

**East Area Planning Committee**

3<sup>rd</sup> September 2014

**Application Number:** 14/01282/FUL

**Decision Due by:** 11.08.2014

**Proposal:** Erection of two-storey science building, together with accompanying works including bridge link to Russell Building, remodelled entrance to Wainwright Building, amended pedestrian access to Gipsy Lane, replacement perimeter railings and marking out of car parking spaces. Erection of temporary classroom for period of construction.

**Site Address:** Cheney School Gipsy Lane Headington , Site Plan  
**Appendix 1**

**Ward:** Churchill Ward

**Agent:** Mr Josh Greig

**Applicant:** Mrs Suzanna Berry

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**Recommendation:** East Area Planning Committee is recommended to approve the planning application.

**Reasons for Approval:**

1. The proposed development provides teaching accommodation, new entrance, gates and railings in a sustainable and appropriate location that preserves and enhances the existing street scene and special character and appearance of the Headington Hill Conservation Area in which it lies. There would be no harm to residential amenities. The proposals are considered to accord with the requirements of policies in the development plan and NPPF.
2. The Council has considered the comments raised in public consultation below but consider that they do not constitute sustainable reasons sufficient to refuse planning permission and that the imposition of appropriate planning conditions will ensure a good quality form of development that will enhance the appearance of the street scene and relate satisfactorily to nearby buildings, preserve the special character and appearance of the conservation area.
3. The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

## **Conditions**

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Samples in Conservation Area
- 4 Drainage Strategy (inc SUDS)
- 7 Construction Traffic Management Plan
- 8 Travel Plan
- 9 Cycle parking provision as per plan
- 10 Sustainability design/construction
- 11 Landscape Plan
- 12 Landscape implementation
- 13 Landscape hard surface design - tree roots
- 7 Landscape underground services - tree roots
- 8 Tree Protection Plan (TPP)
- 9 Arboricultural Method Statement (AMS)
- 14 Biodiversity – provision for/ details required.

## **Legal Agreement:**

CIL requirements: £21,620

## **Principal Planning Policies:**

### **Oxford Local Plan 2001-2016**

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- CP13** - Accessibility
- CP17** - Recycled Materials
- CP25** – Temporary Buildings
- TR1** - Transport Assessment
- TR2** - Travel Plans
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- TR5** - Pedestrian & Cycle Routes
- TR7** - Bus Services & Bus Priority
- TR9** - Park & Ride
- TR13** - Controlled Parking Zones
- NE14** - Water and Sewerage Infrastructure
- NE15** - Loss of Trees and Hedgerows
- NE16** - Protected Trees
- HE7** - Conservation Areas

## **Core Strategy**

- CS2** - Previously developed and greenfield land
- CS9\_** - Energy and natural resources

- CS11\_ - Flooding
- CS12\_ - Biodiversity
- CS13\_ - Supporting access to new development
- CS16\_ - Access to Education
- CS17\_ - Infrastructure and developer contributions
- CS18\_ - Urban design, town character, historic environment

#### **Other Material Considerations:**

Supplementary Planning Documents:

- National Planning Policy Framework
- Planning Obligations Supplementary Planning Document
- Natural Resource Impact Analysis
- Parking Standards, Transport Assessment and Travel Plans
- The application site lies within the Headington Hill Conservation Area.

#### **Public Consultation**

##### Statutory Consultees Etc.

- County Council:
  - Education: No objection: The County Council School Planning team has been consulted by the school on these proposals. The expansion of capacity proposed would contribute towards the local authority meeting its statutory duties to secure sufficient school places. Section 106 developer contributions secured by the County Council will contribute towards the cost of the proposed building work, and the school will as a result be able to increase its admission number by one form of entry. This will provide additional capacity at the secondary school closest to the strategic housing development at Barton.
  - Ecology: No comment, seek in-house advice.
  - Transport: The Design and Access Statement makes it clear that the proposals are to meet two identified needs for the school, one of which is a planned increase in numbers by 150 pupils. This increase in numbers represents a significant intensification of use at the site and a likely corresponding increase in transport activity. In response to an objection by OCC, a Transport Statement has been submitted which quantifies the transport outcome of the planned intensification of use as being acceptable. There is substantial on-street parking provision on Cheney Lane and Warneford Lane which could be impacted by the intensification of use, but the Transport Statement presents analysis demonstrating that there is sufficient capacity to absorb increased activity. The improvement of the Gipsy Lane pedestrian entrance and the demarcation of car parking are welcome developments. The travel plan submitted with the application does not meet standards and will need to be updated and a construction traffic management plan will be required, both secured by condition.
  - Drainage Engineer: All extensions / developments which increase the size of the hard areas must be drained using SUDs methods, including porous pavements to decrease the run off to public surface water sewers and thus reduce flooding. You should carry out soakage tests to

prove the effectiveness of soakaways or filter trenches.

