

**West Area Planning Committee**

10<sup>th</sup> February 2015

**Application Number:** 14/03255/FUL

**Decision Due by:** 26th February 2015

**Proposal:** Demolition of existing buildings on site with an exception of retained 1820s villa. Construction of new independent sixth form school building on 2 and 3 floors with an extension to villa with freestanding building accommodating school hall. Provision of 27 car parking spaces accessed from Banbury Road and Capel Close, together with 60 cycle parking spaces, bin store, landscaping and ancillary works.

**Site Address:** 333 Banbury Road, **Appendix 1.**

**Ward:** Summertown Ward

**Agent:** TSH Architects

**Applicant:** D'Overbroeck's & Carnegie  
Capital Estates

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**Recommendation:** Approve, subject to conditions.

- 1 The planning application site has been unoccupied since the Masonic Lodge vacated the site in 2012, since when other proposals for residential development have failed to gain planning permission. The current application provides an opportunity to bring forward beneficial development on an unallocated brownfield site which would retain its distinctive wooded character, whilst enhancing the setting of the retained 1820s villa. The architecture of the proposed development is contemporary in style, but relates well to the villa, whilst appropriate levels of car and cycle parking can be achieved, supported by a Travel Plan and On Site Traffic Management Plan. Conditions relating to materials, landscaping and the replacement of trees lost would ensure the development is of a quality appropriate to the site, whilst other conditions would mitigate any adverse impacts. The proposal is therefore considered to accord with the requirements of the relevant policies of the Oxford Local Plan and Core Strategy.
- 2 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 Commencement - time limit
- 2 Develop in accordance with approved plans
- 3 Materials
- 4 Lighting
- 5 Obscure glazing to north facing windows
- 6 Landscape plan required
- 7 Landscape carry out by completion
- 8 Landscape management plan
- 9 Landscape hard surface design - tree roots
- 10 Landscape underground services - tree roots
- 11 Tree Protection Plan
- 12 Arboricultural Method Statement
- 13 Trees: Construction Method Statement
- 14 On - Site Traffic Management Plan
- 15 Parking provision
- 16 Alternative cycle parking facilities
- 17 Deliveries - manoeuvring space
- 18 Travel Plan
- 19 Archaeology - evaluation
- 20 Biodiversity - bird and bat boxes
- 21 Contamination - risk assessment.
- 22 Vacate St. Giles and Ewert Place upon occupation
- 23 Community use of facilities
- 24 Public art
- 25 Construction management plan
- 26 SUDs
- 27 Piling methods
- 28 Extraction equipment - kitchen
- 29 Mechanical plant
- 30 Noise attenuation

### **Legal Agreement and Community Infrastructure Levy (CIL).**

Policy CS24 of the Core Strategy, supported by the Affordable Housing and Planning Obligations Supplementary Planning Document (SPD) describes the circumstances under which a contribution to affordable housing would be required from commercial development via a S.106 planning agreement. In this case the planning application is for an institutional development but at a site where a degree of employment is lost following its vacation as a Masonic Lodge and conference centre. Those uses occupied some 1,681 sq m of floorspace. If the current application is successful the applicant would vacate the accommodation it occupies at St. Giles and Ewert Place which together amount to 761 sq m of floorspace, or less than half that of the vacated buildings on site. As the school does not intend to expand its teaching staff in the short term as a consequence of the redevelopment of 333 Banbury Road, then it is concluded that there is unlikely to be need for new housing as the development will not result in an overall increase in employment locally but would be broadly neutral. As such a contribution to affordable housing is not required. A condition can be imposed in the event of planning permission being granted, that upon occupation of the development at 333 Banbury Road, the existing school premises at St. Giles

and Ewert Place would be required to be vacated and returned to the open market.

The development does however generate a contribution under Community Infrastructure Levy (CIL) arrangements of £33,867.18.

### **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  
CP14 - Public Art  
CP17 - Recycled Materials  
CP18 - Natural Resource Impact Analysis  
CP19 - Nuisance  
CP21 - Noise  
TR1 - Transport Assessment  
TR2 - Travel Plans  
TR3 - Car Parking Standards  
TR4 - Pedestrian & Cycle Facilities  
TR6 - Powered Two-Wheelers  
TR12 - Private Non-Residential Parking  
TR14 - Servicing Arrangements  
NE14 - Water and Sewerage Infrastructure  
NE15 - Loss of Trees and Hedgerows  
NE16 - Protected Trees  
NE23 - Habitat Creation in New Developments  
HE2 - Archaeology  
HE6 - Buildings of Local Interest

#### Core Strategy

CS9 - Energy and natural resources  
CS10 - Waste and recycling  
CS12 - Biodiversity  
CS13 - Supporting access to new development  
CS17 - Infrastructure and developer contributions  
CS18 - Urban design, town character, historic environment  
CS19 - Community safety  
CS24 - Affordable housing

#### Other Planning Documents

- National Planning Policy framework (NPPF).
- Planning Policy Guidance.
- Affordable Housing and Planning Obligations SPD.
- Parking Standards, Transport Assessment and travel Plans SPD.
- Natural Resource Impact Analysis SPD.

