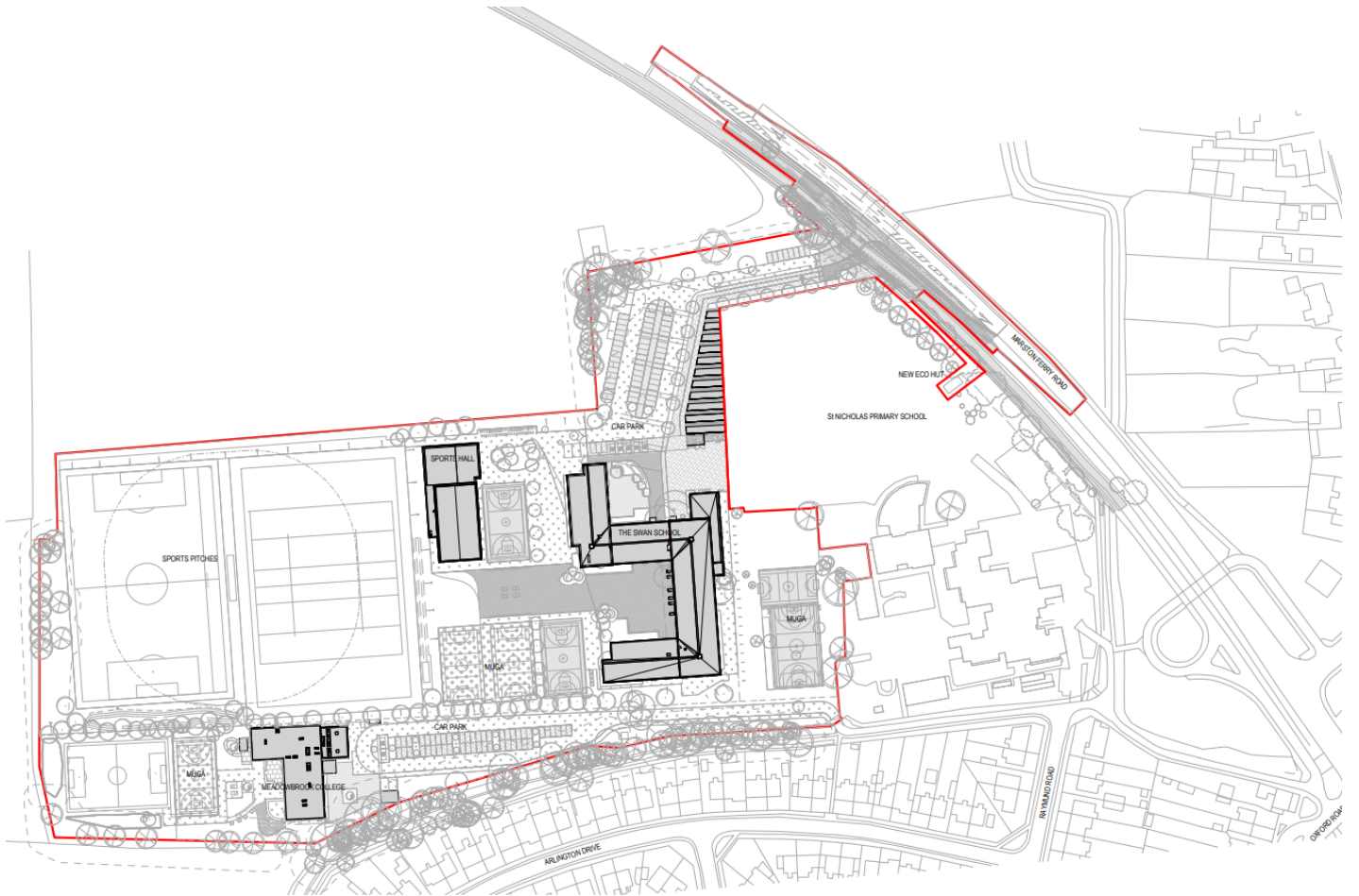
**16. SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

- 16.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

# Appendix 1

18/01173/FUL – The Harlow Centre

Proposed block plan



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## **Appendix 2**

**18/01173/FUL – The Harlow Centre**

**Oxford Design Review Panel letters:**

- 1. 14 September 2017**
- 2. 30 November 2017**

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## CONFIDENTIAL

# Swan School Design Workshop

Notes from 14 September 2017

Thank you for inviting the Oxford Design Review Panel (ODRP) to engage in a Design Workshop for the Swan School site. We thank the design team for their presentation at this early stage in design development. We appreciate the considered approach taken to the design process.

### Summary

We acknowledge there are challenging constraints in developing this site, in particular the green belt allocation on parts of the site which require 'very special circumstances' to approve new development. However, we think the current approach to master planning has focused on constraints rather than opportunities and fails to make effective use of the land.

In order for a case to be made for intrusion into green belt, the scheme should provide three high class educational institutions of equal quality. The site benefits from a valuable landscape setting and the scheme could better capitalise on these opportunities and be much more ambitious. We recommend looking at noteworthy precedents to create a new campus for the next generation.

We recommend adopting a campus-approach and re-thinking the positioning of the buildings to resolve some of the site planning issues. Further evidence should be presented to justify that the site is suitable and can successfully accommodate the three schools proposed. Further conversations are required with all three institutions to identify opportunities for shared facilities and access, alleviating pressure for land on the site.

A follow up review is highly recommended, once a clear concept has been developed, and there is a site wide masterplan.

### Masterplanning and context

We are not yet convinced by the evidence and rationale for positioning of the three schools on the site. We acknowledge the effort of the design team to address the significant constraints in developing this land, specifically the movement of people and cars for the three different schools and proximity of the green belt. However, this generates a number of avoidable issues and we would therefore encourage the team to fully assess the merits of developing on other sites and define more clearly the particular merits of this site for the proposed facilities, given that the Meadow Brook school is serving an Oxford-wide need and could be in an alternative location. We felt that, as proposed, the site appeared to be overdeveloped.

- We recommend greater consideration of the needs of the end user and the wider community - for example how parents with children of different ages attending different schools would carry out drop-offs and pick-ups in a coherent manner, and where teaching staff could interact with each other.
- We think the avoidance of building on the green belt is hindering the site layout and we would recommend a positive landscape-led approach that rationalises the site layout,

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supported by a landscape visual impact assessment. This may require consideration of 'land-swaps' and the sharing of facilities across the site and the separate institutions.

### Landscape and site layout

We think a more holistic approach to site planning is required. The current approach to the site layout generates a number of issues that can be avoided, including a lack of distinction between public and private spaces, limited space for outdoor play (particularly for the new Meadow Brook facility), overshadowing of the Meadow Brook School by the perimeter trees and poor integration with the wider context. We seriously question the siting of Meadowbrook School. In addition, the site appears overly car-dominated with a significant proportion being taken up by car routes and large parking areas, creating an environment that appears unwelcoming to non-vehicle users and where there may be conflicts between vehicular, pedestrian and bicycle movements.

- We think it is essential that light and shadowing studies are carried out better to understand the site. Alternative footprints, positioning and configuration of buildings should be explored in order to find the optimum the layout for the whole site, and for the landscape.
- The vehicle routes and parking could be rationalised by creating a single access point and/or amalgamating the parking spaces and relocating the parking to a less prominent position within the site, as staff for each school could share a single car park. Driving habits and parking capacity requirements may change in the long term and we recommend that thought is given to the future car parking requirements.
- The separation of vehicle and pedestrian routes could also be explored to remove opportunities for conflict. Pedestrian and cycle access to certain areas of the site for those living to the south should be considered to simplify access to surrounding communities. During the site visit, it was evident that an informal access has been created into the site from outside and this clearly demonstrates that this space is already used by the local community. It would be better if this use were formalised.
- The open space provision for the Meadow Brook school is limited, and the new site could have a much stronger connection to its natural landscape setting to provide a calming environment for students.
- More thought should be given to the role and function of landscaped areas adjacent to the schools. We think this should include opportunities for informal play, quiet interaction and relaxation in addition to the proposed formal play areas. Careful planning and timetabling might enable the open space and sports pitches to be shared by the three different schools.
- The development should capitalise on the biodiversity, landscape and setting which are valuable assets and facilitate engagement with nature, as an example a garden for students could be provided within the Meadow Brook school site to provide respite from the internal school environment.
- We support the aim to provide publicly accessible community facilities but query the viability and desirability of a community hall in each school. For example, there may be challenges in opening up the Meadow Brook school hall to members of the public. A mapping exercise of community facilities within the wider area is required to understand need and demand and it may be worth exploring if these facilities could be shared between schools.

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### Sustainability

The panel welcomed the design team's approach to sustainability, especially with respect to the design of classrooms and control of internal climate conditions. However, it was felt that in order to justify development on green belt, significant targets should be set for the use of renewable energy. The proposed amount of flat roof space presents significant opportunities for green roofs and solar energy which should be further explored.

### Review process

Following a site visit, and discussions with the design team and local authority and a pre-application review, the scheme was reviewed on 14<sup>th</sup> September 2017. These comments supersede any views we may have expressed previously.

### Confidentiality

Since the scheme is not yet the subject of a planning application, the advice contained in this letter is offered in confidence, on condition that we are kept informed of the progress of the project, including when it becomes the subject of a planning application. We reserve the right to make our views known should the views contained in this letter be made public in whole or in part (either accurately or inaccurately). If you do not require our views to be kept confidential, please write to [cabe@designcouncil.org.uk](mailto:cabe@designcouncil.org.uk).

### Attendees

Wayne Dobbins ADP  
Melanie Nixon ADP  
Claire Hunt ADP/Landscape  
Paul James RLT  
Natasha Ireland JPPC  
Anne Marie Shiven Robert West  
Nadia Robinson Oxford City Council

### Panel Members

Jo van Heyningen (Chair)  
Wendy Shillam  
Sophia De Sousa  
Dan Jones

### Cabe Staff

Annabel Osborne Design Council Cabe  
Tom Perry Design Council Cabe

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Natasha Ireland  
JPPC Chartered Town Planners  
Bagley Croft  
Hinksey Hill  
Oxford OX1 5BS

30 November 2017

**Design Review: The Swan School, Meadowbrook College & St Nicholas Primary School**  
**Our reference: DCC/0885**

Dear Natasha,

### Summary

In our previous letter we stated that a more holistic approach to site planning was required, to reduce the amount of space being taken up by car routes and parking, which risk creating an unwelcoming environment where there may be conflicts between vehicular, pedestrian and bicycle movements. We also questioned the siting of Meadowbrook School in the south west corner of the site. Given that there have been no fundamental changes to the site layout since the previous review our concerns regarding the siting of the Meadowbrook facility and the site layout remain. Furthermore, we think the narrative and rationale for the proposal has not developed sufficiently and would advise the design team to continue exploring other options to address these concerns, taking advantage of opportunities for collaboration between institutions where possible.

We think the site layout has been overly led by avoidance of building on the green belt and are not yet convinced that the three institutions (St Nicholas Primary School, Meadowbrook School and Swan School) sit comfortably on this site together. The scheme urgently needs to be set in the context of a more robust masterplan that facilitates a more strategic approach to landscaping, movement routes and future development opportunities and sets a clear rationale for positioning of the three schools across the site.

We think the project could be much more ambitious and go beyond meeting the current operational requirements of the two institutions (Swan School and Meadowbrook). Currently the scheme is not responding well to its surrounding context in terms of its landscaping and architecture, with the impression that the scheme is not bespoke nor informed by its unique context. We are also concerned by the lack of inspiration/identity in the elevational design. The site benefits from a valuable landscape setting and the architectural design could be more specific to this setting. We think that the schools could

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be differentiated from each other in their façade design and articulation to forge a distinct identity for each facility and create more variety in architecture.

Our comments relate to maximising the quality of the design in terms of how the project will contribute positively to the surrounding context as well as provide a quality learning environment for pupils. The purpose of this Design Review is to comment on the merits of the design of the scheme. The panel is not making an assessment of the case for development in the Green Belt; it is for the local planning authority to make this assessment.

### **Landscape and site layout**

The overall site layout is not performing to its best ability and there are missed opportunities for collaboration, such as shared vehicle entrances and car parking for the schools as well as a lack of anticipation of how St Nicholas primary school will develop in the future.

We have ongoing concerns since the last review regarding the overall site layout, the positioning of the Meadowbrook School and a significant proportion of the site being taken up by car routes and large parking areas. It would appear that the requirements of each school facility have been viewed in isolation, creating a layout that feels disjointed. Whilst we understand the operational requirements of each facility may differ, we think a more holistic approach to site planning is required. Alternative footprints, positioning and configuration of buildings should be explored in order to find the optimum the layout for the whole site and for the landscape. Future proofing of the three facilities and scope for rebuilding of the existing primary school in the future should be taken into account, including an assessment of any alternative positions for this facility and buildings on the site that may be nearing the end of their useable lifetime. As an example, the relocation of St Nicholas primary school facility to the north in the future might enable the vehicle routes and parking to be rationalised by creating a single access point, which might facilitate the amalgamation of some of the parking areas, this should be allowed for as far as possible in the design.

It is positive that a landscape visual impact assessment is being carried out, this study should also consider the view cones within Oxford. However, we think some more work is required to progress the landscaping for the site and more thought should be given to the role and function of landscaped areas adjacent to the schools and the proposed buildings could engage more positively with the landscape setting. We think opportunities for informal play, quiet interaction and relaxation should be incorporated in addition to the proposed formal play areas. The biodiversity, landscape and setting are valuable assets that could provide opportunities for outdoor education, as an example by including swales to teach students about sustainable drainage and ecology.





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The open space provision for the Meadow Brook school is limited, and the new site could have a stronger connection to its natural landscape setting to provide a calming environment for students. We understand that students at this facility require more controlled environmental conditions to learn effectively and there are concerns that views from outside might be distracting in a classroom environment. However, creating views of less distracting parts of the landscape and greenery from classrooms could help create a calming environment for learning. If high security fencing is required for the Meadowbrook School then climbing plants could help soften this feature and integrate it carefully within its context.

More thought should be given to the longevity and resilience of green infrastructure and plants, particularly to climate change in the long term, and how any spaces and green walls/roofs will be maintained. Incorporating climbing plants within the elevations could also help to create a more inviting and inspiring environment for young people and is a more affordable option than a full green wall. The west facing courtyard within the new Swan School facility might receive quite limited sunlight during winter months which should inform the choice of plant species for this space. The orientation of this area is not making the most of this space and a north-south orientation could be reconsidered.

The scheme would particularly benefit from an analysis of the condition of the existing on-site trees to inform a wider tree assessment strategy, some of the on-site trees may be in poor health and could be removed to rationalise the site layout.

### **Building design**

Both school buildings lack a strong sense of identity or inspiration and do not yet integrate well with their context. More work is needed on the articulation of each building and thought should be given to the sense of character and identity being created. It is not yet clear how the architecture responds to the landscape setting. The landscape in the corner of the site where the new Meadowbrook facility will be located is different in nature and character to the proposed site for the new Swan School. The design should be informed by a narrative which could be used to express/celebrate each individual context.

We would encourage you to adopt a different expression for each of the new facilities to create a distinct identity for each school rather than adopting a uniform approach to the design which runs the risk of creating an environment that could feel monolithic and lacklustre. We are not convinced that the non-standard colour for the cladding is special enough to create a high quality piece of architecture. We think the buildings would benefit from more architectural diversity and a bespoke façade treatment. Features such as the timber box/school sign for the Swan School facility would benefit from more expression/detailing and the architecture could do more to create an identity for this facility.



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Internally, we would advise more work is carried out to improve flexibility in the design. Positioning the stairwells at the end of each block could constrict their adaptability in the future. The buildings appear dominated by tight and unrelenting corridors and the dining hall is also very long and narrow. We think there is potential to improve the quality of the student experience by revisiting the internal layout and including roof lights to provide more sunlight in north facing classrooms or even a roof terrace area, which could provide a reward for sixth formers and somewhere for younger pupils to aspire to as they move up the school.

We hope you have found the review process and the content of this letter useful. Should you have any other queries please do hesitate to contact us.

Yours sincerely

Annabel Osborne

### Review process

Following a site visit, and discussions with the design team and local authority and a pre-application review, the scheme was reviewed by Gillian Horn (Chair), Ruth Butler, Jessica Byrne Daniel, Jon Rowland, Dan Jones and Kathryn Davies on November 2017. These comments supersede any views we may have expressed previously.

### Confidentiality

Since the scheme is not yet the subject of a planning application, the advice contained in this letter is offered in confidence, on condition that we are kept informed of the progress of the project, including when it becomes the subject of a planning application. We reserve the right to make our views known should the views contained in this letter be made public in whole or in part (either accurately or inaccurately). If you do not require our views to be kept confidential, please write to [cabe@designcouncil.org.uk](mailto:cabe@designcouncil.org.uk).

### Attendees

Charles Greenall ADP

Melanie Nixon ADP

Claire Hunt ADP - Landscape

Natasha Ireland JPPC

Anne Marie Shivnen Robert West

Nadia Robinson Oxford City Council

Louise Waite Oxford City Council

### Cabe Staff

Annabel Osborne Design Council Cabe

James Harris Design Council Cabe

## EAST AREA PLANNING COMMITTEE

5th September 2018

**Application Number:** 18/01697/FUL

**Decision Due by:** 24th August 2018

**Extension of Time:** 12th September 2018

**Proposal:** Partial demolition of the existing Meadowbrook College buildings and erection of modular units to provide a temporary education facility for Meadowbrook College, including the provision of an external play area to the south of the modular units to be enclosed by a 3.0 metre high rebound fence for a period of no more than two years and other associated works.

**Site Address:** The Harlow Centre , Raymund Road, Oxford, OX3 0PG

**Ward:** Marston Ward

**Case Officer** Nadia Robinson

**Agent:** Natasha Ireland **Applicant:** Galliford Try Ltd

**Reason at Committee:** Major Development

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## 1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

**(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission subject to:**

**(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**

Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

## 2. EXECUTIVE SUMMARY

2.1. This report considers a proposal for the partial demolition of existing building associated with the Meadowbank School and the erection of a two storey modular building, which is sought for a temporary period of two years.