- Natural England: No objection in relation to impact on statutory conservation sites: the Lye Valley, Brasenose Wood & Shotover Hill, New Marston Meadows and Magdalen Grove Sites of Special Scientific Interest (SSSI). The proposed development will not damage or destroy the interest features for which these sites have been notified. We therefore advise your authority that these SSSIs do not represent a constraint in determining this application. The development may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant in accordance with Paragraph 118 of the National Planning Policy Framework and Section 40 of the Natural Environment and Rural Communities Act (2006).
- Thames Water: Is unable to determine the waste water infrastructure needs of this application and therefore request a condition requiring a drainage strategy to be submitted prior to commencement of development. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. With regard to water infrastructure capacity, we would not have any objection to the above planning application.

### Third Parties

- Oxford Design Review Panel (ODRP): (note: a desktop appraisal was done by ODRP in this case on the submitted proposal. It was not involved at pre-app stage). ODRP commends the initiative to improve the teaching facilities, key entrance and public spaces. It welcomes the height and configuration of the science block. A masterplan for the whole school would be beneficial and set up a framework for future developments. Welcomes passive ventilation but encourages the design team to look at other opportunities for embedded sustainable systems. The building could be improved by making more of the relationship to outside space; the Wainright entrance made more legible; pinch points between connecting buildings further tested; breakout spaces made larger; elevations and material palette be better informed by their context; east and west elevations similar although facing different spaces; coloured mullions feel contrived; further exploration and analysis of roof parapet design would simplify and refine it and help reduce costs.

### Individual Comments:

None received from neighbouring residents or academic institutions.

### Relevant Planning History :

52/02485/A\_H - Technical School and playing fields. PER 12th August 1952.

93/00488/DFH - 3 storey classroom building & single storey 6th form building. 6 parking spaces for Oxford Brookes University until completion of Contract & removal of 4x2 class prefabricated buildings on completion of contract at Cheney School. ROCPER 28th July 1993.

97/00586/DF - Erection of security fencing and gates at Cheney School. PER 10th June 1997.

00/01786/DFH - Construction of a single storey extension to provide a ' Year Room' and store in Block B. PER 5th December 2000.

01/00402/DFH - Single storey extension for classrooms (2) and office. PER 15th May 2001.

01/00993/DFH - Erection of 2 storey classroom blocks, fronting Gipsy Lane, a 400 seat assembly hall with music practice, class and studio recording rooms fronting Cheney Lane, sports hall with class rooms and fitness suite at rear of site. Formation of new access and alterations to existing access to Cheney Lane and formation of car park for 89 cars. PER 25th July 2001.

01/00994/LH - Conservation area consent for the demolition of 3 single storey buildings and a gymnasium. PER 10th October 2001.

14/00963/FUL - Demolition of existing Science Block and Drama Block (B-Block).. PER 3rd June 2014.

14/01153/CPU - Application to certify that proposed installation of solar photovoltaic panels to the roof is lawful. PER 30th May 2014.

#### Pre-application consultation:

A formal Pre-Application Submission was made to Oxford City Council on 15 October 2013, and again on the 11 April 2014. The initial submission in October 2013 was aimed at establishing whether the Council would support an application to replace the existing building. The submission outlined the broad principles of the proposed development at the School, with a single-storey or two-storey replacement option. Officers were in support of the principle of the replacement building, including potential impact on protected trees. Officers advised that the new building should enhance and enliven the street frontage where possible whilst respecting the Conservation Area.

The design was developed in accordance with the guidance in October 2013, and the new proposals submitted for pre-application advice in April 2014. Officers fully supported the design and appearance, including new proposals for the pupil entrance and new gates and railings, with no concerns raised over the size or scale of the proposals.