## Public Consultation

### Statutory Consultees Etc.

- Thames Water: No objection in terms of water or waste issues.
- Environment Agency: Site in Flood Zone 1 and under 1ha; no comments to make on application.
- County Council: Highway Authority (i): Objection. Insufficient information on travel behaviour and likely traffic impacts; inadequate access for delivery and refuse vehicles; unknown impacts relating to bus usage, dropping off of students; future modes of transport etc; failure to demonstrate that car and cycle parking is adequate; provision for access by pedestrians and cyclists from Capel Close would be beneficial; not clear which access cyclists intended to use; one access rather than two preferred to Banbury Road and with left only movements; no drop off should be allowed to Banbury Road; Travel Plan required; applicant to work with Highway Authority on best location for pedestrian crossing (funded by applicant).
- County Council: Highway Authority (ii): Objection; manoeuvring space for deliveries inadequate; insufficient evidence for cycle parking provision - additional stands required; Capel Close access will result in loss of 1 or 2 on - street parking spaces; access to Banbury Road to be left turn out only; should be no drop off from Banbury Road; Travel Plan required; details of surface water management required; do not object in principle to pedestrian crossing.
- County Council: Highway Authority (iii): No objection subject to condition relating to a turning area for delivery vehicle. (Other comments still apply).
- County Council: Drainage: Sustainable drainage techniques proposed; no objection to proposed development.

### Interested Parties.

- Victorian Group of Oxfordshire Architectural & Historical Society: Veranda to east side of villa should be retained and restored but would be cramped by new extension; house originally had “ornamental skylight”, now lost but may be hidden somewhere.

### Individual Comments:

The main points raised were:

- Support in principle / no objection.
- Support provision of zebra crossing to Banbury Road.
- Obscure glazing to north facing windows.
- Development to keep to permitted drawings.
- Building should be no taller than indicated on drawings.
- No pupils, deliveries or construction vehicles from Capel Close.
- Concerned at potential for dropping off / picking up pupils.
- Measures to be in place to minimise impact on Capel Close.
- Car parking inadequate, leading to overspill in surrounding streets.
- Distance of hall building from Summerhill Road properties to be increased.
- Additional planting to southern boundary.
- Welcome retention of villa.
- Development may increase surface water problems in area.

- Fence rather than hedge preferred to Capel Close.

Only a limited number of responses have been received to normal consultation procedures on the planning application as submitted, with the majority of respondents either supportive in principle or not raising objection, but raising matters of detail.

In addition to the above the applicant undertook two public consultation events on the proposals as then emerging on 5<sup>th</sup> September and 13<sup>th</sup> November 2014, which including its separate proposals for a school boarding house at 376 Banbury Road.

On 11<sup>th</sup> September 2014, a presentation was also made to the Oxford Design Review Panel on the emerging proposals. Generally the Panel felt that the development created an opportunity to animate this part of Summertown and engage with the wider community by sharing facilities. Some details remained to be resolved however. Retention of the tree coverage was welcomed but the opportunity should be taken to reduce the level of car parking and strengthen the parkland setting. It was thought that use could be made of an access from Capel Close whilst retaining visitor access from Banbury Road. The development would also benefit from a sense of arrival whilst the school hall could usefully be a freestanding structure, retaining views of important trees on site and creating a sequence of courtyard spaces. Elevations facing the perimeter of the site needed to be designed carefully to protect the amenities of neighbouring householders.