2.2. The key matters for assessment set out in this report include the following

- Principle of development;

- Design;
- Amenity Impacts
- Highways and Access
- Flood Risk

### **3. LEGAL AGREEMENT**

- 3.1. A Section 278 agreement is required for the construction of the site access. The site access comprises a priority junction with dedicated right and left turn lanes on Marston Ferry Road, a raised table across the site and stop markings requiring vehicles give way to cycles on the cycle lane.

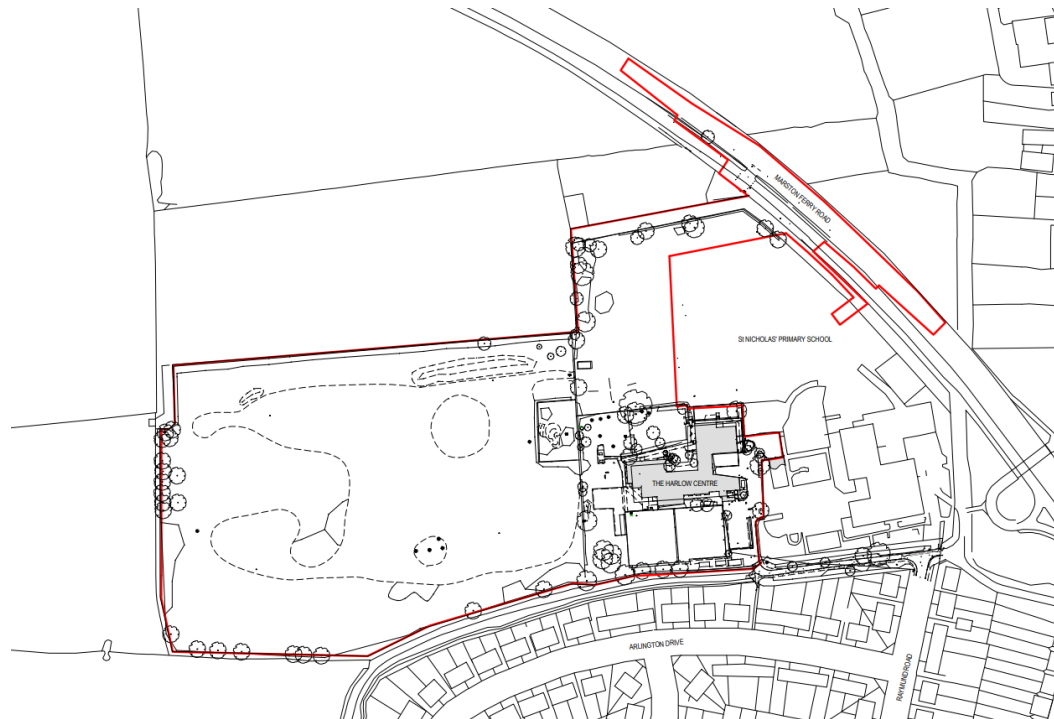
### **4. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 4.1. The proposal is for a temporary structure and would not therefore be liable for a CIL charge.

### **5. SITE AND SURROUNDINGS**

- 5.1. The site is located on the edge of Marston and comprises of The Harlow Centre, a range of buildings used by Meadowbank College Alternative Provision Unit (APU) a school for students outside of mainstream education.
- 5.2. The site lies to the north of Raymund Road, from where it is currently accessed, with the south west of the site bounded by a tree belt, public bridleway, Marston brook, and the rear of properties on Arlington Drive beyond. To the north-east of the site is the Marston Ferry Road (B4459) and its cycle/footway that is segregated from traffic by a hedgerow. Fields lie to the north and west of the application site with the River Cherwell beyond, to the west. A public footpath runs along much of the western and northern boundary of the site.
- 5.3. Land designated as Green Belt lies to the north and west of the site, though the majority of the site and proposed temporary buildings would be located on land outside of the Green Belt. A temporary means of access serving the school would lie within the Green Belt.
- 5.4. The conservation area of Old Marston lies to the east of the site. The majority of the Conservation Area is on the other side of the Marston Ferry Road from the site; it does, however include the triangle of green space east of St Nicholas School. No part of the site lies within the conservation area.

5.5. The site plan is below:



## 6. PROPOSAL

- 6.1. The proposal is seeking permission for the partial demolition of the Harlow Centre, the provision of new temporary modular buildings and the provision of an external play area, which would be surrounded by a 3 metre high rebound fence. It is proposed that Meadowbrook College would continue to operate out of the new temporary buildings alongside a number of retained buildings on the site, until such time as the new Meadowbrook College buildings have been constructed.
- 6.2. The proposed partial demolition of The Harlow Centre would facilitate the development of the adjacent site for the new secondary school (Swan School) and Meadowbrook College as proposed within the linked planning application 18/01173/FUL. The replacement Meadowbrook College building would be sited in the south west corner of the proposed site plan associated with planning application 18/01173/FUL. Once the replacement school building has been constructed The Harlow Centre will be fully demolished.
- 6.3. Meadowbrook College is an Alternative Provision Unit (APU) for approximately 60 primary and secondary aged pupils outside mainstream education. The existing building is a former middle school and so was not purpose built and is now in poor condition.
- 6.4. Temporary planning permission is sought for a maximum period of two years.

## 1. RELEVANT PLANNING HISTORY

1.1. The table below sets out the relevant planning history for the application site:

18/01173/FUL - Demolition of existing buildings on the site and their replacement with a new two-storey education facility, associated parking and external play areas for Meadowbrook College. Erection of a new secondary school in the form mix of one and three-storey buildings together with provision of a new access from Marston Ferry Road, associated car and cycle parking along with formal and informal play and sport provision. Erection of a multi-use games area (MUGA) and eco-shelter for St Nicholas Primary School. (Amended description) (Amended plans and additional information): Application being considered

## 2. RELEVANT PLANNING POLICY

2.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
<b>Design</b>	124-132	CP1, CP6, CP8, CP9, CP10,	CS18_,	HP14_,	
<b>Conservation/Heritage</b>	184-202	HE2, HE7, HE10,	CS18_,		
<b>Natural Environment</b>	133-147 148-169 170-183		CS4_, CS12_,		
<b>Social and community</b>	91-101	CP13, CP19, CP21, SR2,	CS16_,		
<b>Transport</b>	102-111	TR1, TR2, TR3, TR4,	CS13_,		Parking Standards SPD
<b>Environmental</b>	117-121	CP11, NE15, CP17, CP18, CP22,	CS9_, CS10_, CS11_, CS12_,		

		CP23, NE14,			
Misc	7-12	CP.13, CP.24, CP.25		MP1	

### 3. CONSULTATION RESPONSES

- 3.1. Site notices were displayed around the application site on 27th July 2018 and an advertisement was published in The Oxford Times newspaper on 2nd August 2018.

#### **Statutory and Non-Statutory Consultees**

##### Oxfordshire County Council (Highways)

- 3.2. No objection. The temporary access would need a s278 agreement which could be secured by planning condition or s106 agreement

##### Oxford Civic Society

- 3.3. This application relates to the building process for the school proposed for the same site in application 18/01173/FUL. As this application is still being considered and has yet to be approved, the Oxford Civic Society considers that this application is premature and should not be considered until the initial application to build the school has been approved.

##### Old Marston Parish Council

- 3.4. Raised objections in relation to parking, access and drainage.

#### **Public representations**

- 3.5. 5 local public representations have been received in relation to this planning application. The main points of objection can be summarised as follows:
- The application is premature as it is dependent on the approval of the linked application for the Swan School.
  - The application should be considered in conjunction with the Swan School application rather than determined on its own merits.
  - Objections are raised to the creation of a new access from Marston Ferry Road for the purposes of construction vehicles accessing the site. Concerns relate to the resulting impact on ecology through the removal of the hedgerow, the safety of cyclists and pedestrians and the impact on the condition of the pavement and cycle path and adjacent grass bank.
  - Concerns regarding the intended routing of construction vehicles .
  - Concerns regarding drainage into Marston Brook.
  - Concerns regarding the accuracy of details and statements made in relation to

trees as listed within the applicants planning statement and supporting arboricultural report.

#### **4. PLANNING MATERIAL CONSIDERATIONS**

4.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Green Belt
- iii. Impact on Designated Heritage Assets
- iv. Site layout, form and massing
- v. Highways
- vi. Neighbouring Amenity
- vii. Archaeology
- viii. Flooding and Drainage

##### **a) Principle of Development**

###### Education Use

- 4.2. The National Planning Policy Framework, in paragraph 72, states that local planning authorities should take a proactive, positive and collaborative approach to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and that great weight must be given to the need to create, expand or alter schools.
- 4.3. Policy CS16 of the Oxford Core Strategy seeks to improve access to all levels of education, through new or improved facilities, throughout Oxford, but particularly in areas of population growth. It states that planning permission will only be granted for new education facilities in locations accessible by walking, cycling and public transport. Provision for community as well as educational use will be sought.
- 4.4. The proposed development will assist in facilitating the development of the adjacent Swan Secondary School, which will meet an identified requirement for additional secondary school places, as well as providing a replacement building for Meadowbrook College, replacing the present poor quality facilities and buildings. The provision of the temporary building would ensure that the operational needs of the college are met and are not disrupted during the ongoing construction process. Overall it is considered that the proposals are considered acceptable and are consistent with the aims of local and national policy relevant to education provision.

###### Provision of Temporary Buildings

- 4.5. Temporary permission is sought for a maximum period of two years. Policy CP25 of the Oxford Local Plan specifies that Planning permission will only be granted for temporary or portable buildings where short-term need has been clearly demonstrated, such as on sites already allocated for permanent development, buildings to house short-term or trial projects, to meet seasonal or peak



demands, for urgent operational requirements, or in connection with major site development work.

- 4.6. In relation to the above criteria officers consider that a short term need has clearly been demonstrated. The partial demolition of The Harlow Centre in connection with the development of The Swan School and replacement Meadowbrook College building on the adjacent site will result in the loss of facilities and education space at Meadowbrook College, which will need to be re-provided on a temporary basis, until such time as the permanent replacement school buildings have been constructed. The most practical and logical approach is re-providing these facilities on site.
- 4.7. On this basis officers consider that the applicant has demonstrated a short term urgent operational requirement for this space, whilst the proposals are also in connection with major site development work on the adjacent Swan School site. The proposals are therefore considered to comply with the requirements of Policy CP25 of the Oxford Local Plan.
- 4.8. Approval would be subject to a planning condition ensuring the removal of the temporary buildings after a maximum period of two years has elapsed.

**b) Green Belt**

- 4.9. The main development site lies outside the Green Belt, which extends up to the edge of the school playing fields. The temporary structure and existing Harlow Centre buildings are outside of the Green Belt. The only element of the proposals which would be located within the designated Green Belt would be the temporary construction access from Marston Ferry Road.
- 4.10. Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 continues that: “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations”
- 4.11. Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, unless development is in line with specified exceptions; this includes replacement buildings and extensions to existing buildings.
- 4.12. Policy CS4 of the Oxford Core Strategy supports this position, stating that, in accordance with national policy, planning permission will not be granted for inappropriate development.
- 4.13. The proposed temporary building would be outside of the designated Green Belt land and there would be no statutory need to consider the proposals in relation to the provisions of Policy CS4 of the Oxford Core Strategy and Paragraph 143 and

144 of the NPPF in terms of whether the proposals represent appropriate development in the Green Belt. Notwithstanding this, it is considered that the proposals would comply with the exceptions specified under Paragraph 145 of the NPPF as the proposals would fall under the definition of a replacement building or an extension of a proportionate scale, which would not substantially exceed the floor area of the section of the building proposed for demolition. Furthermore the proposals would read as a secondary addition to the building and is surrounded by existing development and are not considered to impact detrimentally on the open character of the Green Belt.

- 4.14. The construction access from Marston Ferry Road is also proposed to serve as a permanent means of access to the Swan School. Paragraph 146 of the NPPF lists forms of development which are not considered inappropriate within the Green Belt, this includes engineering operations, which would include the formation of an access road or temporary construction access. For this reason it is considered that the principle of the proposed formation of the access would not constitute inappropriate development in the Green Belt.
- 4.15. The proposed new entrance from Marston Ferry Road will necessitate removal of hedging and bund between the cycle route and the carriageway. The road itself makes an urban intrusion into the green wedge between Summertown and Marston, although cyclists and pedestrians using the route experience leaving the urban settlements behind and moving through a landscaped rural corridor.
- 4.16. It should be noted that the overall impact would be partly dependent on the permanence of the access. As a temporary access for construction traffic the visual impact and impact on the open character of the Green Belt would be limited given that this would be for a short period of time. This application only considers the access as being for construction vehicles and the principle of a permanent access is considered within linked planning application 18/01173/FUL.
- 4.17. Taking the above factors into account it is considered that the proposals would not constitute inappropriate development within the Green Belt and adequately preserve the open character of the Green Belt. The proposals are considered to accord with the provisions of Policy CS4 of the Oxford Core Strategy and the relevant provisions of paragraphs 133-147 of the NPPF.

### **c) Impact on Designated Heritage Assets**

- 4.18. The conservation area of Old Marston lies to the east of the site, mostly on the other side of the Marston Ferry Road from the site but includes the triangle of green space east of St Nicholas School. There are several listed buildings located within Old Marston along Oxford Road and the nearest of these is approximately 200 metres away, but is screened by mature planting along the east boundary of the site and by St Nicholas School and planting to the southwest of Marston Ferry Road.
- 4.19. The proposed building would be contained within the existing school site and would read as a functional extension to the existing school buildings which are of

pre-fabricated buildings of no significant architectural quality. The temporary buildings are unlikely to be seen in views into and out of the Conservation Area. Officers consider that the development would have no impact on the setting of the Conservation Area and consequently would not result in harm.

- 4.20. Special attention has been paid to the statutory test of preserving listed buildings or their setting or any features of special architectural or historic interest which it possesses under sections 16 of the Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty. It has been concluded that the development would preserve the setting of the nearby listed buildings and so the proposal accords with sections 16 of the Act.

#### **d) Design, layout, form and massing**

- 4.21. The proposed building would be of a functional utilitarian appearance commonly associated with modular pre-fabricated buildings. It is proposed that the building would be painted white to match the existing school buildings on the site which are predominantly pre-fabricated 1960's buildings. The temporary building would read as a secondary attached extension to the main building. It is considered that within the context of the existing built form that the temporary building would not appear unduly incongruous.
- 4.22. A three metre high fence is proposed, which would enclose an external play space. This is confined within the site and is unlikely to appear visually prominent in external views into the site and is considered acceptable in visual terms.
- 4.23. As such the proposal for both schools is considered to be compliant with local plan policies on design and would meet the design requirements set out in section 12 of the NPPF.

#### **e) Highways**

- 4.24. Meadowbrook College will continue to be served by the existing means of access to the site from Raymund Road, whilst it is proposed that The Swan School would be served by a new means of access from Marston Ferry Road. Construction traffic to the Meadowbrook College site, in connection with the works to construct the temporary building would also use the Marston Ferry Road access.
- 4.25. Re-arrangement of parking provision on the site will be required, which will include the removal of an existing hedge which lies to the east of the main buildings. Overall parking provision will be unaltered and will remain at 41 spaces. The proposals are for the replacement of existing buildings it is and would not result in additional traffic generation.
- 4.26. In summary it is considered that the proposals are acceptable and would compromise highway safety and amenity. The proposals are therefore considered to comply with the provisions of Policies TR3 and TR4 of the Oxford Local Plan; Policy CS13 of the Core Strategy and the relevant provisions outlined within chapter 9 of the NPPF.

#### **f) Residential Amenity**

- 4.27. Policy HP14 of the Sites and Housing Plan states that development should provide reasonable privacy and daylight for the occupants of both existing and new dwellings and guards against overbearing development. Policy CP10 of the Oxford Local Plan 2001-2016 requires development proposals to be sited in a manner which meets functional need, but also in a manner that safeguards the amenities of other properties.
- 4.28. The nearest residential dwellings in Arlington Drive would be sited in excess of 35 metres from the rear elevation of the proposed temporary building, which is considered to be a substantial separation distance. It is therefore considered that the siting of the proposed building would not result in undue harm to the residential amenity of existing occupiers by reason of overlooking or by reason of overbearingness.
- 4.29. The proposals are therefore considered to comply with the requirements of Policy HP14 of the Sites and Housing Plan and Policy CP10 of the Oxford Local Plan.

#### **g) Drainage**

- 4.30. The NPPF states that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere (paragraph 163), supported where appropriate by a site-specific flood-risk assessment. Oxford Core Strategy Policy CS11 states that development will not be permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.
- 4.31. The site is located in flood zone 1 and is considered to be at a low risk of flooding. No objections have been raised by the Environment Agency to the proposals. The area which would be developed currently comprises of impermeable hardstanding and consequently the proposals would not result in an increase in the extent of impermeable surfacing on the site.
- 4.32. The Councils flood mitigation officer has advised that he has no significant concerns regarding the proposals and that a condition requiring further details in respect of surface water drainage would not be required.
- 4.33. The proposals are considered to accord with Oxford Core Strategy Policy CS11.

### **5. CONCLUSION**

- 5.1. The application proposes the partial demolition of existing buildings at The Harlow Centre to, in part to facilitate the proposed development of the adjacent site to construct a new secondary school and replacement school buildings for Meadowbrook College.

- 5.2. Temporary consent is sought for a period of two years, officers consider that the applicants have adequately demonstrated a short term operational need for the temporary building and the proposals fully accord with the requirements of Policy CP25 of the Oxford Local Plan.
- 5.3. Accounting for the appearance of the adjacent buildings on the site and the limited visibility of the development site, the proposed design is considered acceptable. It is considered that the siting of the proposed building would not result in harm to the Green Belt, the residential amenity of any neighbouring properties, highway amenity and is considered acceptable in all other aspects.
- 5.4. The development is considered to comply with the relevant requirements of the Oxford Local Plan; Core Strategy and NPPF.
- 5.5. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Head of Development Management) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

## 6. CONDITIONS

1. The development referred to shall be constructed strictly in complete accordance with the specifications in the application and the approved plans listed below.