#### **Officers' Assessment:**

#### **Background to Proposals:**

1. Cheney School lies on the south-west side of Gypsy Lane, within the

Headington Hill Conservation Area. The area is characterised by large institutional buildings of Oxford Brookes University and Cheney School on one side of the road and domestic scale residential properties on the other. All buildings are set back from the road frontage with mature trees and large grass frontages. Despite the large academic buildings the area has a leafy suburban character.

2. Cheney School consists of buildings of a variety of age and size. Fronting Gypsy Lane are the John Brookes and Russell Buildings built in the 1990's and joined to it, the single storey 1950's science building which in turn joins the Wainwright Building and turns the corner on to Warneford Lane. In front is a large area of hard standing and grasscrete for up to 10 cars, together with a large cycle shelter providing 252 cycle parking spaces. Other car parking is provided off Warneford Lane in front of the Wainwright Building.
3. The School currently as existing has capacity for 1588 pupils from ages 11 to 18, plus Sixth Form. It takes pupils from the catchment area and close (in distance) to the School.

#### **Proposed Development:**

4. Oxfordshire County Council has identified an increase in demand for Secondary School places by 2017 due to housing to be built in the catchment area. Cheney School has been asked to increase capacity to 1738 pupils, an increase of 150, over the next 5 years by increasing their intake from 240 to 270 per year. There would be no increase in the sixth form. Most of these pupils will be restricted to the catchment area but those outside would live relatively near to the School.
5. To provide for this increase in pupils it is proposed to demolish the existing single storey science building and replace it with a purpose built two storey science and teaching and associated facilities building, linked at first floor to the Russell Building via a glazed bridge. It is also proposed to create a new entrance for pupils in the corner of the Wainwright Building facing the new science building. This would be operated and surveyed by staff giving greater security and monitoring. New entrance gates, pathway and railings onto Gypsy Lane complete the new entrance and modernisation.
6. An additional 30 cycle parking spaces are proposed to the front, landscaping (including tree planting) and temporary single storey classroom accommodation to decant the pupils into whilst the construction works take place.
7. Permission to demolish the science building and an additional Block behind it within the school quad has already been granted under 014/00963/FUL. Officers consider the principal determining issues to be:
  - Planning policy;
  - Design, layout and heritage;
  - Trees and Landscaping;
  - Residential Amenities;

- Transport;
- Sustainability.
- Drainage;
- Biodiversity; and
- Temporary Accommodation

### **Planning Policy:**

8. The Council supports schools and education through Core Strategy Policy CS16 which seeks to improve access to all levels of education, through new or improved facilities, throughout Oxford. The principle of the development is therefore acceptable and accords with Policy CS16.

### **Design, Layout and Heritage:**

9. The proposed science building is two storey and contemporary in design with an asymmetrical parapet and flat roof. It is set forward of the two storey Russell Building by approximately 5.3m. To the front elevation the large window reveals are separated by coloured mullions (red/green/ silver/ grey) that also act as solar shading. This is also followed through into the glazed link bridge to the Russell building, and through to the roof where the passive ventilation stacks also have the same corresponding coloured mullions to below. Bricks are buff to the front and rear elevations and buff with grey/blue insert bricks facing the Russell and Wainright Buildings.
10. It is considered that whilst the proposed building is contemporary in design it would not appear out of keeping with the existing two storey John Brookes and Russell buildings adjacent in the street scene. The coloured mullions within the reveals enlivens the elevations. The height of the building is similar to the Russell building to which it is linked, and despite coming forward of the general building line, would not appear over dominant or visually intrusive in the street scene. This is in part due to the large set back from the road frontage and mature tree screening, which is to be supplemented. To the rear a good proportioned open play area is provided.
11. Whilst the comments of the Oxford Design Review Panel are noted, in this case Officers disagree with their general view. The School is limited in its resources and is unable to produce a masterplan at this stage. The funding has a time limit for expenditure and the school needs the additional accommodation by the September 2015 intake. In response to the ODRP the Agents comment that:  
*'schools are being faced with challenging budgetary constraints posed by Government limits on funding which make it difficult to justify the use of the highest quality materials for example or develop designs with elaborate built forms. Of course every effort has been made to maximise the design quality across to entirety of the project within the funding/budget available.'*  
 They go on to say:  
*'The master planning exercise that will be completed in due course will address the points raised relating to the main entrance, the importance*