### **Officers Assessment:**

#### **Site and Surroundings.**

1. The site is located on the western side of Banbury Road north of Summertown. It has road frontage and two vehicle access points to Banbury Road. The site extends to 0.52 hectares and is the remnant of a much larger historic plot with a residential villa known as Summerhill built in 1829 set in landscaped gardens. It is now surrounded on three sides by residential development at Squitchey Lane (north side), Capel Close (west) and Summerhill Road (south), dating mainly from the early 20<sup>th</sup> century but with some modern infill developments. The urban grain here and in the wider surroundings is typically characterised by detached and semi-detached houses together with some flats within a leafy suburban setting. Development to the eastern side of Banbury Road at this point exhibits similar urban characteristics but with some modern 3 and 4 storey flats and houses. There are also some commercial and institutional uses along Banbury Road in the wider locality.
2. In 1953 the villa was acquired by the Oxford Masonic Lodge and was subsequently expanded with major but piecemeal extensions to house masonic functions and later the Oxford Conference Centre. These uses ceased in 2012. Substantial buildings still remain on the site however covering some 27% of the site area together with extensive tarmac parking areas for 88 vehicles (49%) and some soft landscaping (24%).

3. Since the vacation of the existing buildings in 2012 a number of alternative uses have been discussed with officers, and a planning application submitted in 2013 for a residential development of 15 flats and 2 houses together with 33 car parking spaces, reference 13/01319/FUL. The application was refused planning permission however in that the offer of 2 affordable units and a contribution of £500,000 towards off - site provision did not represent an adequate provision of affordable accommodation within the terms of Core Strategy policy CS24 and Sites and Housing policy HP3. In considering the planning application however Committee did resolve to include the 1820s villa on the Historic Assets Register as a building of local interest.
4. The site is also characterized by significant trees that are the subject of a Tree Preservation Order.

### **Proposals.**

5. D'Overbroecks is an independent school offering courses for 11 to 19 year olds, including international students, based at a number of separate sites, at Leckford Place, 111/113 Banbury Road, St. Giles and Ewart Place. It currently has approximately 257 sixth form students enrolled who would transfer to 333 Banbury Road if the current application were successful. In doing so the accommodation at 31A St. Giles and Ewart Place would be given up accordingly. Of its 257 sixth formers, approximately 160 are boarders, 38 of whom currently live in existing boarding accommodation at 338/340 and 106 Banbury Road, and the remainder with host families. Accompanying this current application is a separate proposal for new boarding school accommodation for D'Overbroeck's to the east side of Banbury Road at no. 376 directly opposite no. 333, planning reference 14/03445/FUL. That proposal is a facility for some 58 boarding students. A separate report appears on this agenda accordingly
6. The proposals envisage the removal of the undistinguished modern buildings on site and the construction on approximately the same footprint of a 3 storey building linked to a refurbished villa. To the south side on the site on the current car park a separate building would house the school hall. A limited amount of car parking would be accessed from Banbury Road, with the bulk of parking (for staff) accessed via a new entrance from Capel Close.
7. The application site is not allocated for a specific use in the Sites and Housing Plan and no objection of principle is raised to the use now sought.
8. Officers consider the principle determining issues in this case to be:
  - built forms;
  - relationship to neighbouring properties;
  - heritage considerations;
  - highways, access and parking;
  - trees and landscaping;
  - biodiversity; and
  - sustainability.

## **Built Forms.**

9. In redeveloping the site for the intended new use, the planning application seeks to construct a collection of buildings and spaces which exploit the fine parkland character of the site. All of the undistinguished modern additions are demolished and in their place the 1820s villa refurbished and connected by a flat roofed two storey link to a 3 storey pitched roof structure which would house the majority of the school functions. To the south side, on the site of the current car park, a new school hall would be constructed, enabling a series of new spaces to be created in and around the new buildings. To the Banbury Road frontage would be a formal lawned area, with a more informal garden area to the south - west of the site. Central to the site between the two new buildings would be a new courtyard space measuring approximately 470 sq m. Officers support the general approach to the disposition of buildings and the creation of attractive new spaces which exploit the fine features of the site.
10. Along the Banbury Road frontage two access points already exist, and would be retained. The northern one would provide 7 parking spaces for staff, with 3 spaces for deliveries and / or visitors accessed from the southern one. Cycle parking is also located at this point. A second, main staff car park is provided to the rear of the site accessed via a new entrance off Capel Close.
11. The main teaching accommodation is provided within the new 3 storey structure (with partial basement) which occupies a similar footprint to the building it replaces. The main student entrance is to the south side of the building at about its midpoint. The refurbished villa mostly contains the office and support accommodation and staff room facilities, whilst the new building to the south side of the site contains the main hall with removable seating and viewing gallery at upper level. A kitchen is also included which would provide meals taken within the hall during the school week. As it contains the school hall this building is a double height structure equivalent to 2 storeys, but with a single storey element to its south side close to the boundary of the site. Both the hall and main building are intended to be constructed of a light coloured buff / yellow brick with pre - cast concrete detailing under a low pitched zinc roof with aluminium windows. Timber fences and hedges are proposed to the boundaries.
12. For the new spaces created the central courtyard would be paved with a permeable brick in a Flemish bond, whilst the car park areas to the Banbury Road side of the site would be finished in resin bonded gravel with a gravel path around the important Wellingtonia tree situated to the street frontage. The rear staff car park off Capel Close would be constructed of permeable block paving.
13. Architecturally the buildings are of contemporary design with a mix of window styles, sizes and proportions punctuating the elevations. By introducing a low pitched roof to the new buildings the height and bulk of the buildings is reduced, whilst the recessed second floor level to the larger northern block of accommodation results in the building reading more as a two storey structure