Reason: To avoid doubt as no objection is raised only in respect of the deemed consent application as submitted and to ensure an acceptable development as indicated on the submitted drawings.

2. The development hereby approved shall be for a limited period of 2 years from the date of this permission. After this date the building consented under this permission shall be removed.

Reason: The temporary nature of the building is such that it is considered inappropriate on a permanent basis in accordance with policies CP1 and CP25 of the Adopted Oxford Local Plan 2001-2016.

3. The materials to be used in the new development shall be as shown on the approved plans and as detailed within the submitted Design and Access Statement. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure the satisfactory visual appearance of the new development in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

4. The development to which this permission relates must not be begun until or unless planning application 18/01173/FUL is granted permission.

Reason: To accord with the provisions of Policy CP25 of the Oxford Local, as the temporary need for the building is justified on the basis of an operational need arising from the redevelopment of the site as proposed within planning application 18/01173/FUL.

5. A Construction Traffic Management Plan for the whole site should be submitted to the Local Planning Authority and agreed prior to commencement of works. The CTMP should follow Oxfordshire County Council's template if possible. This should identify;

- The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
- Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
- Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
- Contact details for the Site Supervisor responsible for on-site works,
- Travel initiatives for site related worker vehicles,
- Parking provision for site related worker vehicles,
- Details of times for construction traffic and delivery vehicles, which must be outside -
- network peak and school peak hours,
- Engagement with local residents.

The development shall be carried out in complete accordance with the approved Construction Traffic Management Plan.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding road network.

6. A demolition method statement specifying the means of demolition, dust mitigation measures and measures for the protection of existing trees shall be provided and approved in writing prior to the commencement of development. The development shall be carried out in complete accordance with the approved demolition method statement.

Reason: In the interests of public safety and to protect the residential amenity of existing occupiers and existing trees in accordance with Policy CP1, CP19, CP21 and NE15 of the Oxford Local Plan.

## **7. APPENDICES**

### **Appendix 1 – Site Location Plan**

## **8. HUMAN RIGHTS ACT 1998**

- 8.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

## **9. SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

- 9.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider

that the proposal will not undermine crime prevention or the promotion of community.

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## EAST AREA PLANNING COMMITTEE

5<sup>th</sup> September 2018

**Application Number:** 17/03050/FUL

**Decision Due by:** 8th March 2018

**Extension of Time:** To be agreed

**Proposal:** 141 residential units together with roads, parking, landscaping and open space.

**Site Address:** Land North Of Littlemore Healthcare Trust, Sandford Road, Littlemore, Oxford

**Ward:** Littlemore Ward

**Case Officer** Andrew  
Murdoch

**Agent:** Mr Andrew  
Wakefield

**Applicant:** Abbey New Homes

**Reason at Committee:** Major Application

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## 1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

**(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission subject to:**

1. The satisfactory completion of a legal agreement under s.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and
2. The Ecological Impact Assessment satisfying the Oxford City Council Ecologist and Natural England that the proposal will not have an adverse ecological impact and that any impact can be mitigated by appropriately worded conditions.

**(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;
2. Finalise the recommended legal agreement under section 106 of the Town and

Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary; and

3. Complete the section 106 legal agreement referred to above and issue the planning permission.

## **2. EXECUTIVE SUMMARY**

- 2.1. This report considers an application for the erection of 140 residential units on this area of open land, together with roads, parking, landscaping, and open space provision.
- 2.2. The application would involve the redevelopment of a site that has been allocated for residential development within the Sites and Housing Plan. The site allocations within this development plan document are a key part of ensuring that the objectives of the Oxford Core Strategy 2026 are achieved. In terms of residential development this means contributing to the overall housing need as set out within the Oxford Core Strategy, along with demonstrating that the Council has a five year housing land supply.
- 2.3. The site has already had the benefit of outline planning permission (12/02848/OUT) and reserved matters permission (15/02269/RES) for the erection of up to 140 dwellings with access on this open land, together with 258 car parking spaces, 356 cycle parking spaces, landscaping and open space. The outline permission is still extant and the works to create the access from the A4074 as part of that permission are currently underway on site. The reserved matters application for the rest of the development has subsequently lapsed, and the condition setting the time limit for submission of the reserved matters application has now also lapsed.
- 2.4. This application is effectively seeking to re-establish the reserved matters permission through the submission of a full planning application.
- 2.5. The key matters for assessment set out in this report include the following:
  - Principle of Development
  - Residential Development
  - Site Layout and Built Form
  - Highways, Access, and Parking
  - Archaeology
  - Landscaping
  - Biodiversity
  - Flood Risk and Drainage
  - Sustainability
  - Other Matters
- 2.6. The scheme would accord with the aims and objectives of the National Planning

Policy Framework would constitute sustainable development, and, given conformity with the development plan as a whole, paragraph 11 advises that the development proposal should be approved without delay. Furthermore there are not any material considerations that would outweigh the compliance with these national and local plan policies.

### **3. LEGAL AGREEMENT**

3.1. This application is subject to a legal agreement to secure the following

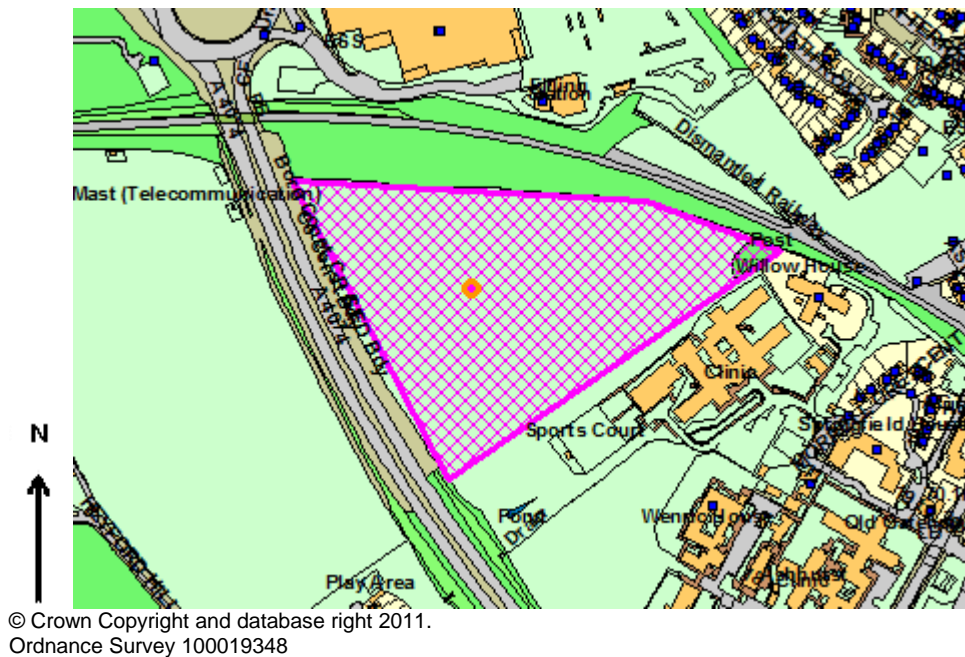
- The provision of 70 affordable homes (45 Social Rent, 25 Key Worker / Shared Ownership) as specified within the 'Affordable Housing & Key Worker Statement'
- To safeguard land for the bridge link for the rail halt as shown in drawing no. 5972/SK103 by Cole Easdon Consultants); and
- To provide a Right of Way for Non-motorised Users through the development site from the A4074 to the rail halt should the rail halt be delivered which is maintained free of obstruction (including parked cars) to provide safe and convenient passage for Non-motorised Users.
- Travel Plan Monitoring fee of £1,240

### **4. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

4.1. The proposal is liable for a CIL charge of £1,743,484.96

### **5. SITE AND SURROUNDINGS**

- 5.1. The site comprises an area of open land approximately 3.72ha situated on the southern edge of the city and within the Littlemore Neighbourhood Area. It is bordered to the west by the A4074; to the north-east by a railway line with Sainsbury's beyond; and Littlemore Hospital to the south.
- 5.2. The site lies adjacent to Oxfords Green Belt whose boundary is on the opposite side of the A4074. In addition there is the Littlemore Railway Cutting Site of Special Scientific Interest (SSSI) and Site of Local Importance to Nature Conservation (SLINC) to the north. The site is currently accessed from the A4074.
- 5.3. The site has been allocated within the Sites and Housing Plan for residential development as part of the Councils five year housing land supply and to deliver the housing requirement identified within the Oxford Core Strategy 2026.
- 5.4. A site location plan is included below



## 6. PROPOSAL

- 6.1. The application is seeking permission for a residential development comprising 141 dwellings, with 85 dwellings (61x3 bed, 22x4 bed, and 2x5 beds) and 56 apartments (8x1 bed, 34x2 bed, and 12x3 bed). The proposal would provide 70 affordable units in a mixture of key worker shared ownership housing and social rented units.
- 6.2. The dwellings are predominately formed from a range of two-storey detached and terraced properties, with some two-and-a-half storey gabled semi-detached units, and three-storey townhouses. The apartment blocks would be provided in five three-storey buildings throughout the development.
- 6.3. The development will provide a total of 268 parking spaces will be provided. The market housing will generally have two off-street parking spaces, whereas the affordable housing will have unallocated spaces within parking courts.
- 6.4. A new single adopted access onto the A4074 is currently being created in accordance with the outline planning permission to provide access to the whole site, and by which the road network throughout the estate will be connected to.
- 6.5. The development will also provide an area of open space, along with play and seating areas throughout the scheme.

## 7. RELEVANT PLANNING HISTORY

- 7.1. The table below sets out the relevant planning history for the application site:

03/01843/FUL - Construction of roundabout, cycleway, footpath and access to land at rear of Littlemore Mental Health Care Centre: Withdrawn

12/02848/OUT - Outline application (fixing access) for up to 140 residential units together with 258 car parking spaces, 356 cycle parking spaces, landscaping and open space. (Additional Information) (Amended access arrangement): Approved

15/02269/RES - Construction of 140 residential units consisting of 91 houses (6 x 1bed, 13 x 2bed, 50 x 3bed and 22 x 4bed) and 49 flats (12 x 1bed, 25 x 2bed, 12 x 3bed). Provision of 258 car parking spaces, cycle parking, landscaping and ancillary works. (Reserved matters of outline planning permission 12/02848/OUT, seeking details of appearance, landscaping, layout and scale) (amended plans): Approved

## 8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Other planning documents
Design	12	CP8 CP9 CP10 CP11 CP13	CS18_	HP9_ HP14_	
Conservation/Heritage	16	HE2			
Housing	5		CS22_ CS23_ CS24_	HP2_ HP3_ HP12_ HP13_	
Natural environment	14, 15	NE14 NE15	CS12_		
Transport	9	TR1 TR2 TR5 TR8 SR9 SR10	CS13_ CS14_	HP15_ HP16_	Parking Standards SPD
Environmental	14	CP17 CP18 CP19	CS9_ CS10_ CS11_	HP11_	Energy Statement TAN

		CP20 CP21 CP22			
Miscellaneous	11	CP.13 CP.24 CP.25		MP1	

## 9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on the 19<sup>th</sup> January 2018 and an advertisement was published in The Oxford Times newspaper on 21st December 2017. Additional information was submitted during the application, and a further consultation process was undertaken with site notices displayed on the 29<sup>th</sup> May 2018, and an advertisement in the Oxford Times on the 31<sup>st</sup> May 2018
- 9.2. The consultation responses received in relation to the application are summarised below. Officers would make members aware that copies of all the consultation responses listed below are available to view in full on the Council's public access website.

### **Statutory and Non-Statutory Consultees**

#### Oxfordshire County Council (Highways)

- 9.3. No objection, subject to conditions
- 9.4. The levels of car parking proposed is acceptable, if the roads are not expected to be adopted by the county council. Latest masterplan does not safeguard land for the potential rail halt, therefore a condition is required. The CTMP does not meet county council standards.

#### Oxfordshire County Council (Local Member Views)

- 9.5. Councillors are aware that outline permission has been granted for an estate at this location. We remain seriously concerned about pedestrian access to the site. In order to access any local facilities, people on foot will have to travel from the site along a narrow pavement alongside the busy A4074. It is apparently not possible to widen the pavement because there is a width restriction at the railway bridge. To reach the centre of Littlemore with its local shops, sub post office, churches and community centres there is a long walk through the supermarket car park (which is possibly not a right of way) or around the ring road to the Littlemore roundabout into the village. John Henry Newman Academy is then some way away, and the Oxford Academy is right at the other side of Littlemore on the border of Blackbird Leys.
- 9.6. We have not been able to work out from the proposed layouts exactly which properties will be allocated for social housing. If these include the flats at the far side from the access point, it is these residents who will have furthest to walk. A

trip to the primary school twice a day, possibly with smaller children in tow, will make life very difficult for many parents especially those without access to a car during the day. Secondary schoolchildren will face a long and in places dangerous walk. People with cars will be more than likely to drive to school. This seems to be in direct conflict with Oxford City Council's policy to reduce car use and create sustainable communities.

- 9.7. We are interested in the possibility of a rapid transport link but there does not seem to be any detailed proposal in the plans. It raises many questions. Who will fund a link? When would it be available for use? Will there be access from the village as well as this development? And will it allow pedestrian access to the centre of Littlemore (including disabled access) to those not using the link?
- 9.8. Littlemore Parish Council was party to discussions between the hospital, our city councillors and the previous developers about a possible pedestrian and cycle route alongside the hospital to Sandford Road, but this was not pursued because the site was sold on. This seems the only means to prevent this estate from being permanently cut off from the daily life of the village, leading to social isolation and the impossibility of participating in local activities. City Council's policies include a commitment to encourage vibrant and well-integrated communities. Without improved access, this estate will fail to meet the council's own aims.

The Parish Council would like to make these points in addition:

- The transport assessment is seriously out of date. It states that the 3 bus service accesses the railway station, which has not been the case for 2 or 3 years. It mentions a carpool at Pheasant Walk which is a mile or more away by road in Sandford parish. We in Littlemore have never heard of it. The expected number of road journeys in the first year seems an underestimate for such an inaccessible site.
- We welcome the retention of the banjo area as open space. It is an important feature of the history of Littlemore.
- We hope that there will be a requirement on the part of the developers to fund the upkeep and maintenance of open areas within the estate.
- We note the allocation of 25 key worker units as part of the 50% affordable housing quota. We ask that these be kept permanently available as rental properties. We are not sure what is meant by "intermediate tenure" in relation to 9 affordable units and request clarification.
- Increased car use and congestion at the Heyford Hill roundabout will increase the volume of traffic through Sandford and Littlemore. Traffic calming measures are already desperately needed, and we ask that some funding be allocated specifically to slow traffic through both centres and especially the pinch point of Oxford Road.

#### Historic England

- 9.9. No comments

Thames Water Utilities Limited

9.10. No objection

Environment Agency

9.11. No comment

Natural England

9.12. Natural England object on the basis of lack of information regarding continued suitable access arrangements for conservation works at Littlemore Railway Cutting SSSI.

Oxford Civic Society

9.13. Although we recognise that this application effectively seeks to renew the expired consent granted to the previous very similar proposal, we consider that there are a number of issues requiring to be given careful consideration in assessing this application.

9.14. In the period of time elapsed since the preparation and granting of consent to the previous scheme, the full implications of Oxford's housing need has been established, the obsolescence of the current Local Plan has been acknowledged, and the preparation of its replacement has passed the 'Preferred Options' stage, with much greater emphasis on the need to increase development density with high-quality proposals. The stated density of the current proposal, at 47 dwellings / hectare does not make best use of the opportunity presented, and the design of the buildings and layout is disappointingly reminiscent of the 1970s.

9.15. The street layouts show little indication of having been designed to 'Manual for Streets 2' standards; although there is a proposal to construct a new cycle track connection alongside the A4074, despite the lip-service paid to the encouragement of active modes of travel, there is little specific provision for cycling within the development and no segregation of routes. Secure, covered cycle storage is provided for residents, but this is likely to be inconvenient for visitors, for whom no additional provision is made. The recognition of the possibility of the introduction of passenger services on the Cowley branch railway line is welcome, but the thinking behind the provision of 4 parking spaces associated with a possible 'halt' is not clear.

9.16. We consider that this proposal does not adequately make the best of the opportunity to contribute substantially to meeting the housing needs of the city, or to meet current standards for quality of design.

Littlemore Parish Council

9.17. The Parish Council are aware that outline permission has been granted for an estate at this location. We remain seriously concerned about pedestrian access to the site. In order to access any local facilities, people on foot will have to travel



from the site along a narrow pavement alongside the busy A4074. It is apparently not possible to widen the pavement because there is a width restriction at the railway bridge. To reach the centre of Littlemore with its local shops, sub post office, churches and community centres there is a long walk through the supermarket car park (which is possibly not a right of way) or around the ring road to the Littlemore roundabout into the village. John Henry Newman Academy is then some way away, and the Oxford Academy is right at the other side of Littlemore on the border of Blackbird Leys.