*of the relationship/access to courtyard play space from the wider campus:*

- The comments raised relating to access do not reflect the brief of the school and the proposals have been developed through detailed consultation with them to ensure that the design works for Cheney Schools operational and management strategies.*
- The material selection is appropriate to the local context and the use of colour provides a vibrancy and interest to a building that is designed to sit well within its context without being whimsical or an architectural 'monument' and to a tight budget.*
- The design of the roof, particularly the parapet has been fully considered and provides a positive statement to both the Cheney School campus and the streetscape of Gypsy Lane'.*

12. Officers consider that the proposed building is acceptable in its current form and a substantial improvement on the existing 1950's building. The Architects took on board Officer comments at pre-app stage to create a building that would enhance and enliven the street scene at this point, making reference to the new John Henry Brookes Building round the corner, and try to inspire students to learn. Officers made these comments in the full knowledge that the School had a finite budget and timescale and consider that the proposed building has achieved this. The new entrance / office in the Wainright Building is a temporary measure until funding can be secured to re-development the rest of the school buildings. The new gates, piers and railings are an improvement on those existing and would enhance the street scene.
13. In terms of heritage, local planning authorities have a duty to have special regard to the preservation or enhancement of designated heritage assets, (e.g. listed buildings and conservation areas). In the NPPF the government has reaffirmed its commitment to the historic environment and its heritage assets which should be conserved and enjoyed for the quality of life they bring to this and future generations. It states that:  
*'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of a heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification'*, measured in terms of the public benefits to be delivered through the proposal.
14. The NPPF encourages local planning authorities to look for opportunities to better reveal or enhance heritage assets and their settings and states that proposals that do make a positive contribution should be treated favourably.
15. The Headington Hill Conservation Area is characterised by the quality of its landscape setting rather more than the quality of its buildings, and in this context it is considered that the proposal would not be harmful to its character and appearance. The building reflects the academic buildings that form this side of Gypsy Lane, including those of Oxford Brookes University. The leafy



green suburban character is maintained and the building would preserve this special character and appearance of this part of the Conservation Area.

16. It is therefore considered that the proposed development accords with Policies CP1, CP8, CP9, CP10 and HE7 of the Oxford Local Plan and CS18 of the Core Strategy and the NPPF.

### **Trees and Landscaping:**

17. As the site is within the Headington Hill Conservation Area the trees therefore have legal protection. The description of the Headington Hill Conservation Area pays particular regard to the contribution of trees to its special character and appearance.
18. The proposed extension to the existing school building involves the loss of three trees (T15,16,17) standing in a group adjacent to the existing school building. These are trees of low-moderate quality and their loss will be of little affect to public amenity or the site's landscape quality, or the character and appearance of the Conservation Area.
19. The proposed temporary bicycle storage area appears to have been pre-existing for some time and therefore the proposals involve no alterations in this area that would affect trees.
20. The proposed temporary single storey classroom module is partially founded on an existing concrete slab, but additional supporting concrete pads are involved that will require new excavations beyond the existing footprint; some will be close to good quality retained trees. An ornamental apple of low quality would be lost, which is acceptable. An Arboricultural Method statement and raft details for the classroom have been submitted. Since then these works have been undertaken as the school need the temporary classrooms in place before the September term starts. Whilst this is not ideal, Officers are satisfied that there has been no harm to trees. A revised Tree Protection Plan and Arboricultural Method statement are required and can be secured by condition.
21. Officers consider that the proposal would not have any significant harm to existing trees and the character and appearance of the Conservation Area. It therefore accords with Policies CP1, HE7 and NE16 of the Oxford Local Plan.

### **Residential Amenities:**

22. The new teaching and science building would be over 40m from the front elevations of the two storey houses opposite, separated by mature trees, large grassed verges and the road itself. No comments have been received from neighbouring residents. Officers consider that it would not harm any residential amenities in terms of visual intrusion, overbearing, overshadowing, loss of light or privacy and therefore accords with Policies CP1 and CP10 of the Oxford Local Plan.