when viewed from ground level in this direction. At ground floor level this building also has large full length windows to this south side facing onto the central courtyard and wrapping around the corners to produce light and airy internal spaces, including at the entrance points. Similarly the hall building possesses full length window openings to its northern elevation, some of which open out as doors to the central courtyard which in turn afford glimpses of the interior. The semi circular western end to the hall building would also possess full length windows where they overlook the garden area, whilst a large oriel window framed in bronzed aluminium at first floor level facing Banbury Road introduces interest and a focal point when viewed from this direction.

### **Relationships to Neighbouring Properties.**

14. In terms of the development's relationship to neighbouring residential properties to the north, the three storey main range is located approximately 6m from the common boundary with 6 Capel Close, and approximately 26m from the southern flank of the house itself. To avoid overlooking of the property the first floor windows here are obscure glazed to a height of 1.8m from floor level whilst at second floor level the windows are narrow slid features no more than 0.4m wide with the main light source to individual rooms being from roof lights. Although not indicated to be so, these slit windows could similarly be obscure glazed to avoid overlooking.
15. Also along this northern boundary the two storey structure linking the new building with the villa possesses 3 first floor windows in the north facing elevation towards 337 Banbury Road. They are presented as projecting architectural features in timber however, with glazing facing eastwards only towards Banbury Road, such that there is no direct overlooking of the garden to no.337. This two storey linking structure is approximately 2m from the common boundary with the window features themselves projecting 0.6m. This compares with the flank wall to the existing building which is set 4.0m from the boundary but is 1.1m taller at eaves than the proposed building at this point. The relationship to no.337 therefore remains much as now.
16. Along this northern boundary there are also single storey elements to the new main 3 storey building in the form of a conservatory and staff common room at approximately 5m and 2m respectively from the boundary. With existing planting along this boundary already, and the potential to add to it, no objection is raised to these features of the development.
17. To the south side the nearest potentially affected properties are at 1 and 1A Summerhill Road. No.1 is a detached house with a large single storey rear extension. That single storey extension is located approximately 16m from the common boundary, with the southern side of the hall building located between 4 and 5m further back. The main two storey element of the hall building is approximately 25.5m from the single storey extension. Since the submission of the planning application these distances have been eased so that the hall is now some 1.2m further from the common boundary than previously, and lowered by 0.3m. Officers consider the 25.2m distance acceptable in its



context, with a greater potential also to now supplement the landscaping between the hall and the boundary. The occupier of that property has been consulted by the applicant accordingly and is content with the relationships. 1A Summerhill Road is a smaller property with a longer rear garden extending 29.5m from the rear of the house to the boundary, or approximately 12m further away than no.1. At these distances the relationship of the hall building to that property is again considered to be acceptable.