- 9.18. We have not been able to work out from the proposed layouts exactly which properties will be allocated for social housing. If these include the flats at the far side from the access point, it is these residents who will have furthest to walk. A trip to the primary school twice a day, possibly with smaller children in tow, will make life very difficult for many parents especially those without access to a car during the day. Secondary schoolchildren will face a long and in places dangerous walk. People with cars will be more than likely to drive to school. This seems to be in direct conflict with Oxford City Council's policy to reduce car use and create sustainable communities.
- 9.19. We are interested in the possibility of a rapid transport link but there does not seem to be any detailed proposal in the plans. It raises many questions. Who will fund a link? When would it be available for use? Will there be access from the village as well as this development? And will it allow pedestrian access to the centre of Littlemore (including disabled access) to those not using the link?
- 9.20. Littlemore Parish Council was party to discussions between the hospital, our city councillors and the previous developers about a possible pedestrian and cycle route alongside the hospital to Sandford Road, but this was not pursued because the site was sold on. This seems the only means to prevent this estate from being permanently cut off from the daily life of the village, leading to social isolation and the impossibility of participating in local activities. City Council's policies include a commitment to encourage vibrant and well-integrated communities. Without improved access, this estate will fail to meet the council's own aims.
- 9.21. The Parish Council would like to make these points in addition:
- The transport assessment is seriously out of date. It states that the 3 bus service accesses the railway station, which has not been the case for 2 or 3 years. It mentions a carpool at Pheasant Walk which is a mile or more away by road in Sandford parish. We in Littlemore have never heard of it. The expected number of road journeys in the first year seems an underestimate for such an inaccessible site.
  - We welcome the retention of the banjo area as open space. It is an important feature of the history of Littlemore.
  - We hope that there will be a requirement on the part of the developers to fund the upkeep and maintenance of open areas within the estate.
  - We note the allocation of 25 key worker units as part of the 50% affordable housing quota. We ask that these be kept permanently available as rental

properties. We are not sure what is meant by “intermediate tenure” in relation to 9 affordable units and request clarification.

- Increased car use and congestion at the Heyford Hill roundabout will increase the volume of traffic through Sandford and Littlemore. Traffic calming measures are already desperately needed, and we ask that some funding be allocated specifically to slow traffic through both centres and especially the pinch point of Oxford Road.

### **Public representations**

9.22. 1 letter of comment on this application has been received from a property in Heyford Hill Lane, Sandford.

9.23. In summary, the main comments were as follows

- We would want the committee to note that drainage is already a significant issue in Heyford Hill Lane. During heavy rain the sewers back up, the ditch that takes run off water from the roads (starts by A4074, exits into the Thames) has repeatedly been contaminated with raw sewage and there are manholes that also overflow with sewage onto garden/woodlands. On this basis we would argue that to further burden the existing system with another 140 homes waste will create a significant environmental risk.

## **10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- i. Principle of development
- ii. Residential development
- iii. Site layout and built form
- iv. Highways, access, and parking
- v. Archaeology
- vi. Landscaping
- vii. Biodiversity
- viii. Flood risk and drainage
- ix. Sustainability
- x. Other Matters

### **i. Principle of Development**

10.2. The National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development (paragraph 11). It promotes the effective use of land to meet the need for homes while safeguarding and improving the environment and ensuring safe and healthy living conditions. In order to achieve this aim, it encourages the development of under-utilised land where it would meet an identified need for housing where land supply is constrained (paragraphs 117 & 118)

10.3. More significantly, the NPPF places great emphasis on the Government’s objective to significantly boost the supply of homes, recognising that this requires

a sufficient amount and variety of land to come forward where it is needed, and that land with permission is developed without unnecessary delay (paragraph 59). Moreover, local authorities should identify sites suitable for housing, including specific, deliverable sites for a five year period (paragraph 67).

- 10.4. The Oxford Core Strategy supports these objectives. Policy CS2 makes clear that development will be focused upon previously developed land, with greenfield sites only allowed where they are specifically allocated for that use within the Local Development Framework or required to maintain the five-year rolling housing-land supply set out in Policy CS22.
- 10.5. The site would not constitute previously developed land under the definition within the National Planning Policy Framework. However, it has been specifically allocated for residential development within the Sites and Housing Plan as part of the Councils five-year supply of housing and to meet the overall housing need set out within Policy CS22 of the Oxford Core Strategy 2026.
- 10.6. Sites and Housing Plan Policy SP25 states that planning permission will be granted for the residential development within the site, and sets out the following criteria that would need to be provided within any proposal
- A minimum of 0.5 hectares (or approximately 25 dwellings) should be developed for key worker housing which could be provided as market housing or affordable housing. If the key worker housing is provided as affordable housing, as defined in the glossary, it will contribute towards the general provision of 50% affordable housing on the site.
  - Planning permission will not be granted for any other uses
  - Pedestrian and cycle access from the site to nearby local facilities in Littlemore should be improved to ensure that the site is not segregated from surrounding neighbourhoods.
  - Opportunities should be explored to create a new access across the railway. Improvements should be made to access to public transport. The key worker housing should have good pedestrian and cycle access to Littlemore Mental Health Centre (SP29)
  - A buffer zone should be provided during the construction period to avoid disturbance to the nearby Littlemore Railway Cutting SSSI.
- 10.7. Officers would therefore make clear that the site's allocation under Policy SP25 of the Sites and Housing Plan establishes the general principle for providing residential development on this site, and accords with the aims of Policies CS2 and CS22 of the Oxford Core Strategy 2026. The allocation is also an important part of the Councils ability to demonstrate it is meeting the NPPF's objectives of to deliver a sufficient supply of homes, which in itself should have significant weight in the determination of the application.

## **ii. Residential Development**

- 10.8. Policy CS23 of the Oxford Core Strategy 2026 requires residential development to deliver a balanced mix of housing to meet the projected future household need. The Balance of Dwellings Supplementary Planning Document (BoDSPD) identifies the site as being within the Littlemore Neighbourhood Area. The

BoDSPD would class this as a 'strategic site' because it would exceed 25 residential units.

- 10.9. The proposed layout would provide 141 dwellings through a range of dwelling sizes and mix of dwellinghouses and apartments. This would be made up of the following:

<b>No. of bedrooms</b>	<b>Dwellinghouses</b>	<b>Apartments</b>	<b>Total</b>
1		8	8
2		34	34
3	51	14	65
4+	34		34

- 10.10. This mix of dwelling types which would broadly satisfy the aims of Oxford Core Strategy Policy CS23 and the strategic mix of housing expected on sites of this size in the Balance of Dwellings Supplementary Planning Document. The only deviation being a slight under provision of 1 bedroom units and an over provision of 4 beds. Officers consider that this would constitute a minor deviation from this guidance within the context of the proposed scheme whereby the proportion of 1-3 beds all fall within the desired ranges.

*Affordable Housing*

- 10.11. The Oxford Core Strategy 2026 recognises that the provision of affordable homes is a key priority for the Council in order to deliver a wide choice of quality homes to address the needs of local people and to create sustainable, inclusive mixed use communities. Sites and Housing Plan Policy HP3 requires development sites with a capacity for 10 or more dwellings to provide 50% affordable homes on the site. It goes on to state that a minimum of 80% of these homes must be social rented accommodation, with the remaining as intermediate housing.
- 10.12. Notwithstanding these requirements the pretext to the site allocation policy acknowledges that the proximity of this site to the adjacent Littlemore Mental Health Centre would make it logical for the site to provide some key worker accommodation. The site allocation policy reflects this by requiring a minimum of 0.5 ha (or approximately 25 dwellings) to be developed as key worker housing which could be provided as market or affordable housing. It goes on to state that if the key worker housing is to be provided as affordable housing it will contribute towards the general provision of 50% affordable housing on the site. As such the site allocation policy allows for a different mix of affordable housing to be provided within this site that does not necessarily comply fully with the requirements of Policy HP3.
- 10.13. The level of affordable housing proposed within the scheme has been developed following discussions with officers, and is set out within the 'Affordable Housing and Key Worker Statement' submitted with the application. The proposal will deliver 50% affordable housing on site, in accordance with the requirement of Sites and Housing Plan Policy HP3. However this provision will include 45 units

(64%) as 'social rent' rent which will be transferred to a Registered Social Landlord and made available for those in housing need in accordance with the councils requirements. A further 25 units (36%) will then be provided for key workers on a shared ownership model. The statement confirms that this accommodation would be nominated for those key workers employed within the city, working within the public sector or another front line occupations subject to the agreement of the city councils housing department. The shared ownership model would include a minimum of 50% equity share offered to the key worker with the remaining held by Abbey Developments. The retained equity will be offered as security to mortgage lenders with no rent payable on the retained equity. The statement goes on to explain that the key worker housing will be offered for an initial period of 12 months, and if after this period all the units are not taken up, then they will revert to standard affordable housing tenure (80% Social Rent / 20% intermediate) as set out in Sites and Housing Plan Policy HP3 and then offered to an RSL with a requirement that key workers should be given preference over other prospective occupants.

- 10.14. Officers consider that the proposed offer would accord with the aims of the site allocation policy to require the provision of key worker housing on the site, and having discussed with the Oxford City Council Housing Team it is considered that the proposal would add to the range and mix of affordable housing within the city and should therefore be supported and secured through a legal agreement.

#### *Residential Amenity*

- 10.15. The Sites and Housing Plan sets out the required standards for residential accommodation, along with the National Space Standards guidance paper. In terms of the internal space standards the units would be self-contained with their own entrance, kitchens, bathrooms, adequate storage space, generous floor to ceiling heights, and orientated to receive adequate natural light and ventilation. There would be a varying range of internal floor sizes the majority of which would accord with the national space standards. There are a couple of instances where a 2b 4p, 3b 4p apartment and 3b 5p house would fall just short of the national space standards, but they would accord with the standards within the Sites and Housing Plan and as such officers would consider that the shortfall does not materially alter the quality of accommodation.
- 10.16. With regards to external space, all dwellinghouses have private gardens of adequate proportion for the type of property. The majority of the flats will be provided with either a private balcony or terrace of usable space which would be suitable for this type of accommodation, and in addition they have access to the central open space. Within each flatted block there are two flats that do not have access to a private balcony and would need to use the available communal space. In addition it is not clear from the plans as to how the ground floor units will have a delineated terrace space. A condition is therefore recommended to require details of the amenity spaces for the flats, including the provision of balconies for all of the units. As such the proposal would accord with the aims and objectives of Sites and Housing Plan Policies HP12 and HP13.

### iii. Site Layout and Built form

- 10.17. The NPPF requires that local authorities seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It suggests that opportunities should be taken through the design of new development to improve the character and quality of an area and the way it functions. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policies HP9 of the Sites and Housing Plan in combination require that development proposals incorporate high standards of design and respect local character.
- 10.18. The application is accompanied by a design and access statement and detailed design drawings for layout, scale, and appearance of the development. The layout broadly follows the same principles were approved under the indicative outline and reserved matters permissions, both of which were developed following pre-application discussions with officers and the Oxford Design Review Panel.

#### *Site Layout*

- 10.19. The site layout is formed from a range of detached, semi-detached and terraced dwellinghouses with a small number of apartment buildings that are laid out around groups of shared surface roads that lead from a central spine road that connects from the A4074. The layout attempts to establish a residential scale and character to the site after entering the development from the A4074. The apartment buildings are used to frame the access and create street frontages with active frontages to encourage natural surveillance and a safe and secure environment for the family housing. A landscaped buffer to the northern and southern boundaries as well as the A4074 is provided, along with a central area of public open space which provides a green core to the development.
- 10.20. The linear open space that was originally proposed at outline and reserved matters stage along the southern boundary has been reduced in size to enable a belt of dense tree planting. The central open space creates a more substantial village green and focal point for the development and a better buffer to the SSSI is provided to the north. The central spine road links to the potential rail halt and enables better pedestrian accessibility from the bus stops on the A4074. The flats adjacent to the entrance have also been repositioned to establish a better gateway to the development. There are still a number of cul-de-sacs in the northern section but the open space at their entrances make them feel like part of the central spine. Despite the fact that the development is relatively high density, the orientation of the plots within the layout has successfully avoided any overlooking or overbearing issues between the units.

#### *Scale of Development*

- 10.21. The overall scale of the built form is identical to that already approved as part of the outline permission and reserved matters permissions. The dwellings are primarily two or two-and-a-half storey where rooms are provided in the roof space, and the apartment blocks will have three-storeys. The variation in heights

of the dwellinghouses allow articulation for the rooflines across the development, while the taller apartment buildings are strategically placed to create focal points and more dominant built form at the entrance to the site. The scale of built form across the site is keeping with the surrounding residential suburbs.

#### *Appearance*

- 10.22. The dwellings are to have a contemporary appearance while using traditional materials such as brick (red and buff) with weatherboarding and render used for detailing. The roofs will have a mixture of pitched tiled or slated roofs. There is no clear vernacular pattern throughout the area which would influence the appearance of these units and so the materials have been chosen to help create points of emphasis across the site and some variation in the detailing. The use of the more traditional materials would certainly be in-keeping with the residential properties that are in the surrounding area.
- 10.23. Having regards to the above, officers consider that this is a difficult site to develop given its shape and constrained nature. The proposed layout has made the best attempts to create a sense of place and neighbourhood feel for the development following the parameters already approved by the East Area Planning Committee through the outline and reserved matters permissions. There has been no material change in national or local planning policy with respect to design since these permissions were granted, and indeed in the physical constraints of the site that could reasonably lead to a different conclusion being reached for a design which essentially follows the same principles. As such officers consider that the overall layout, scale and appearance of the development would satisfy the requirements of Policy CS18 of the Oxford Core Strategy 2026, Policy HP9 of the Sites and Housing Plan 2011-2026, Policies CP1, CP8, CP9, and CP10 of the Oxford Local Plan 2001-2016.

#### **iv. Transport**

- 10.24. The NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement. The Oxford Local Plan 2001-2016 also requires Transport Assessments from development that is likely to have significant transport implications. The NPPF also states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.
- 10.25. The application site is located to the south of the A4074 which is a dual carriageway that forms a local strategic route between Oxford, Wallingford, and Reading. This road connects to the Heyford Hill Roundabout to the north which provides links to Oxford's ring road and Sainsbury's superstore. The site is bordered to the north by a railway line which separates the site from Sainsbury's and the residential area of Littlemore beyond. To the south-east lies Littlemore Hospital which separates the site from Sandford Lane beyond.
- 10.26. The site allocation policy recognises that the site has inherent constraints which could leave any residential development segregated from the wider residential suburb. The policy makes clear that it is essential for any scheme to improve

accessibility through considering the following:

- The provision of pedestrian and cycle access from the site to nearby local facilities in Littlemore
- The provision of pedestrian and cycle access from the Key Worker Housing to Littlemore Mental Health Centre
- Opportunities to create a new access across the railway
- Opportunities to improve access to public transport

10.27. A Transport Statement (TS) and Technical note has been submitted with the application that considers the highway impacts of the proposal. In terms of improving the sites accessibility, a suite of measures were approved at outline stage. This included the provision of an all movements traffic signal junction to the A4074 for vehicles incorporating a pedestrian and cycle crossing to the south-western side of the road; provision of bus laybys on each side of the A4074; new footpath link for pedestrians and cyclists on the south-western side of the A4074 to Heyford Hill Lane, and eastern side of the A4074 to Sainsbury's Superstore and the eastern bypass. These highway works were all approved as part of the outline permission and are in the process of being delivered through a S278 agreement with the Local Highways Authority.

#### *Traffic Generation*

10.28. The TS estimates that the development is likely to generate 80 two way vehicular movements in the AM peak hour (0800-0900) and 89 two way vehicular movements in the PM peak (1700-1800). The Local Highways Authority has indicated that the traffic flows are likely to have changed within the 10 year interim period since some of the initial modelling was undertaken. However the County Council have its own traffic data collected by Automatic Traffic Counters on the Eastern bypass and the A4074 in the vicinity of the site which has shown that traffic flows have increased in this time by between 3-10% on the Eastern Bypass and 1-4% in the peak hours on the A4074.

10.29. The TS assumes a traffic distribution of 80% northbound and 20% southbound as assessed at outline stage. Once the traffic is distributed in this manner the numbers generated by the development would form a small proportion of the background traffic. Therefore, although the volumes on the Eastern Bypass and the A4074 have increased, the Local Highways Authority has confirmed that the development is unlikely to have a significant impact on the Heyford Hill roundabout or junctions further afield.

#### *Car Parking*

10.30. The required parking standards for residential development are set out in Policy HP16 of the Sites and Housing Plan. The supporting text to this policy makes clear that large scale housing development in areas such as this should provide allocated and unallocated parking spaces. Allocated spaces should generally have at least 1 allocated space per dwelling, although in certain areas it may be necessary to achieve the maximum standards which is 1 parking space for a 1 bed house or flat and 2 spaces per 2-4 bed house or flat. Unallocated provision should be totalled according to the number and mix of dwellings. These spaces



must be available to be shared between all residents and visitors in the development.

10.31. The proposal will provide a total of 268 parking spaces with 104 allocated and 164 unallocated. The parking provision would have all detached dwellings having 2 allocated parking spaces, and unallocated visitor parking at 0.2 spaces per dwelling. All other dwellings will be provided with unallocated parking spaces leading to a total of 141 spaces which will provide spaces for 88 dwellings and the remainder for visitor parking. This level of provision would accord with the standards set out within Policy HP16.

#### *Cycle Parking*

10.32. The required cycle parking standards for residential development are set out in Policy HP15 of the Sites and Housing Plan. The minimum provision would be at least 2 spaces for houses and flats up to 2 bedrooms, and at least 3 spaces for houses and flats for 3 or more bedrooms. All cycle storage must be secure, under cover and preferably enclosed and provide level unobstructed external access to the street.

10.33. The proposal would provide 2 spaces per unit, which in the case of 3+ bedroom units would be below the standard. However it is noted that in the case of the dwelling houses there would be scope to provide additional space for the 3+ bed properties. A condition should therefore be attached which seeks to secure the details of the cycle parking provision including an uplift on the 3+ bedroom properties.

#### *Road Layout*

10.34. The Local Highways Authority has confirmed that the road layout has been suitably amended to make it suitable for adoption. The layout itself has made good provision for future links to be developed to the rest of Littlemore enabling adjoining landowners to connect to this site. The layout has incorporated space for a potential pedestrian and cycle access across the railway line easily visible and accessible at the end of the central spine road. It has also indicated how this could provide space for a potential halt for the Eastern Arc Rapid Transit System in the north-eastern section.