## **Transport:**

23. A Transport Assessment has been submitted. The proposed development does not propose any additional car parking spaces but an additional 30 cycle parking spaces are to be provided within the existing bike store fronting Gypsy Lane (in its original location once the temporary classrooms are removed). The existing vehicular accesses would be used and new pedestrian entrance gates and railings from Gypsy Lane are proposed.
24. The County has raised no objection. They recognise that the increased intake of pupils represents an intensification of use at the site and a likely corresponding increase in transport activity. However they are satisfied that there is sufficient capacity to absorb increased activity at the School. They request a condition to secure an updated Travel Plan to ensure the school continues to monitor and encourage alternative forms of transport other than the car. They support the new pedestrian gates.
25. Cycle parking should be provided on the basis of 1 space per 5 pupils and 1 per 5 staff (or other people). Adequate additional cycle parking is proposed accordingly.
26. Officers consider that the proposed development would not significantly affect traffic or congestion in the area. Adequate cycling is provided and the new pedestrian access is fully supported. The proposal therefore accords with Policies TR2, TR3 and TR4 of the Oxford Local Plan and CS13 of the Core Strategy.

## **Sustainability:**

27. As the building footprint is under 2000sqm, there is no requirement for a NRIA checklist under Policy CS9 of the Core Strategy. However, the design has been developed to ensure that the energy consumption of it will be limited through a passive approach:
- U-Values of the walls will be in excess of Building Regulations targets;
  - Passive stack ventilation units have been developed for the teaching and circulation spaces;
  - Large quantities of glazing have been allowed to maximise daylight, and the coloured mullions will act as vertical louvres to minimise overheating.
28. Whilst this project in itself does not propose renewable energy measures, as it would be required to if over 2000sqm, the school has recently installed a large number of solar panels elsewhere on site. Furthermore, the Simplified Building Energy Model (SBEM) calculations for energy efficiency confirm that the building will comply with Building Regs Part L2A with no requirement for any renewables.
29. Officers consider that the development accords with Policy CS9.

## Other Matters:

30. Temporary Classrooms: The four modular classrooms are necessary to decant the students whilst the accommodation is constructed. These are single storey in height and would be placed where the current cycle store is. The cycle store would be temporarily located to an existing strip of hardstanding nearby within the front grassed area fronting Gypsy Lane. There would be no harm to trees (as referred to above). It is considered that these temporary buildings would not adversely affect visual attractiveness, parking (car or cycle) or cause undue noise, nuisance or adversely affect any neighbouring residential amenities in accordance with Policy CP25 of the Oxford Local Plan.
31. Biodiversity: The Biodiversity Officer considered there is no likelihood of protected species being impacted by the proposals. However, in line with recognised good practice and governmental policy on biodiversity and sustainability (National Planning Policy Framework 2012 & NERC 2006), he advises that all practical opportunities should be taken to harmonise the built development with the needs of wildlife. In this case he suggests 1 bat roosting tube and 7 swift bird boxes to be integrated into the buildings. Officers consider that the details of these can be suitably secured by condition and as such the proposal accords with Policy CS12 of the Core Strategy.
32. Drainage: Thames Water has commented that they cannot assess the waste water infrastructure of the development. However they do not object to the development but request that prior to commencement of development a drainage strategy be submitted for their assessment and approval. The County Council Drainage Engineer has not objected and comments that the development should use sustainable drainage measures. Officers consider that since the proposed building replaces an existing building and that Thames Water has not objected, that it is reasonable to require a drainage strategy that includes sustainable drainage measures in accordance with Policies CP1, NE14 of the Oxford Local Plan and CS11 of the Core Strategy.

## Conclusion:

33. The proposed development provides teaching accommodation, new entrance, gates and railings in a sustainable and appropriate location that preserves and enhances the existing street scene and special character and appearance of the Headington Hill Conservation Area in which it lies. There would be no harm to residential amenities. The proposals are considered to accord with the requirements of policies in the development plan and NPPF. Officers recommend that East Area Planning Committee approve the application.

## Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers

have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

### **Section 17 of the Crime and Disorder Act 1998**

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 approve, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

**Background Papers:** Applications 14/01282/FUL, 14/00963/FUL

**Contact Officer:** Felicity Byrne

**Extension:** 2159

**Date:** 11<sup>th</sup> June 2013