### **Heritage Considerations.**

18. The original late Georgian villa on the application site was constructed in 1829 as the home and workplace of the local Moberley family of butchers. It was later occupied by Frank Ryman, of the Oxford printing and publishing company. The building is in the Regency style with some surviving external and internal architectural detailing. It represents one of a series of villas built for well-to-do Oxford tradesmen in the area between Banbury Road and Woodstock Road from 1820 until the later 19<sup>th</sup> century, which contributed to the development of Summertown as a distinct neighbourhood of the city prior to the development of North Oxford in the later 19<sup>th</sup> century. As such it provides associations with Oxford's historical mercantile elite, who influenced the development of the city in the early and mid - 19<sup>th</sup> century and illustrates the expansion of the city to accommodate them through the establishment of a specialist suburban settlement.
19. Despite many internal and external changes to the villa over its lifetime the building has retained architectural detailing and a scale and mass that were designed to be aesthetically pleasing in the early 19<sup>th</sup> century. In spite also of poor later extensions for the Masonic Hall the building contributes to the wider aesthetic value of Summertown and the Banbury Road whilst the mature tree coverage within the grounds contributes to the setting of the house as well as to the wider public realm. Although the property is not "listed", in considering an earlier proposal to redevelop the current application site for residential purposes in 2013, committee resolved to include the building on the Oxford Heritage Assets Register.
20. Externally many of the alterations to the villa have been crudely achieved, resulting in the loss of chimneys for example and a truncated west - facing veranda which now sits uncomfortably with the 20<sup>th</sup> century extension. The planning application provides an opportunity therefore to redress some of the inappropriate acquired features of the building and bring its principle rooms back into active use. The junction of the retained veranda with the new link extension remains a little awkward for example but is much improved over current arrangements and does seek to announce the passage from one building to another. On balance its retention and the refurbishment of this western elevation is therefore supported.
21. Internally the villa has been substantially altered along its northern side in particular. The much changed arrangement of rooms here is intended to be rationalised to create functional spaces based on historic layouts as much as possible. To the southern side rooms are more intact, though with features such as chimney breasts removed. These spaces are proposed to be

repaired and conserved. In the main the rooms within the villa are intended to be for administrative offices and the like rather than teaching spaces, though with the largest single room at ground floor level given over to a classroom. The original south - facing door to the villa would be retained, as would the more visible east - facing door to Banbury Road. They would give access to the administrative accommodation in the main however rather than the teaching spaces.

22. Specifically in terms of archaeology, a desk based assessment has been produced for this site which notes moderate to good potential for Palaeolithic remains associated with to the Wolvercote Channel (A Lower Palaeolithic palaeochannel running through the Wolvercote gravel terrace), although the only recorded exposure of finds associated with this channel was located 800m to the north-west of the application site (County HER 1379). The assessment also notes moderate potential for Roman remains and notes the interest of the Regency period (1823) Summerhill Villa.
23. No objection is raised to the development in archaeological terms, but a condition is suggested requiring the implementation of a scheme of mitigation of any significant impacts identified.

### **Highways, Traffic and Parking.**

24. The application site is situated mid way between Summertown and the A.40 Oxford ring road. At this point Banbury Road is protected by double yellow line restrictions in both directions, with a north bound cycle lane and southbound bus lane in operation. Near directly opposite the site is a southbound bus stop located outside a modern flatted development at 378 Banbury Road. The immediate area lies within a Controlled Parking Zone requiring permits for on - street parking between the hours of 10.00am and 4.00pm Monday to Friday. Short stay limited waiting parking spaces exist nearby in Squitchey Lane near its junction with Banbury Road to the north and within Summerhill Road near its junction with Banbury Road to the south. Access to the application site is currently taken from two separate vehicular access points off Banbury Road, plus a pedestrian access. A further disused vehicular access and dropped kerb exists in Capel Close to the eastern side of the site. A total of 88 car parking spaces currently exist on site.
25. In these proposals the total amount of car parking is reduced to 27 spaces, with the bulk of them (17) accessed from Capel Close at a point south of the unused current access which would be permanently closed. These spaces would be for staff only. A smaller staff car park of 7 spaces would be accessed from the existing northern access point on Banbury Road, with 3 spaces for visitor / delivery vehicles accessed from the existing southern access. There would be no vehicular route through the site between Banbury Road and Capel Close. 60 cycle stands are indicated to the southern side of the site. Currently the school's Sixth Form engages 75 staff, which could rise to a maximum of 96 in future years, but not in the immediate future. The corresponding figures for students are 257 and 330.
26. As part of the planning submission, in January 2015 a survey was undertaken of staff and student modes of transport. The survey was undertaken over two

days and resulted in a response rate of 67% and 71% for students over the two days of the survey and 84% and 93% for staff, giving a high response rate overall. As the sites surveyed were the applicant's Ewert Place and Swan Building premises at 111 / 113 Banbury Road which are both within relatively close proximity to the current application site, then it was thought the results would be similar to those to be expected at 333 Banbury Road without intervention.

27. In brief the survey found that the main means of transport for the 75 staff based here were private car, cycle and bus and for the 257 students walking and bus use. The detailed results in Table 2.2 of the survey are indicated below.