10.35. A pre-commencement construction traffic management plan should be secured by condition. This should detail site managers details as well as working hours, demonstrate how on-site parking for staff will be managed, delivery times, and contact details for the local community.

#### **v. Landscaping**

10.36. The site allocation policy SP5 includes a number of objectives for the landscaping. These include a broad boundary belt along the A4074 to preserve the character of the Green-belt; requirements for pedestrian and cycle access to local facilities in Littlemore to improve linkage to surrounding neighbourhoods;

access to Littlemore Mental Health Service for Key Workers; and 'a buffer zone should be provided during the construction period to avoid disturbance to the nearby Railway Cutting SSSI' (geology).

- 10.37. The site is subject to Core Strategy Policy CS12 encompassing issues related to the adjacent SSSI and a site of local importance for nature conservation- semi-improved grassland. In addition to this, Oxford Local Plan Policy NE15 (Loss of Trees and Hedgerows), and Policy CP11 (Landscape Design) which states that any adverse arboricultural impacts associated with a proposal would need to be balanced against other relevant policies and wider social benefits in order to be justified.
- 10.38. The application also includes a Landscape Design Statement. The following landscape elements are identified in a Landscape Master Plan and detailed landscape proposal drawings.
- Village Park in centre of the site (including grassland, LEAP play area and structural tree planting).
  - Street tree planting from site entrance to the A4074 and along internal access roads and car parking, grass verges.
  - Green corridor along the western boundary adjacent to A4074 with native small tree and understory shrub planting.
  - Shrub bed planting outside of houses and blocks, the management of which is to be adopted after establishment by the home occupiers or established Management Company.
- 10.39. The site has little significant existing arboricultural merit, although it does benefit from the presence of established woodland to the north. The proposed tree protection measures in the application are adequate to protect the few existing on-site trees present on the southern boundary. The landscape design is less ambitious than that presented in the previous Outline or Reserved matters schemes but in both cases the matters of an improved landscaping scheme were reserved by condition. On the southern boundary there is now no green corridor, no swales, ponds and no linear park, nor any pedestrian routes generating circulation of the site. On the western boundary there is a reconfigured road accesses to the fronts of houses south of the entrance; the functionality of this area as shared open space is lost through the reduced width of landscaping along the centre of the western boundary adjacent to A4074. The village park design has been enlarged and the parking reduced around its western and eastern perimeters, which is also an improvement to the earlier schemes.
- 10.40. That said officers consider that the landscaping proposals would be broadly acceptable in principle in regard to Oxford Local Plan Policies CP1, CP11, and NE15 and subject to conditions could achieve further details to improve the quality of landscaping throughout the scheme.

**vi. Sustainability and Energy**

- 10.41. Oxford Core Strategy Policy CS9 has a commitment to optimising energy efficiency through a series of measures including the utilisation of technologies that achieve zero carbon developments. The Sites and Housing Plan Policy

HP11 then goes on to state that a development of this size will need to include at least 20% of its total energy needs from on-site renewables or low carbon technologies.

10.42. An Energy Statement has been submitted with the application. The statement sets out how the development will endorse good design principles promoted by the Zero Carbon Hub. The scheme adopts a fabric first approach in order to reduce energy demands. The buildings have been designed to exceed current building regulations with respect to insulation, and will include efficient lighting and water management. The use of renewable technologies has been considered with photovoltaic tiles considered the most appropriate technologies to apply to the development. The Energy Statement has confirmed how these methods will deliver the 20% of the total energy needs. These details should be secured by condition

**vii. Biodiversity**

10.43. The NPPF makes clear that new developments should minimise the impacts upon biodiversity and take the opportunity to incorporate biodiversity enhancements. There is also legislation and European directives to avoid harm to biodiversity interests and to have regard to conserving habitats. At a local level Oxford Core Strategy Policy CS12 states that

- Sites of Special Scientific Interest (SSSI) must be protected from any development that would have an adverse impact.
- No development should have an impact upon a site that is designated as having local importance for nature conservation or as a wildlife corridor; and
- Species and habitats of importance for biodiversity are protected from harm, unless the harm can be properly mitigated

10.44. The application as originally submitted did not provide sufficient information to consider the impact on protected habitats and species. The outline and reserved matters applications were approved following a number of ecological surveys which identified that the development would not have an adverse ecological impact and any impact could be mitigated by appropriately worded conditions which were subsequently proposed. The application relied on these surveys to develop the Ecological Enhancements Plan and Badger Survey and Mitigation Plan that were submitted with the application. However the surveys undertaken for both of these previously approved applications were over two years old and therefore officers advised the applicant that an up-to-date ecological appraisal was needed in accordance with best practice guidance.

10.45. The applicant has subsequently submitted an Ecological Impact Assessment which pulls together all of the previous surveys and includes an updated Extended Phase 1 Survey, Badger Survey, and desk study.

10.46. The survey identifies that the site is in close proximity to the Littlemore Railway Cutting which is a Site of Special Scientific Interest (SSSI) and Site of Local Importance to Nature Conservation (SLINC). The updated Extended Phase 1 Survey has identified that the habitats on site are broadly the same as identified at outline and reserved matters stage and includes areas of species rich

calcareous grassland, which is scattered throughout the site rather than being more prevalent in the north as previously considered. In terms of protected species there are no protected species to be found within the site albeit that there is evidence of badger setts outside the site on its borders.

- 10.47. The Ecological Impact Assessment is currently being reviewed by the City Council Ecologist at the time of writing this report. It is not anticipated that they will raise an objection however their comments will be updated verbally to the committee at the meeting, along with any suggested conditions.
- 10.48. Notwithstanding the absence of their comments, it is considered that given the established nature of the site with a number of mature trees and hedges, site lighting is a concern for the species that could inhabit parts of the site such as bats, particularly along the boundary with the railway cutting. Lighting (both for construction and site operation) may interfere with bat flight routes / feeding. Therefore as requested in the previously approved permissions a condition should be sought which seeks the agreement of the lighting for the scheme. In addition to this, building enhancements in the form of bird and bat boxes should be installed, and those proposed on the ecological enhancement plan are suitable.
- 10.49. Natural England has raised an objection to the development on the basis that it has not provided an assessment of the potential impact on the Littlemore Railway Cutting SSSI. It has sought additional information to understand what measures are in place to enable suitable access to the SSSI for conservation works to be undertaken within this site post-development, and also a strategy for mitigating any identified impacts. It should be noted that Natural England did not object to the Outline and Reserved Matters applications on this basis the proposal would have an adverse impact upon the SSSI or SLINC.
- 10.50. The applicant has provided a revised site plan which shows how the SSSI can clearly be accessed via the parking area to the north-east of the site. Similarly the previously approved schemes included a condition which required details for the protection of the SSSI from the construction phase. The revised plan is being reviewed by Natural England at the time of writing this report, and their response will be updated verbally at the committee meeting.

### **viii. Flooding**

- 10.51. A Flood Risk Assessment and Surface Water Drainage Strategy have been submitted with the application. The site is located within Flood Zone 1 which is considered an area where there is a low probability of flooding
- 10.52. Infiltration drainage has been shown to be feasible by the result of soakage tests conducted, and therefore it is proposed that surface water would be drainage via private soakaways with source control measures such as water butts for roofs, porous paving for private drives, car parking and some roads, and most roads to highway soakaway. Calculations have been submitted that show the feasibility of the drainage strategy.

- 10.53. The detailed design of the drainage infrastructure including details and calculations should be secured by condition. This should also secure a detailed maintenance plan for all of the drainage components. Examples of maintenance have been provided in the Flood Risk Assessment however detailed maintenance guides/schedules should be produced. This should include who is responsible for maintenance of the components
- 10.54. Therefore subject to an appropriately worded condition, officers consider that the proposal would accord with policy CS11 of the Oxford Core Strategy.

**ix. Planning Obligations**

- 10.55. The County Council has sought S106 contributions towards the following public transport provisions
- £140,000 towards the enhancement of bus services X38/X39/X40 to provide four buses an hour to and from Oxford
  - £40,000 towards bus stop infrastructure for the new bus stops on the A4074 including two semi-enclosed three bay shelters, to city standards; two real time information signs, and associated electrical connections, two premium route bus stop pole / flag / information cases
- 10.56. The National Planning Practice Guidance sets out that planning obligations need to meet the necessary tests to make them acceptable in planning terms, and be directly related to the development (para 001). Importantly it makes clear that the policies for seeking planning obligations should be set out in the development plan.
- 10.57. The County Council have indicated that the Oxfordshire County Council Connecting Oxfordshire Local Transport Plan 2015-2031 Bus & Rapid Transit Strategy sets out the council's plans for public transport. This document was adopted by the County Council in 2016 following the approval of the outline and reserved matters applications. These documents identify the bus route between Wallingford and Oxford as a premium route which are required to have at least 4 buses an hour. Therefore the strategy seeks developer funding in order to pump prime the services, and also provide suitable passenger waiting facilities.
- 10.58. Although the Oxfordshire Local Transport Plan Bus & Rapid Transit Strategy is a material consideration for the determination of the application it is not an adopted development plan document which has been subject to examination and as such would have limited weight when viewed against the above-mentioned aims of the NPPF and current up-to-date development plan policies. A contribution towards enhancing the bus service was not sought for the outline permission or reserved matters applications which this application is related to in terms of the works to improve the access and quantum of development on site and there has been no material change in adopted development plan policy since these decisions were taken. Therefore it is not considered reasonable in this instance to seek such a contribution towards enhancements to the service.

- 10.59. With respect to the improvements to the bus stop infrastructure including the provision of the laybys and shelters etc. The Local Highways Authority have subsequently acknowledged that these are being provided as part of the S278 Highway Works approved as part of the outline planning permission which is currently being implemented and therefore are no longer seeking such a contribution.
- 10.60. The county council has also indicated that future plans to upgrade the A4074 to provide a level of cycle infrastructure to 'Cycle Super Route' standard, which would provide a safer and more direct route between the site and city centre. Proposals are also likely to include bus priority measures with the A4074 being designated as a rapid transit line. The county council will therefore be seeking CIL contributions to fund cycle and other highway improvements in the area. The development is liable for a CIL charge of £1,743,484.96. The requests of the County Council are noted and would need to be made through the appropriate means.

**x. Other**

- 10.61. Contaminated Land: The previous outline applications required the submission of a contaminated land site investigation and risk assessment by condition. This did not identify an contamination of concern. As such no new planning conditions are required for the site. However, a watching brief for the identification of any unexpected contamination should be undertaken throughout the course of the redevelopment. In this regard the informative below should be added to any permission granted.
- 10.62. Air Quality: An Air Quality Assessment and Construction Dust Assessment have been submitted with the application. The assessment has indicated a medium risk to air quality from the construction phase and proposes site specific mitigation measures to reduce the impact. These would include the provision of a construction environmental management plan and dust management plan to manage the impact. This could be secured by condition.
- 10.63. In addition to the above, a key theme of the NPPF is that development should enable future occupiers to make "green" vehicle choices and "incorporate facilities for charging plug-in and other ultra-low emissions vehicles. As a minimum requirement, new development schemes should include the electric vehicle recharging provision and to prepare for increased demand in future years, appropriate cable provision should also be included in the scheme design and development, in agreement with the local authority. The recommended provision rate is 1 charging point per unit (house with dedicated parking) or 1 charging point per 10 spaces (unallocated parking, i.e. flat development). Officers would recommend a condition which requires the implementation of on-site electric vehicle charging infrastructure.
- 10.64. Archaeology: An archaeological field evaluation report by Thames Valley Archaeological Services (2013) has been submitted for this site. The evaluation confirmed the presence of an Iron Age 'banjo' enclosure, previously suggested by geophysical survey. A ditch of medieval date, a possible Roman cremation burial, a single struck flint and small quantities of Roman, Saxon and medieval pottery were also recovered. The enclosure ditch and related pits survive as

features cut into the natural sand and limestone geology, located approximately 400mm below the current ground surface.

- 10.65. The banjo enclosure is the only one of its kind recorded in the local authority area and is the easternmost recorded example of a likely subgroup of such enclosures on the Thames gravels which have been interpreted as outlying examples of more tightly defined cluster of banjo enclosures recorded in the Cotswolds. Other such clusters are recorded on the Berkshire Downs and in Hampshire and Wiltshire. The enclosure is likely to be related to stock management, its location perhaps influenced by the presence of Calcareous grassland. The enclosure is an asset of local and regional interest and I note that the indicative development layout submitted with this application presents the opportunity of preserving the bulk of this asset within open space. Officers would therefore request that a condition to secure the substantive preservation of this asset, noting the requirements for additional archaeological recording on surrounding archaeological features that may be impacted by development.
- 10.66. Public Art: The Planning Obligations Supplementary Planning Document (POSPD) identifies that contributions would be required from the scheme towards the provision of public art. This could be provided by way of a condition or contribution. Although public art has not been specifically detailed in the proposed scheme, this could be secured by condition.
- 10.67. Noise: A Noise and Vibration Assessment has been included with the application. The survey identified that the primary source of noise at the development site is road traffic from the A4074 and the nearby Eastern bypass (A423/A4142). The railway branch line to the north is only used for occasional freight transport to the BMW factory. The survey recommends that appropriate noise mitigation measures could be incorporated at detailed design stage of the new dwellings. The recommendations in the report should be secured by condition.

## **11. CONCLUSION**

- 11.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.
- 11.2. The NPPF recognises the need to take decisions in accordance with Section 38(6) but also makes clear that it is a material consideration in the determination of any planning application. The main aim of the NPPF is to deliver Sustainable Development, with Paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF despite being adopted prior to the publication of the framework.

### *Compliance with Development Plan Policies*

- 11.3. Therefore in conclusion it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which is inconsistent with the result of the application of the development plan as a whole.
- 11.4. In summary, the proposed development would make an efficient use of a site which has been allocated for housing as part of the Council's five year housing supply and therefore deliver much needed affordable and market housing to contribute towards Oxford's housing need. The development would help establish a balanced and mixed community within the Littlemore Neighbourhood Area. The application has demonstrated that it would not have an adverse impact in highway safety terms. The application contains sufficient supporting information to demonstrate that it would be of a suitable scale and appearance for the site and its setting without having an adverse impact upon the adjacent neighbouring areas, Green Belt or Sites of Special Scientific Interest and would be energy efficient, and would not have a significant impact upon biodiversity; trees; archaeology; flood risk; drainage; air quality; land contamination; or noise impact and any such impact relating to these matters could be successfully mitigated through the reserved matters applications and appropriate measures secured by condition or associated legal agreements. The proposal would accord with the overall aims of the National Planning Policy Framework and relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and Sites and Housing Plan 2011-2026.
- 11.5. Therefore officers consider that the proposal would accord with the development plan as a whole.

### *Material Considerations*

- 11.6. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.
- 11.7. National Planning Policy: The NPPF has a presumption in favour of sustainable development. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, grant permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted.
- 11.8. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, Paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.
- 11.9. Officers would advise members that having considered the application carefully including all representations made with respect to the application, that the



proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Core Strategy 2026, and Oxford Local Plan 2001-2016, when considered as a whole, and that there are no material considerations that would outweigh these policies.

11.10. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Head of Development Management) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

## 12. CONDITIONS

1 Development Time Limit

The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2 Development carried out in accordance with approved plans

The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

3 Samples of materials

Samples of the exterior materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before the start of work on the site and only the approved materials shall be used.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

4 Landscaping Plans implementation

The landscaping proposals as set out within the Landscape Masterplan (ABBEY21468 10A) and Plans (ABBEY21468-11B Sheets 1 to 6) shall be carried out upon substantial completion of the development and be completed not later than the first planting season after substantial completion.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the Adopted Local Plan 2001-2016.

5 Landscape Maintenance

The landscaping throughout the scheme shall be managed and maintained in accordance with the 'Soft Landscape Management and Maintenance Plan' (ABBEY21468manA).

Reason: In the interests of amenity and the appearance of the area in accordance with policies CP1, CP11 and NE17 of the Adopted Local Plan 2001-2016.

- 6 Tree Protection Measures  
The development shall be carried out in strict accordance with the approved tree protection measures (ref.ABBEY21468 03B) contained within the planning application details unless otherwise agreed in writing by the Local Planning Authority.
- Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016
- 7 Archaeological Method Statement – Banjo Enclosure  
No work shall take place on site until a detailed method statement for the extent and design of all groundwork within the Iron Age banjo enclosure (as defined on map 1) has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only take place in accordance with the detailed scheme agreed pursuant to this condition.
- Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including prehistoric, Roman and medieval remains (Local Plan Policy HE2).
- 8 Archaeological Mitigation  
No development shall take place until the developer (or their agents) has secured the implementation of a scheme of archaeological mitigation involving 1) the preservation in situ of the area of the Iron Age banjo enclosure marked as zone A of map 1 and 2) archaeological mitigation of the full engineering impact if the development, which may be achieved by redesign and/or by archaeological recording action in accordance with a written scheme of archaeological mitigation, to be approved in writing in advance by the Local Planning Authority. The works shall be carried out in accordance with the approved scheme of archaeological mitigation unless otherwise agreed in writing by the Local Planning Authority.
- Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including prehistoric, Roman and medieval remains (Local Plan Policy HE2).
- 9 Details of Cycle Storage  
Prior to use or occupation of the new development, details of the covered and secure cycle parking for all the residential development shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with the approved details prior to the new development being occupied and retained thereafter.
- Reason: To encourage the use of sustainable modes of transport and meet the requirements of Policy HP15 of the Sites and Housing Plan.
- 10 Parking Plan  
Prior to the commencement of development a detailed parking plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the details of the number and location of parking spaces allocated to each of the residential units and the number and location of unallocated visitor spaces, method of demarcation, construction, and means of disposal of surface water. The approved plan shall be implemented before the development is brought into use and the parking spaces shall remain in place thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure appropriate levels of car parking are available at all times to serve the development, in accordance with Sites and Housing Plan Policy HP16 and condition 12 of outline planning permission 12/02848/OUT

11 Construction Environmental Management Plan

Prior to the commencement of enabling works a site-wide Construction Environmental Management Plan (including a Construction Travel Plan and Dust Management Plan) shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following matters;

- signage for construction traffic, pedestrians and other users of the site;
- controls on arrival and departure times for construction vehicles;
- piling methods (if employed);
- earthworks; -
- hoardings to the site, including future development plots on adjacent land;
- noise limits;
- hours of working;
- vibration;
- control of emissions;
- waste management and disposal, and material re use;
- prevention of mud / debris being deposited on public highway;
- protection of adjacent SSSI and security with adjoining Hospital
- materials storage; and hazardous material storage and removal.
- site specific dust mitigation measures

The approved Construction Environmental Management Plan shall be implemented before any works commence on site.