**Table 2.2: Existing Modal Split**

Main Mode of Travel	Students				Staff			
	19 January		20 January		19 January		20 January	
	No.	%	No.	%	No.	%	No.	%
Walk	57	31%	47	27%	4	6%	2	3%
Bus	78	42%	81	48%	14	20%	15	24%
Train	9	5%	11	6%	1	1%	1	2%
Car Driver	7	4%	6	4%	30	43%	24	38%
Car Passenger	13	7%	9	5%	2	3%	0	0%
Cycle	13	7%	14	8%	19	27%	21	33%
Park & Ride	3	2%	1	1%	0	0%	0	0%
Other	3	2%	1	1%	0	0%	0	0%
Total	183	100%	171	100%	70	100%	63	100%

Notes: 'Other' for students includes a combination of cycle with another mode (walk or cycle).  
Slight errors due to rounding.

28. The survey also indicated that only 13 and 14 students were dropped off by private car for each day surveyed, and that none of them were dropped off directly onto Banbury Road, but in nearby side streets. Factoring up the response rate to 100% would give rise to some 18 students being dropped off each day. The survey indicates that the majority arrived between 8.30am and 9.00am, though departure times varied rather more due to timetabling and after school activities.

29. On one of the survey days it was indicated that more staff arrived by car than parking spaces are to be provided at the current application site. At the full Local Plan requirement of 1 space per 60 sq m of accommodation, or 1 space per 2 staff some 54 or 48 spaces respectively would be needed at full standard for the 3,220 sq m of accommodation or maximum number of 96 staff which could be based here in the years ahead. In order to address this point and to encourage modes of transport other than the private car a draft Travel Plan accompanies the planning application which seeks to ensure that:

- before first occupation of the development and subsequently all students and staff are provided with sustainable travel information;
- on first occupation no students are to drive to the site by private car; and
- on first occupation no more than 24 staff are to drive to the application site each day.

30. It is also proposed that a Travel Plan Coordinator be appointed before first occupation and that subsequently he / she liaises with students, parents and staff in respect of travel options. Whilst the commitment of the school to sustainable modes of transport is much welcomed, the Travel Plan remains at an early stage of preparation with specific objectives, targets and timescales for their achievement required to be worked up in more detail, and with monitoring arrangements in place. It is suggested that then Travel Plan should also encapsulate arrangements for the accompanying planning school boarding house at 376 Banbury Road. A condition is suggested accordingly
31. In terms of cycle parking, at present D'Overbroeck's has some 257 sixth formers who would transfer to this site, with a potential capacity in years to come of 330, with up to 96 staff also based at the site at that time. Taking these figures as a "worse case" scenario and applying Local Plan cycle standards of 1 space per two students and 1 per 5 staff, then some 165 and 20 cycle parking spaces would be required respectively, or 185 in total. However some 58 students are intended to be resident at the proposed new boarding school at 376 Banbury Road which can be discounted from the student figure, whilst information provided by the applicant on current arrangements indicates that typically only 70% of students would be on site at any one time. Therefore some 190 students are required to be catered for. This translates as 95 cycle spaces. Together with the 20 for staff, this results in a total requirement of 115 cycle spaces. Allowing for some staff transferring to cycle use, and to provide incentives and an allowance for changed future circumstances, it is suggested that 125 cycle spaces are provided on site in covered secure conditions. A condition is therefore suggested requiring alternative details to the cycle parking provision currently indicated. This is likely to mean relocation to some point to the rear of the site. Transferring the cycle parking here would also allow a turning space to be provided for delivery vehicles as requested by the Highway Authority partly on the current cycle parking site. The submitted plans indicate changing and shower facilities for staff and students within the basement area of the main teaching block which is supported.
32. In terms of specific on - site management arrangements, the Highway Authority would not wish to see cycle access to the school site nor students dropped off along the Banbury Road, in order not to impede traffic at peak times or to create hazardous conditions on this heavily trafficked radial route. For that reason it would wish to see cycle access from the much quieter and safer Capel Close entrance, together with access to the main 17 space staff car park. Planning Officers would concur with that view, though equally would not wish to see pedestrian access from Capel Close where there may be significant numbers arriving simultaneously at the start of the school day in particular. It is suggested therefore that all staff and students arriving on foot should enter via the Banbury Road frontage. In that regard it is encouraging that the recent survey at the applicants Ewert Place and Banbury Road sites identified so few students being dropped off by private car. Nevertheless where it occurs in respect of the application site, drop off and pick up should not be from Capel Close but only from the limited waiting spaces at Squitchey Lane and Summerhill Road with students proceeding from there the short distance to the Banbury Road entrance. This and the other on - site control

mechanisms should be captured in an On - Site Traffic Management Plan secured by condition.

33. In summary, in assessing the highways, access and parking implications of the development, officers have taken into account the authorised use of the site as a Masonic Lodge and conference centre and the traffic and other characteristics associated with it. The characteristics of the proposed Sixth Form accommodation would be very different in these terms, and would provide an opportunity to reduce on - site parking by 70%, and remove late evening traffic and other movements entirely. To accommodate the needs of the new use however a clear strategy is required, to be embedded in an agreed Travel Plan plus an On - Site Traffic Management Plan, the basis of the latter being that:
- all cycle and staff vehicle access to the main 17 parking spaces should be from Capel Close only;
  - all access by pedestrians should be from Banbury Road only; and
  - drop off / pick up to be from the limited waiting spaces at Squitchey Lane and Summerhill Road near their junctions with Banbury Road only.
34. Conditions to be applied to the permission if granted would require the submission of these documents for agreement prior to any commencement of development.
35. Lastly, the applicant is suggesting that a pedestrian crossing to link the site to the boarding school to the east side of Banbury Road should be provided. Officers acknowledge the benefits of such a facility for the school and wider community if a safe and convenient location can be found. However it is not a requirement of the Highway Authority, and its provision would therefore be a matter for further dialogue between those parties. As it is not a highway requirement, if agreement is reached on its provision then it would be funded entirely by the applicant at no cost either Highway or Planning Authority.

### **Trees and Landscaping.**

36. One of the key features of the application site is its mature tree coverage which in the main this development seeks to retain. Relatively few trees are planned for removal and where they are lost officers assess that no harm is done to the setting of the villa or to the site generally. Rather the existing tree coverage supplemented by new planting provides an appropriate context within which the new buildings can be grouped in order to relate to each other and create attractive and functional new spaces. Protection of the existing trees is already provided by a Tree Preservation Order (TPO).
37. An arboricultural assessment has been made of all the trees on and adjacent to the application site in accordance with the principles established in BS 5837: 2012, "*Trees in Relation to Design, Demolition and Construction: Recommendations*". Five trees are required for removal as they would fall within the footprint of the proposed buildings. Four are category C trees of poor visual form consisting of a yew, ash, Irish yew and Lawson Cypress. The other is a class B tree of moderate form, an incense cedar. Four further trees not within the footprint of any of the buildings are also proposed for removal.

These are also category C trees, 2 yews, a Lawson Cypress and a small cherry. One further tree indicated for removal is a young Wellingtonia. This appears to have been planted as an eventual replacement for an existing mature Wellingtonia. Its removal is acceptable however as it has been planted too close to the mature Wellingtonia and its growth has been suppressed by it.

38. Of the remaining trees, one not listed for removal but which should be is a small copper beech to the Banbury Road frontage of the site. This is a category B tree but appears to be infected with heartwood decay causing fungus, *Kretzschmaria deusta*. If this is confirmed it would have a short life expectancy and should be removed irrespective of whether the current proposals were to proceed. Conversely it is proposed to remove a yew tree as it is growing close to the boundary wall of the existing garage building and is indicated to have poor vitality and protecting it during construction would be difficult. However this tree has some presence in public views from Banbury road and its removal would be detrimental to the amenity of the site and wider area. It is recommended that it be retained.
39. In addition to these removals some 9 other trees are indicated for pruning as good arboricultural practice, which is supported and would not be detrimental to public amenity.
40. To mitigate the loss of trees, a Landscape Framework Plan accompanies the planning application and provides an indication of the locations for the new planting proposed to supplement that retained. This includes new trees, hedges to the boundaries of the site, low level shrub planting, and two small areas of more formal lawns, one to the Banbury Road frontage set behind the existing boundary wall and frontage trees, and one to the rear to the southern side of the site, to the rear of the new hall building. The easing of the hall building away from the southern boundary described earlier in this report allows a good sized strip of land to be available to allow tree and hedge planting to be provided at this point, to soften and screen the development from the residential properties at 1 and 3 Summerhill Road and 331 Banbury Road.
41. Conditions to be imposed on the permission if granted would require details of all new specimen trees and other planting, plus their species and sizes, to be submitted for subsequent approval. A raft of conditions is therefore suggested at the head of this report to achieve this and ensure the protection of all retained trees on the site and adjacent to it.
42. Lastly the owner of 337 Banbury Road has previously made a request for a TPO to include the trees in the rear garden of that property which stand along the boundary with the application site. The proposed construction works along that boundary would be undertaken within the footprint of existing buildings however and therefore the risk of significant root damage appears to be low. Nevertheless crowns of some of these trees overhang the boundary and if planning permission is granted then it would be prudent to make a TPO to give weight to conditions which require the trees to be protected from harm during construction.