Reason: In the interests of the residential amenities of neighbouring occupiers and highway safety, in accordance with policies CP1, CP19 and CP21 of the adopted Oxford Local Plan 2001 to 2016.

12 Travel Plan

Prior to the first occupation of the development hereby permitted the applicant shall submit to and obtain the agreement in writing of the local planning authority, a travel plan. The plan shall detail how it is proposed to achieve an annual reduction in the amount of vehicles accessing this site, the means for implementing the plan, method of monitoring and amending the plan on an annual basis. The results of the annual monitoring exercise shall be submitted to the local planning authority in writing and the travel plan amended accordingly in light of discussions with the local planning authority.

Reason. To limit the number of journeys by private motor car and reduce the pressure for car parking in the locality in accordance with policies CP1, TR2 and TR12 of the Adopted Oxford Local Plan 2001-2016.

13 Public Art

No part of the development hereby permitted shall be occupied until details of a scheme of public art have been submitted to and approved in writing by the Local Planning Authority and a timetable agreed for its implementation. The public art as approved and implemented shall be retained at all times following its erection unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: In the interests of visual amenity and in accordance with Policy CP14 of the adopted Oxford Local Plan 2001 - 2016.

- 14 Noise Attenuation  
The noise attenuation measures shall be implemented in accordance with the approved Noise and Vibration Assessment (17/0604/R1) before the development hereby permitted is first occupied unless otherwise agreed in writing by the Local Planning Authority.
- Reason: In the interests of the residential amenities of the future occupants of the accommodation in accordance with Policy CS21 of the Oxford Core Strategy 2026
- 15 Photovoltaic Panels  
Prior to the commencement of development details of the photovoltaic panels to be used on the properties as set out within the Energy Reduction Strategy shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the location of the properties where the photovoltaic's are to be included and details of the specification of the panels and how they have been incorporated into the built form of the residential accommodation. The photovoltaic's shall be provided in accordance with these approved details before the development hereby permitted is first occupied and shall remain in place thereafter unless otherwise agreed in writing by the Local Planning Authority.
- Reason: In the interests of sustainability and visual amenity in accordance with Oxford Core Strategy Policies CS9 and CS18.
- 16 Accessible Dwellings  
The dwelling(s) shall not be occupied until at least 7 of the dwellings hereby approved the Building Regulations Part M access to and use of building, Category 2 accessible and adaptable dwellings, Optional requirement M4(2) has been complied with.
- Reason: To ensure that new housing meets the needs of all members of the community and to comply with the Development Plan, in particular Local Plan policies CP1, CP13, Core Strategy Policy CS23 and Sites and Housing Plan Policy HP2.
- 17 Protection of SSSI  
No development shall take place until details for the protection of the Littlemore Railway Cutting Site of Special Scientific Interest (SSSI) and Site of Local Importance to Nature Conservation (SLINC) from damage during the construction phase of the development have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before development commences and there shall be no variation to the approved details unless otherwise agreed in writing by the Local Planning Authority.
- Reason: In the interests of the biodiversity of the Site of Special Scientific Interest, in accordance with policy CS12 of the adopted Oxford Core Strategy 2026.
- 18 Railway Line Attenuation  
No development shall take place until an assessment of the impact of ground borne vibration from the adjacent railway upon the residential properties has been submitted to and approved by the local Planning Authority. The assessment of vibration exposure shall be carried out with reference to BS 6472-1:2008. Any recommendations or mitigation measures recommended as part of the assessment identified within the assessment shall be implemented on site before the development is first brought into use and shall be retained in place thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the residential amenities of the future occupants of the accommodation in accordance with Policy CS21 of the Oxford Core Strategy 2026

19 Drainage Scheme

Prior to the commencement of development, plans, calculations and drainage details to show how surface water will be dealt with on-site through the use of sustainable drainage methods (SuDS) shall be submitted to and approved in writing by the Local Planning Authority. The plans, calculations and drainage details will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics.

The plans, calculations and drainage details submitted shall be in accordance with the drainage strategy proposed by Glanville - Flood Risk Assessment - Ref: CV8171230/KM/DW/001 - Issue 1 November 2017, and shown on Cole Easdon Consultants - Planning stage Drainage Strategy - Drawing No. 5972/SK102 Rev A.

Any proposal which relies on Infiltration will need to be based on on-site infiltration testing in accordance with BRE365 or alternative suitable methodology, details of which are to be submitted to and approved by the Local Planning Authority.

Prior to the occupation of the development the drainage infrastructure shall be constructed in accordance with the approved details and thereafter retained.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

20 Sustainable Urban Drainage Maintenance

Prior to the commencement of development, a Sustainable Drainage (SUDs) Maintenance Plan shall be submitted to and approved in writing by the Local Planning Authority. The Sustainable Drainage (SuDS) Maintenance Plan will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The SuDS maintenance plan will be required to provide details of the frequency and types of maintenance for each individual sustainable drainage structure proposed and ensure the sustainable drainage system will continue to function safely and effectively in perpetuity. The development is to be maintained in accordance with the approved Sustainable Drainage (SuDS) Maintenance Plan.

Reason: To ensure that the proposed development is maintained in perpetuity and to avoid increasing surface water run-off and thereby attenuating flood risk in accordance with Policy CS11 of the Oxford Core Strategy 2011-2026.

21 Means of Enclosure

The development shall not be occupied until details of the means of enclosure for all boundaries of the site including residential properties have been submitted to and approved in writing by the Local Plan Authority. These details shall include the means of enclosure provided alongside the boundary with the railway branch line and SSSI to the standards required by Network Rail. The means of enclosure shall be provided in accordance with these approved details

Reason: In the interests of residential amenity and preserving the interests of the SSSI and safety of the railway line in accordance with Oxford Local Plan Policy CP1, and Oxford Core Strategy Policy CS12.

22 Details of Refuse Storage

The development shall not be occupied until details of the refuse storage facilities for the residential accommodation have been submitted to and approved in writing by the Local Planning Authority. The details shall include the location and type of storage areas for the individual properties and be to Oxford City Council standards. The refuse storage shall be provided in accordance with these approved details before the development is first occupied and retained thereafter.

Reason: In the interests of residential amenity in accordance with Sites and Housing Plan Policy HP11

23 Removal of PD Rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or enacting that Order) no structure including additions to the dwelling house as defined in Classes A, B, C, D, E of Schedule 2, Part 1 of the Order shall be erected or undertaken without the prior written consent of the Local Planning Authority.

Reason: The Local Planning Authority considers that even minor changes in the design or enlargement of the development should be subject of further consideration to safeguard the appearance of the area in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

24 Retention of Garages

The garages serving the respective residential units within the approved scheme shall not be changed or adapted for living purposes or used for any other purpose except as a private domestic garage, without the prior written permission of the Local Planning Authority.

Reason: To ensure that a garage is always available for use with the house in accordance with policies CP1, CP6, CP10 and TR3 of the Adopted Oxford Local Plan 2001-2016.

25 Lighting Strategy

Prior to occupation of the development, a lighting design strategy for biodiversity for buildings, features or areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes, for example, for foraging; and
- b) show how and where new external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: Bat species are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation.

26 Biodiversity Enhancements

Biodiversity enhancement measures (bird and bat boxes) as specified on the Ecological Enhancements Plan shall be incorporated into the scheme and be fully constructed prior to occupation of the approved dwellings and retained as such thereafter.

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.

27 Electric Vehicles

Prior to the commencement of development, details of the Electric Vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The Electric vehicle charging infrastructure shall be provided at the following provision rate:

- 1 charging point per unit (house with dedicated parking); or
- 1 charging point per 10 spaces (unallocated parking, i.e. flat development).
- Appropriate cable provision to prepare for increased demand in future years.

The electric vehicle infrastructure shall be formed, and laid out in accordance with these details before the development is first occupied and shall remain in place thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of Air Quality in accordance with Oxford Local Plan Policy CP1.

### **13. HUMAN RIGHTS ACT 1998**

- 13.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

### **14. SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

- 14.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

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## EAST AREA PLANNING COMMITTEE

**Application Number:** 18/01789/CT3

**Decision Due by:** 31st August 2018

**Extension of Time:** 14<sup>th</sup> September 2018

**Proposal:** Formation of 18No. residents car parking spaces using existing grass verges.

**Site Address:** Street Record, Amory Close, Oxford, Oxfordshire

**Ward:** Cowley Ward

**Case Officer** Michael Kemp

**Agent:** Mr James Axford      **Applicant:** Oxford City Council

**Reason at Committee:** Applicant is Oxford City Council

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### 1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

**(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.**

**(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

### 2. EXECUTIVE SUMMARY

2.1. This report considers the proposed addition of 18 parking spaces at Amory Close and Kersington Crescent. The proposals are submitted by Oxford City Council and would provide parking for residents of the existing flats at Amory Close and Kersington Crescent; presently there is a lack of any formalised provision within the two streets for residents.

2.2. The key matters for assessment set out in this report include the following:

- Principle of development;

- Design;
- Highways
- Trees
- Sustainability

2.3 Officers consider that the proposals would be beneficial in reducing the extent of existing on street parking, which would improve highway safety and amenity and the situation for existing residents. The proposals would not be compromising of the character of the street scene or the residential amenity of the occupants of any surrounding properties. The proposals are therefore considered to accord with the relevant planning policies set out.

### **3. LEGAL AGREEMENT**

3.1. This application is not subject to a legal agreement.

### **4. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

4.1. The proposal would not be liable for a CIL contribution.

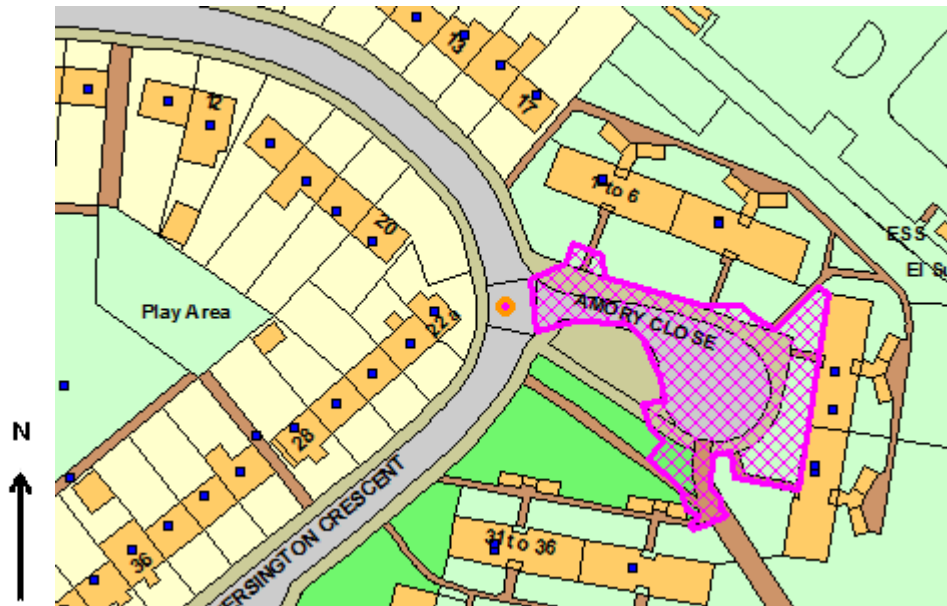
### **5. SITE AND SURROUNDINGS**

5.1. The site comprises of a landscaped area of space adjacent to Amory Close and Kersington Crescent in East Oxford, located between Cowley and Blackbird Leys. The two streets are characterised by 1960's social housing stock consisting of a mix of three storey blocks of flats and two storey terraced houses.

5.2. The flats are not served by any formalised parking provision at present, which has resulted in a proliferation of on-street parking. A large number of houses in Kersington Crescent have some form of off-street parking which has been formed where front gardens have been replaced with hardstanding for vehicular parking and associated dropped kerbs onto the highway.

5.3. The landscaped spaces contain several mature trees which are not subject of a TPO, but are considered by officers to be of collective, and in some cases, individual value to the character and appearance of the area and streetscene.

5.4. The site location plan is included below:



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Ordnance Survey 100019348

## 6. PROPOSAL

- 6.1. The application proposes the addition of 18 parking bays. 12 of these bays would be formed within an area adjacent to the existing circular turning head at the end of Amory Close; these bays would be formed partially within the adjacent landscaped space, with alterations made to the existing pavements. 4 spaces would be created in a diagonal layout adjacent to the northernmost block of flats within an existing frontage area of landscaping; this would involve alterations to the adjacent section of pavement.
- 6.2. A further two spaces would be created by extending an existing layby adjacent to Kersington Crescent, the layby would be extended into an existing landscaped space. 30 cycle stands are additionally proposed close to the junction of Kersington Crescent and Barns Road and adjacent to the 3 storey flats at Amory Close.
- 6.3. The application has been subject of minor amendments, mainly a rationalisation of the pedestrian accesses shown on the plans.

## 7. RELEVANT PLANNING HISTORY

- 7.1. There is no planning history on the site of material relevance to the development proposed.

## 8. RELEVANT PLANNING POLICY

- 8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	12	CP1, CP8, CP9	CS18, CS19	HP9	
Natural Environment	15	NE15			
Social and community	8			HP14	
Transport	9	TR3, TR4		HP15, HP16	Parking Standards SPD

## 9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 26<sup>th</sup> July and an advertisement was published in the Oxford Times newspaper on 2<sup>nd</sup> August.

### **Statutory and Non-Statutory Consultees**

#### Oxfordshire County Council (Highways)

- 9.2. The proposal seeks to create 18 additional parking bays on Amory Close and Kersington Crescent. Providing a footpath is retained along the length of the proposed area, Oxfordshire County Council does not object to this application on highway grounds.

#### Natural England

- 9.3. No objection.

### **Public representations**

- 9.4. No written representations have been received from members of the public in relation to this application.

## 10. PLANNING MATERIAL CONSIDERATIONS

### **i. Principle of Development**

- 10.1. The application is proposed with the aim of providing additional formalised parking to serve existing properties within the area which do not currently benefit from off-street parking provision. The parking is proposed with the intention of in

part alleviating existing issues associated with the current proliferation of on-street parking. The rationalisation of parking arrangements within the area forms part of the Councils 'Great Estates' wider strategic strategy focussed on priority areas of improvement within the city estates, which includes a focus on providing off-street parking and rationalisation with Oxford's estates. In officers views the principle of development is deemed acceptable subject to detailed matters explored below.

## **ii. Design and Impact on Character of Surrounding Area**

- 10.2. The proposed parking provision would encroach into existing areas of landscaped space adjacent to the flats in Kersington Crescent and Amory Close. Notwithstanding this the extent of encroachment into the landscaped area would be limited and officers consider that the overall visual impact and impact on the street scene would be limited and not unduly harmful. The spaces would be constructed from block paving, the use of which is considered appropriate within the context of the site. The proposals include the addition of a number of timber bollards, which function principally as a safety feature. Notwithstanding the relatively high number of these bollards, these are low key features which would not appear out of keeping with the character of the area.
- 10.3. The proposals are considered to be compliant with the provisions of Policies CP1, CP6 and CP8 of the Oxford Local Plan

## **iii Impact on Existing Trees**

- 10.4. The wider site area contains a significant number of trees, some of which are of individual value and notable value as a collective group. Following pre-application discussion with the Councils Tree Officer care has been taken within the design of the landscaping to limit the impact on existing trees. Consequently the majority of the trees on the site would likely be unaffected by the proposed works. The extension of the layby area would require the relocation of one of the trees, provision is also made for additional planting, and overall there would be no net loss of trees within the site area. Taking these factors into account it is considered that the proposals adequately preserve the character and appearance of the street scene.
- 10.5. Subject to the provision of a Tree Protection Plan and Arboricultural Method Statement, the Councils Tree Officer has raised no objection to the proposed development.
- 10.6. The proposals are considered to be compliant with the provisions of Policy NE15 of the Oxford Local Plan.

## **iii. Impact on Neighbouring Amenity**

- 10.7. The proposed siting of the parking would bring parking closer to the existing flats, notwithstanding this; it is considered that an adequate separation distance would be retained between the parking area and flats to ensure that the residential amenity of these properties would not be unduly compromised by reason of

noise disturbance or general disruption.

- 10.8. A minimum distance of 4 metres would be retained between the spaces adjacent to the turning head of Amory Close and the adjacent flats, with a minimum distance of 6 metres retained between the spaces adjacent to the junction of Kersington Crescent and Amory Close and the adjacent flats, this is considered to be acceptable in retaining an adequate standard of amenity for residents of the flats.
- 10.9. It is therefore considered that the proposals would comply with the provisions of Policies CP1 and CP6 of the Oxford Local Plan and Policy HP14 of the Sites and Housing Plan.