## **Biodiversity.**

43. An ecological survey accompanies the planning application which concludes that there is not a reasonable likelihood of protected or priority species or habitats being negatively impacted by the proposals. Nevertheless given the extent of the site, its tree coverage and proposed new buildings, an opportunity exists to both preserve and enhance local biodiversity interests in the event of planning permission being granted, in line with the NPPF and Core Strategy policy CS12. Appropriate measures to enhance wildlife in this case would be through the provision of 4 habitat integrated bat roosting boxes situated to the south - western end of the proposed buildings, as close to the ridgeline as possible and free of light pollution, plus 4 integrated swift nesting boxes in the north facing aspect of the courtyard building, at the north - east corner and again as close to the ridgeline as possible. These features can be secured by planning condition.

## **Sustainability.**

44. A sustainability statement accompanies the planning application which adopts a "fabric first" approach, in order to meet and exceed all Building Regulation requirements. This emphasises energy efficiency and translates into measures such as windows being triple glazed with high levels of air tightness, and buildings orientated such as to optimise the provision of daylight whilst protecting from unwanted solar gain and heat loss through windows. Energy efficient fittings and lighting with automatic controls would be utilised throughout.

45. A more broadly based Natural Resource Impact Analysis (NRIA) as required by Local Plan policy CP18 also accompanies the planning application and includes features which include a gas fired Combined Heat and Power (CHP) system which would represent a 35% energy saving on other methods.

46. On other measures, all timber would be sourced with FSC certification with locally sourced materials wherever possible. Materials arising from demolitions would also be reused wherever possible and sanitaryware chosen with low flush and spray taps and heads used throughout. Rainwater would be collected from downpipes and stored for reuse in the garden areas where planting would be selected from native species.

47. In sum these measures amount to a score of 8 out of a possible 11 on the NRIA checklist, exceeding the minimum score of 6 and with a maximum score of 3 for energy efficiency.

## **Other Matters.**

48. As a development located within a predominantly residential area, it is important that it sits comfortably with its neighbours and does not become a source of nuisance. To this extent it is noted that the main buildings would not be in use late into the evening as was the Masonic Lodge and conference centre, and that the potential for noise nuisance is therefore much reduced at these times. That said it is envisaged that facilities would be made available to the wider community in some fashion yet to be explored and agreed,

presumably in relation to the main hall in particular. Even in the event that some car parking were to take place in relation to community use, this again would be much less than previously as parking spaces are reduced from 88 to 27 in these proposals. Officers support the initiative for community use and a condition is suggested requiring details to be submitted and approved accordingly. It is nevertheless suggested that a noise attenuation condition also be imposed.

49. On a related point, the potential for light breakout from the main teaching accommodation would also be much reduced as very few of the classroom spaces would be in use beyond the early evening, and automatic lighting systems would be in operation in any event. External lighting would be required to the grounds however, though this is envisaged to be in the form of low level columns. Details are not provided at this stage and a further condition would require details to be submitted and approved.
50. Moreover, although the land comprising the application site is not known to be contaminated, in view of the large area of car parking on the site and sensitive nature of the development in these terms, it is suggested that a condition be imposed requiring details to be submitted of a phase 1 risk assessment to identify any potential contaminants. Details of the piling methods to be employed, (if required), would also be subject to conditions.
51. Lastly, as a development of over 2,000 sq m the development generates a requirement for public art. A condition is imposed accordingly.

### **Conclusion.**

52. The planning application provides an opportunity to bring back into active use an existing unallocated brownfield site where its 1820s villa has been subject to poor and inappropriate extensions in the past. It also provides the means by which the fine landscaped setting of the site can be retained and enhanced. The contemporary architecture of the new buildings would enhance the setting of the refurbished villa and grounds and create functional and attractive spaces for the school, whilst the previous late evening use of the site would be extinguished and replaced by a degree of community use of the new facilities. Controls can be put in place to secure sustainable modes of transport to the site, and if permitted the new boarding house proposed for 376 Banbury Road would anchor the school's sixth form at this location.
53. Subject to the conditions listed, committee is recommended to support the proposals.

### **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 grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

**Background Papers:** Applications 13/01319/FUL, 14/03255/FUL

**Contact Officer:** Murray Hancock

**Extension:** 2153

**Date:** 27<sup>th</sup> February 2015

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