#### **iv. Transport**

- 10.10. The proposals would involve the creation of a total of 18 off-street parking spaces; at present off-street parking provision is limited to three relatively small layby spaces adjacent to Kersington Crescent. Whilst a number of existing houses in the area have off-street parking to the front of the properties in former front gardens, there is no such provision for the three storey flats. Neither Amory Close or Kersington Crescent are subject of parking restrictions.
- 10.11. The existing turning head at Amory Close is being used presently as an area of informal on-street parking. This impacts detrimentally on manoeuvrability and highway amenity and rationalisation of parking would be beneficial. There is also a proliferation of on-street parking along Kersington Crescent which impacts on vehicle movements. Development leading to a reduction in on-street parking would be favourable in terms of highway safety and convenience. It is noted that no objection has been raised by OCC Highways in relation to the proposed development.
- 10.12. The Councils Parking Services team has indicated that the proposed parking bays would be unallocated but would be restricted as residents only parking.
- 10.13. The proposals include the provision of 30 cycle parking spaces. Presently there is no cycle provision within the area. Such provision is welcomed in promoting sustainable means of transport.
- 10.14. Pedestrian footpaths would be retained and re-provided where necessary along Kersington Crescent. A footpath would also be maintained adjacent to the spaces close to the junction of Kersington Crescent and Amory Close, with the pavement lowered through a dropped kerb to allow access to spaces. An existing pedestrian path would be removed along the southern side of Amory Close, although there is already a path a few metres to the south of this, which would be improved and rationalised to retain a continuous access through to the adjacent flats.
- 10.15. Overall the proposals are considered to comply with the provisions of Policies CP1, TR3 and TR4 of the Oxford Local Plan and CS13 of the Oxford Core Strategy.

## **v. Sustainability**

10.16. Officers recommend attaching a condition requiring details and designs for the provision of ducting to allow for future installation of Electronic Vehicle charging infrastructure, in order to make resident parking places EV ready for future demand. The addition of charging points would contribute towards reducing the impact of development on air quality and promoting sustainable means of transport in accordance with the requirements of Policy CP23 of the Oxford Local Plan.

## **11. CONCLUSION**

11.1. The application proposes the provision of additional off-street parking within an area where there are existing issues associated with a proliferation of on street parking. Officers consider that the proposals would be beneficial in reducing the extent of existing on street parking, which would be of improve highway safety and amenity and the situation for existing residents.

11.2. The proposals would not have any significant adverse impacts in respect of the residential amenity of existing occupiers; or in terms of the character and appearance of the immediate area. The proposals are considered compliant with the relevant provisions of the Oxford Local Plan, Core Strategy and Sites and Housing Plan as well as the revised NPPF.

11.3. It is recommended that the Committee resolve to grant planning permission for the proposed development subject to the following conditions.

## **12. CONDITIONS**

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development referred to shall be constructed strictly in complete accordance with the specifications in the application and the submitted plans.

Reason: To avoid doubt as no objection is raised only in respect of the deemed consent application as submitted and to ensure an acceptable development as indicated on the submitted drawings.

3. The materials used in the external construction of the approved development shall be those specified in the submitted application form and approved plans unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that the development is visually satisfactory as required by Policy CP1 of the Oxford Local Plan 2001-2016.

4. Prior to the commencement of development details and designs shall be submitted to and approved in writing by the LPA for the provision of ducting to allow for future installation of Electronic Vehicle charging infrastructure, in order to make resident parking places EV ready for future demand. The details and location of such provision should take into consideration the availability of electrical supply and should therefore be designed making reference to information held by the local distribution network operator.

Such provision shall be formed, and laid out in accordance with the approved details before usage of the parking spaces commences and shall remain in place thereafter.

Reason: To contribute to improving local air quality in accordance with CP23 of the Oxford Local Plan 2001- 2016 and enable the provision of low emission vehicle infrastructure.

5. The development shall be carried out in strict accordance with the approved tree protection measures contained within the planning application details unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE15 of the Adopted Local Plan 2001-2016.

6. A detailed statement setting out the methods of working within the Root Protection Areas of retained trees shall be submitted to and approved in writing by the Local Planning Authority (LPA) before any works on site begin. Such details shall take account of the need to avoid damage to tree roots through excavation, ground skimming, vehicle compaction and chemical spillages including lime and cement. The development shall be carried out in strict accordance with of the approved AMS unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1,CP11 and NE15 of the Adopted Local Plan 2001-2016.

7. All Impermeable areas of the proposed development, including roofs, driveways, and patio areas should be drained using Sustainable Drainage measures (SuDS). This may include the use of porous pavements and infiltration, or attenuation storage to decrease the run off rates and volumes to public surface water sewers and thus reduce flooding.

Soakage tests should be carried out in accordance with BRE Digest 365 or similar approved method to prove the feasibility/effectiveness of soakaways or filter trenches and demonstrate the surface water can be adequately treated prior to discharge to a sensitive receptor such as a SSSI.

Where infiltration is not feasible, surface water should be attenuated on site and discharged at a controlled discharge rate no greater than prior to development using appropriate SuDS techniques, and in consultation with the sewerage undertaker where required



If the use of SuDS are not reasonably practical, the design of the surface water drainage system should be carried out in accordance with Approved Document H of the Building Regulations. The drainage system should be designed and maintained to remain functional, safe, and accessible for the lifetime of the development.

Reason: To avoid increasing surface water run-off and volumes to prevent an increase in flood risk in accordance with policies CS11 of the Oxford Core Strategy 2011-2026

8. Before the development hereby permitted is commenced details of the cycle parking areas including means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the cycle parking areas and means of enclosure have been provided within the site in accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the parking of cycles.

Reason: To promote the use of cycles thereby reducing congestion on adjacent roads in accordance with policies CP1, CP10 and TR4 of the Adopted Oxford Local Plan 2001-2016.

9. The landscaping proposals as shown in the approved plans shall be carried out in the first planting season following substantial completion of the development if this is after 1st April. Otherwise the planting shall be completed by the 1st April of the year in which development is substantially completed.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the Adopted Local Plan 2001-2016.

10. In the event that any tree or planting becomes damaged, diseased or dies within five years of planting, replacement planting of an appropriate species shall be carried out within 12 months.

Reason: In the interests of visual amenity in accordance with policies CP1 and CP11 of the Adopted Local Plan 2001-2016.

## **13. APPENDICES**

### **Appendix 1 – Block Plan**

## **14. HUMAN RIGHTS ACT 1998**

- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to grant this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and

freedom of others or the control of his/her property in this way is in accordance with the general interest.

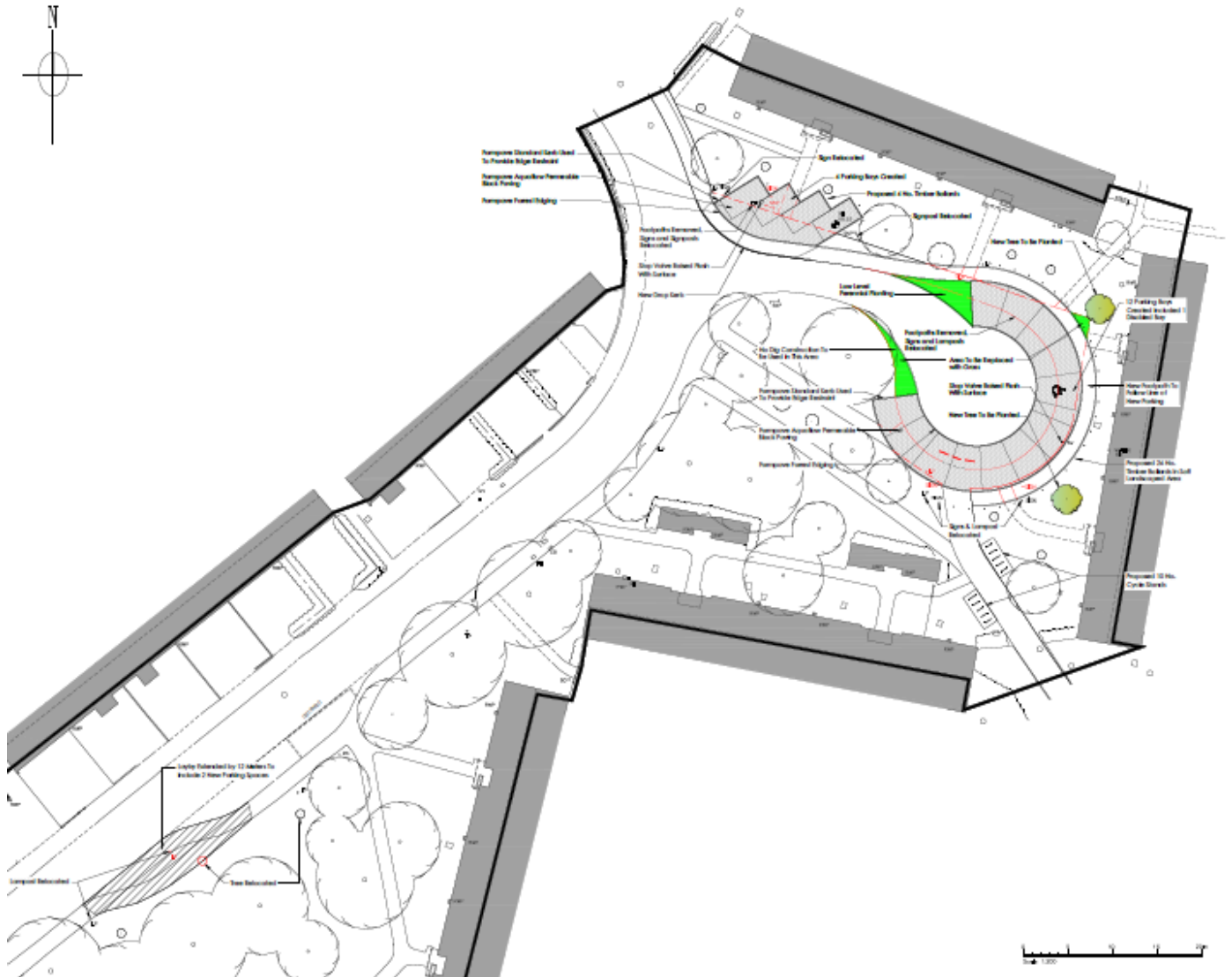
**15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

15.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

# Appendix 1

## 18/01789/CT3 Land at Kersington Crescent and Amory Close

### Proposed block plan



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## EAST AREA PLANNING COMMITTEE

**Application Number:** 18/01555/FUL

**Decision Due by:** 10th August 2018

**Extension of Time:** 14th September 2018

**Proposal:** Erection of extension to front in association with conversion of garage into habitable space. Extension of tarmac driveway and landscaping to front.

**Site Address:** 5 Colwell Drive, Oxford, OX3 8XD,

**Ward:** Barton And Sandhills Ward

**Case Officer** Alice Watkins

**Agent:** Mrs Kate Hughes      **Applicant:** Mr Minh Truong

**Reason at Committee:** Called in by Councillors Rowley, Tanner, Fry, Turner, Taylor, Rush and Clarkson because of the loss of parking.

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## 1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

**(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.**

**(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:**

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

## 2. EXECUTIVE SUMMARY

2.1. This report considers the erection of a single storey front extension, conversion of garage to a habitable room and extension of existing tarmac driveway.

2.2. The key matters for assessment set out in this report include the following:

- Design;

- Residential Amenity
- Car Parking
- Trees
- Flooding

2.3. The proposals are considered acceptable in design terms and are not considered to have a detrimental impact on neighbouring amenity. The proposal would not result in a loss of car parking on site. The existing tree on site would be retained and adequately protected during the construction process. The extension of the hardstanding would not result in an increase in surface water flooding. The proposal is considered to comply with CP1, CP6, CP8, CP10, CP11 and NE15 of the Local Plan, HP9, HP14 and HP16 of the Sites and Housing Plan CS11 and CS18 of the Core Strategy and the NPPF.

### 3. LEGAL AGREEMENT

3.1. This application is not subject to a legal agreement.

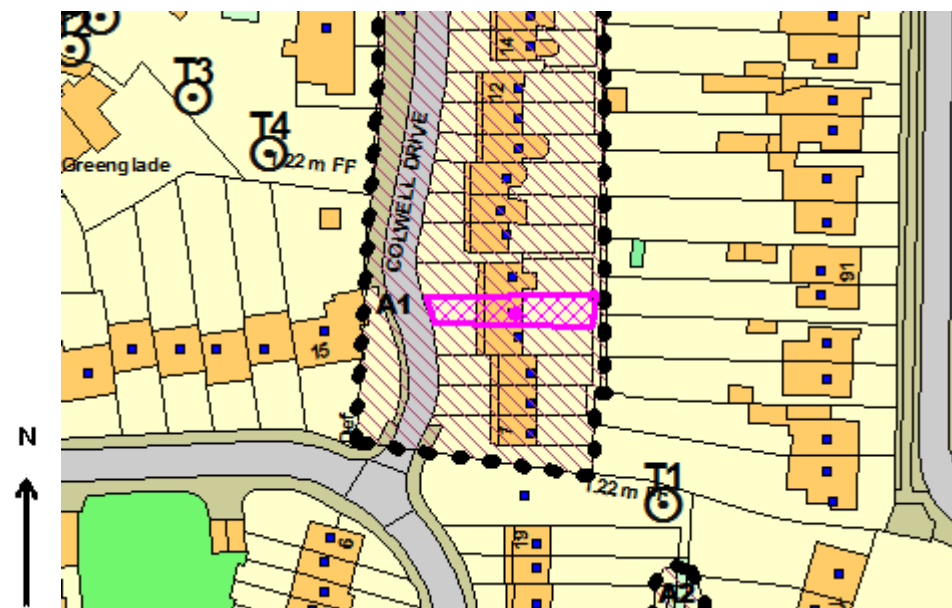
### 4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is not liable for CIL.

### 5. SITE AND SURROUNDINGS

5.1. 5 Colwell Drive is a three storey townhouse located on the eastern side of the road. The property is recessed at ground floor level. The ground floor features a garage, hallway and WC. There is a grassed area to the front of the site and an area of hardstanding which provides one car parking space.

5.2. A site plan is set out below.



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Ordnance Survey 100019348

## 6. PROPOSAL

- 6.1. The application proposes the erection of a single storey front extension, conversion of garage to habitable space and provision of an area of hardstanding to the front to provide additional off-street parking. The garage is set back behind the front wall of the house in a shallow recessed area. The proposed development would infill the existing recessed area and replace the garage door with a window. The development would be constructed using matching materials. The driveway would be widened to the southern side by approximately 2.35m in width x a minimum of 4.75m in depth.

## 7. RELEVANT PLANNING HISTORY

- 7.1. The table below sets out the relevant planning history for the application site:

91/00669/NF - Temporary storage of sand (at R/O 81-89 Merewood Avenue) excavated from foundations of houses under construction (Retrospective).. PER 10th September 1991.
92/00130/NF - Plots 98 to 103 Green Ridges Merewood Avenue - Erection of terrace of six 3/2 storey houses incorporating integral garages with access from Green Ridges. PER 6th August 1992.
92/00724/NF - Temporary storage of topsoil at R/O 85-91 Merewood Avenue (Retrospective). WDN 17th August 1992.

## 8. RELEVANT PLANNING POLICY

- 8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	12	CP1, CP6, CP8, CP10,	CS18_,	HP9_,	
Natural Environment	14, 15	CP11, NE15			
Transport	4			HP16_,	

Environmental	14			HP14_	
Misc	11			MP1	

## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 9th July 2018.

### **Statutory and Non-Statutory Consultees**

#### Oxfordshire County Council (Highways)

9.2. The proposal is for the removal of a garage space in order to provide additional living space to the ground floor of the property. The Parking Standards for New Residential Development states the minimum dimensions are 6m x 3m for a garage and since the existing garage falls short of these measurements, it cannot be considered as a parking space. Therefore the removal of the garage doesn't change the current parking provision. No objection.

### **Public representations**

9.3. No public representations were received in response to this application.

## 10. PLANNING MATERIAL CONSIDERATIONS

### **i. Design and Impact on Character of Surrounding Area**

10.1. The existing garage is set back from the front elevation of the dwelling providing a shallow recessed area. This application seeks consent to infill the recessed area and convert the garage to provide additional habitable accommodation (reception room and bathroom). The proposed development would be easily visible from the public domain. Front extensions are not usually appropriate, however, this is an infill proposal, with no part projecting beyond the front wall. The proposal would form an acceptable visual relationship with the host dwelling and would not significantly alter the appearance of the dwelling or the street scene in general. The proposal would reflect similar development carried out at 8 Colwell Drive.

10.2. The proposal is considered acceptable in design terms and is considered to comply with CP1, CP8 and CP10 of the Local Plan, HP9 of the Sites and Housing Plan, CS18 of the Core Strategy and the NPPF.

### **ii. Impact on Neighbouring Amenity**

#### Privacy



- 10.3. The proposal involves the insertion of 1no. window at ground floor level. The window would face onto the existing driveway and would not introduce any new views into neighbouring properties.

#### Overbearing

- 10.4. The development would infill the existing recessed area. Existing flank walls ensure there would be no material impact on adjacent occupiers as a result of the physical development.
- 10.5. It is concluded that the proposal would not have a detrimental impact on the neighbouring properties and is considered to comply with HP14 of the Sites and Housing Plan and the NPPF.

#### **iii. Car Parking**

- 10.6. The proposal involves the conversion of the existing garage to provide additional habitable space. The Parking Standards for New Residential Development states that the dimensions of a garage should be a minimum of 6m x 3m. The existing garage fails to meet these space standards. On this basis, it is not considered that the existing garage can be used for car parking and the proposal would not result in a loss of parking at the site. The existing hard standing at the front of the site is to be retained. It is also proposed that the existing hardstanding be extended although this is marginally short of the required depth of 5m for a car parking space. Nonetheless given that it is the only the existing drive which provides off street car parking at present, the proposal would retain the existing provision at the property and not result in any additional car parking on street.
- 10.7. The proposal is considered to comply with HP16 of the Sites and Housing Plan and the NPPF.

#### **iv. Trees**

- 10.8. There is a tree in the front garden which is not protected by the area Tree Preservation Order which protects some other trees in Colwell Drive. The tree is an attractive feature of the area and contributes towards public amenity. As such, reasonable care should be taken to ensure it is not damaged during construction. Conditions have been recommended to be imposed on any grant of planning permission requiring tree protection measures be put in place during construction works.
- 10.9. The proposal is considered to comply with CP1, CP11 and NE15 of the Local Plan and the NPPF.

#### **v. Flooding**

- 10.10. The development site is in an area shown to be at risk of surface water flooding. The proposal involves an increase in the area of hardstanding to the front of the

property. A condition has been recommended to prevent increase in surface water flood risk.

10.11. The proposal is considered to comply with CS11 of the Core Strategy and the NPPF.

## **11. CONCLUSION**

11.1. The proposal is considered acceptable in design terms and would not have a detrimental impact on the neighbouring properties. The development would not alter the existing parking arrangements at the site and the tree could be adequately protected during construction. The extension of the existing hardstanding would not result in an increase in surface water flood risk. The proposal is considered to comply with CP1, CP6, CP8, CP10, CP11 and NE15 of the Local Plan, HP9, HP14 and HP16 of the Sites and Housing Plan, CS11 and CS18 of the Core Strategy and the NPPF.

11.2. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to conditions.

## **12. CONDITIONS**

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

- 2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

- 3 The materials to be used in the external elevations of the new development shall match those of the existing building.

Reason: To ensure that the new development is in keeping with existing building(s) in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

- 4 Detailed measures for the protection of trees to be retained during the development shall be submitted to, and approved in writing by, the Local Planning Authority (LPA) before any works on site begin. Such measures shall include scale plans indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. Unless otherwise agreed in writing by the LPA the approved measures shall be in accordance with relevant sections of BS 5837:2012 Trees in Relation to Design, Demolition and Construction-Recommendations. The approved measures shall be in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the

LPA shall be informed in writing when the approved measures are in place in order to allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

- 5 A detailed statement setting out the methods of working within the Root Protection Areas of retained trees shall be submitted to and approved in writing by the Local Planning Authority (LPA) before any works on site begin. Such details shall take account of the need to avoid damage to tree roots through excavation, ground skimming, vehicle compaction and chemical spillages including lime and cement. The development shall be carried out in strict accordance with of the approved AMS unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1,CP11 and NE16 of the Adopted Local Plan 2001-2016.

- 6 All parking areas should be laid with permeable/SuDS compliant paving to decrease the run off to public surface water sewers and thus reduce flooding.

Reason: To avoid increasing surface water runoff and subsequently flood risk in accordance with Policy CS11

### **13. APPENDICES**

#### **Appendix 1 – Block Plan**

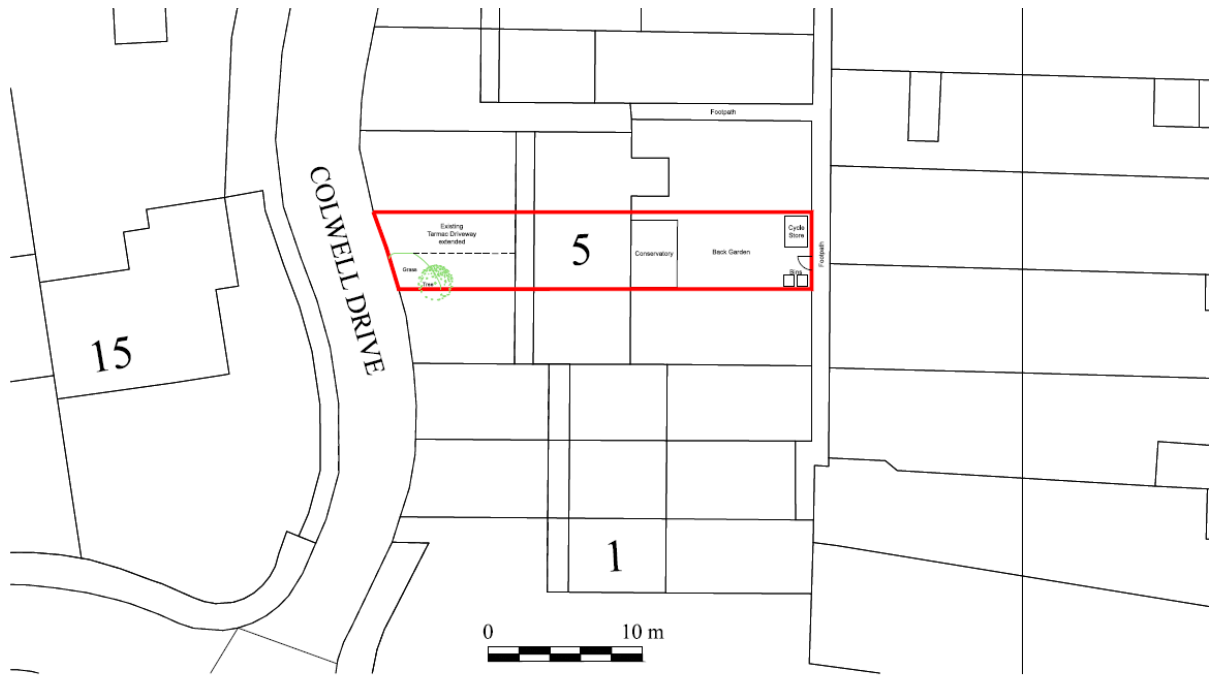
### **14. HUMAN RIGHTS ACT 1998**

- 14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to grant planning permission. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.


### **15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

- 15.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

# Appendix 1



Block Plan - 1:200  
Ordnance Survey Licence No. 100047474

CLIENT:	Mr Truong			 <a href="mailto:info@escape-design.co.uk">info@escape-design.co.uk</a>			
CONTRACT:	5 Colwell Drive, Headington, Oxford OX3 8XD						
TITLE:	Proposed Block Plan	DATE:	JUN 2018	SCALE:	1:200 @ A3	DRAWN:	
		JOB No.:	01/06/18	DWG No.:	03	REV:	

## Minutes of a meeting of the EAST AREA PLANNING COMMITTEE on Wednesday 1 August 2018

www.oxford.gov.uk



### Committee members:

Councillor Taylor (Chair)	Councillor Henwood (Vice-Chair)
Councillor Chapman	Councillor Garden
Councillor Lygo	Councillor Tanner
Councillor Roz Smith	

### Officers:

Adrian Arnold, Development Management Service Manager  
Sally Fleming, Lawyer  
Robert Fowler, Planning Team Leader  
Mike Kemp, Senior Planner  
Sarah Orchard, Planner  
Nadia Robinson, Principal Planning Officer  
Jennifer Thompson, Committee and Members Services Officer

### Apologies:

Councillors Aziz and Clarkson sent apologies.

## 24. Declarations of interest

Councillor Henwood declared a disclosable pecuniary interest in relation to item 11 (18/00012/FUL) as he was the owner of 3 David Nicholls Close and the Applicant for the planning application. He said he would leave the room whilst that item was being considered.

## 25. 18/00872/FUL: Helena Kennedy Centre, Headington Hill, Oxford, OX3 0BT

The Committee considered an application for planning permission for the demolition of the existing Helena Kennedy building, and erection of replacement academic building for the Faculty of Technology, Design, and Environment for Oxford Brookes University at Helena Kennedy Centre, Headington Hill.

The Planning officer reported updates:

- The key changes as a result of the new NPPF published on 23 July were set out in a tabled paper: there were no additional implications to consider and the recommendation was unchanged from the published report.
- Corrections to the report:
  - para 1.1a delete words 'subject to'

- para 9.35 insert the word “not” in the last sentence before the words “be significantly harmed ....”
- para 10.11 should reference section 11
- para 10.12 should be deleted entirely

Helen Wilkinson, representing Oxford Preservation Trust, summarised OPT’s general support for and specific concerns about the application.

Sue Holmes, Chris Pattison, and James Roach (representing the applicant and advisers) spoke in support of the application.

After questions to the officer and speakers, on being put to the vote the Committee agreed with the recommendation in the report.

**East Area Planning Committee resolved to:**

- approve application 18/00872/FUL for the reasons given in the report and subject to the 20 required planning conditions set out in section 11 of the report and grant planning permission; and
- delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to finalise the conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.
- 

**26. 18/01329/FUL: Land South Of Oxford Road, Horspath, Oxford, OX4 2DQ**

The Committee considered a partially retrospective application for planning permission for the construction of a two-storey building for training purposes and associated external works such as creation of access road, car park and means of enclosure at Land South of Oxford Road, Horspath, Oxford.

The Planning officer reported updates:

- The key changes as a result of the new NPPF published on 23 July were set out in a tabled paper: there were no additional implications to consider and the recommendation was unchanged from the published report.
- Corrections to the report:
  - delete references to S106 agreement in paragraph 1.1(a) and all of paragraph 11.2 as there was no such agreement.
  - In paragraphs 14.1 and 15.1 change ‘refuse’ to ‘approve’.

The Planning Officer recommended and the Committee agreed an additional condition to extend the footpath to the training building to avoid the need for pedestrians to use the access road.

After questions to the officer, on being put to the vote the Committee agreed with the recommendation in the report with the additional condition.

**East Area Planning Committee resolved to:**

- (a) approve application 18/01329/FUL for the reasons given in the report and subject to the 8 required planning conditions (7 set out in section 12 of the report and an additional condition to require extension of the footpath to the building) and grant planning permission; and
- (b) delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to finalise the conditions as set out in the report and added above including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

**27. 18/01385/VAR: Land South Of Oxford Road Horspath Oxford OX4 2DQ**

The Committee considered an application for planning permission for the variation of condition 2 (Develop in accordance with approved plans) of planning permission 16/03078/FUL to allow changes to the pavilion design including an alternative ground floor layout at Land South of Oxford Road, Horspath, Oxford.

The Planning officer reported updates:

- The key changes as a result of the new NPPF published on 23 July were set out in a tabled paper: there were no additional implications to consider and the recommendation was unchanged from the published report.
- Corrections to the report:
  - delete all references to S106 agreement as there was no such agreement.
  - in paragraph 15.1 change 'refuse' to 'approve'.

After questions to the officer, on being put to the vote the Committee agreed with the recommendation in the report.

**East Area Planning Committee resolved to:**

- (a) approve application 18/01385/VAR for the reasons given in the report and subject to the 14 required planning conditions set out in section 12 of the report and grant planning permission; and
- (b) delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to finalise the conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

## **28. 18/01390/FUL: 104 Fern Hill Road OX4 2JP**

The Committee considered an application for planning permission for the erection of single storey rear extension and formation of raised patio and steps with guard rail to rear at 104 Fern Hill Road, Oxford, OX4 2JP.

The Planning officer reported updates:

- The key changes as a result of the new NPPF published on 23 July were set out in a tabled paper: there were no additional implications to consider and the recommendation was unchanged from the published report.

On being put to the vote the Committee agreed with the recommendation in the report.

### **East Area Planning Committee resolved to:**

- (a) approve application 18/01390/FUL for the reasons given in the report and subject to the 3 required planning conditions set out in section 12 of the report; and
- (b) delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to finalise the conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

## **29. 18/01239/FUL: 19 Ferry Road, Marston, OX3 0ET**

The Committee considered an application for planning permission for the demolition of the existing dwelling and erection of 2x 4 bed dwellings (Use Class C3); and provision of amenity space, bin and cycle storage at 19 Ferry Road, Oxford, OX3 0ET.

The Planning officer reported updates:

- The key changes as a result of the new NPPF published on 23 July were set out in a tabled paper: there were no additional implications to consider and the recommendation was unchanged from the published report.
- Corrections to the report:
- In paragraphs 14.1 changing 'refuse' to 'approve'.
- The last sentence of para 6.1 referred to 'car free development': this was incorrect as it was recommended that each house be eligible for one residents' parking permit.

Paul Dale-Harris (the applicant) and Darren Aspinall (the architect) spoke in support of the application.

The Committee noted that concerns about weather damage to the brickwork in the small gap between houses would be addressed through building regulations and building control; and that the houses would not be excluded from applying for visitor parking permits. Clarification was sought on how the development would be constructed prior to committee. The applicant informed the LPA that the dwellings



would be built on land entirely within their ownership and would not be physically attached to neighbouring dwellings.

After questions to the officer and speakers, on being put to the vote the Committee agreed with the recommendation in the report.

**East Area Planning Committee resolved to:**

- (a) approve application 18/01239/FUL for the reasons given in the report and subject to the 11 required planning conditions set out in section 12 of the report and grant planning permission; and
- (b) delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to finalise the conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

**30. 18/01403/FUL: 63 Waynflete Road, Oxford, OX3 8BJ**

The Committee considered an application for retrospective planning permission for the erection of a single storey rear extension at 63 Waynflete Road, Oxford, OX3 8BJ.

The Planning officer reported updates:

- The key changes as a result of the new NPPF published on 23 July were set out in a tabled paper: there were no additional implications to consider and the recommendation was unchanged from the published report.

The Planning Officer recommended and the Committee agreed a condition imposing the standard 3 year time limit for the start of the development: noting that as a retrospective permission compliance with the condition was immediate.

After questions to the officer, on being put to the vote the Committee agreed with the recommendation in the report with the addition of the condition.

**East Area Planning Committee resolved to:**

- (a) approve application 18/01403/FUL for the reasons given in the report with the addition of a standard condition to impose a time limit on commencement and grant planning permission; and
- (b) delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to finalise the condition including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

### **31. 18/1180/FUL 12 Bleache Place, Oxford, OX4 2JD**

The Committee considered an application for planning permission for the erection of a 1 x 3-bed dwellinghouse (Use Class C3); erection of a garage; and provision of bin and cycle storage at 12 Bleache Place, Oxford, OX4 2JD

The Planning officer reported updates:

- The key changes as a result of the new NPPF published on 23 July were set out in a tabled paper: there were no additional implications to consider and the recommendation was unchanged from the published report.

Graham Hopes (the architect) spoke in support of the application.

After questions to the officer, on being put to the vote the Committee agreed with the recommendation in the report.

#### **East Area Planning Committee resolved to:**

- (a) approve application 18/1180/FUL for the reasons given in the report and subject to the 16 required planning conditions set out in section 12 of the report and grant planning permission; and
- (b) delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

### **32. 18/00757/FUL: 3 Green Ridges Oxford, OX3 8LY**

The Committee considered an application for planning permission for the erection of a two storey extension to front; increase in ridge height; and insertion of rooflights to east and west elevations at 3 Green Ridges, Oxford, OX3 8LY.

The Planning officer reported updates:

- The key changes as a result of the new NPPF published on 23 July were set out in a tabled paper: there were no additional implications to consider and the recommendations were unchanged from the published reports.
- Corrections to the report:
  - para 10.5: in the last sentence replace No 1 with No3.
  - para 10.7: replace 'onto 3 Green Ridges' with 'onto 5 Green Ridges'.

Antoni Bajowski, local resident, spoke against the application.

Luke Skiffington and Eleanor Skiffington (the applicants) spoke in support of the application.

After questions to the officer and speakers, on being put to the vote the Committee agreed with the recommendation in the report, noting that obscure glazing had to meet an acceptable standard to fulfil the condition requiring this.

**East Area Planning Committee resolved to:**

- (a) approve application 18/00757/FUL for the reasons given in the report and subject to the 5 required planning conditions set out in section 12 of the report and grant planning permission; and
- (b) delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to finalise the conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

**33. 18/00012/FUL: 3 David Nicholls Close, Oxford, OX4 4QX**

Councillor Henwood, having declared that this application affected his disclosable pecuniary interest, left the room for the duration of this item and took no part in the debate or decision.

The Committee considered an application for planning permission for the change of use from current annexe (Use Class C3) to a 2-bed independent dwelling house; introduction of amenity space; relocation of kitchen from ground to first floor at 3 David Nicholls Close, Oxford, OX4 4QX

The Planning officer reported updates:

- The key changes as a result of the new NPPF published on 23 July were set out in a tabled paper: there the recommendation was unchanged from the published report.
- In the report the recommended condition 8 was not enforceable and should be deleted.

Sue Stewart, representing Littlemore Parish Council, spoke against the application.

The Committee on asking questions and in debate concluded that

- the internal accommodation was poor quality principally because of the inadequacy of natural light to upstairs rooms and hence contrary to policy.
- having regard to the amount of living accommodation and the scale of the proposed independent dwelling the amenity space was deficient: the layout was contrived, encroached upon by the amenity space of no3, and inadequate for use by a separate 2-bed dwelling;
- the amenity space was out of character with the generally larger suburban rear gardens of the surrounding area;

Notwithstanding the officer's recommendation of approval, on being put to the vote the Committee decided to refuse planning permission. The planning officer proposed and the planning committee agreed reasons as set out below.

**East Area Planning Committee resolved to:**

- (a) refuse application 18/00012/FUL for the following reasons:
  1. The change of use of the annex into a separate self-contained dwelling would be unacceptable as a result of the poor quality of internal living accommodation provided. Specifically the deficiency of natural light would make the development unacceptable and the development is therefore contrary to Policies CP1 and CP10 of the Oxford Local Plan 2001-2016 and Policy HP12 of the Sites and Housing Plan (2013).
  2. The deficiency of outdoor amenity space for a two bedroom dwelling would be unacceptable have had regard to the amount of living accommodation in the dwelling and the scale of this building. The outdoor amenity space provided would also be contrary to the established suburban pattern of residential development in this area which is characterised by plots with larger gardens. The development is therefore contrary to Policies CP1, and CP10 of the Oxford Local Plan 2001-2016 and Policies HP9, HP10 and HP13 of the Sites and Housing Plan (2013)
- (b) and delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to finalise the wording of the refusal reasons in accordance with policies in the adopted Local Plan (after consultation with the Chair) and issue the decision notice.

**34. Minutes**

The Committee resolved to approve the minutes of the meeting held on 4 July 2018 as a true and accurate record.

**35. Forthcoming applications**

The Committee noted the list of applications.

**36. Dates of future meetings**

The Committee noted the dates.

**The meeting started at 6.00 pm and ended at 8.55 pm**

**Chair .....**

**Date: Wednesday 5 September 2018**