

## WEST AREA PLANNING COMMITTEE

**Application Number:** 17/02419/FUL

**Decision Due by:** 22nd January 2018

**Extension of Time:** N/A

**Proposal:** Erection of new Music School, construction of link to Lynam Hall, landscaping including the formation of a new courtyard, garden area to Lane House and entrance courtyard. (Amended plans)(Additional information-Acoustic Report and Engineering Report)

**Site Address:** Dragon School , Bardwell Road, Oxford, OX2 6SS

**Ward:** North Ward

**Case Officer** Julia Drzewicka

**Agent:** Mrs Lucy Smith **Applicant:** The Bursar

**Reason at Committee:** The application is before the committee because it is a major planning application.

---

## 1. RECOMMENDATION

1.1. West 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 new music school, construction of link to Lynam Hall, landscaping including the formation of a new courtyard, garden area to Lane House and entrance courtyard. Trees along Dragon Lane are proposed to be retained. The proposed music school would preserve the appearance and character of the North Oxford Victorian Suburb. The design, materials, scale and size of the new music school are considered to be acceptable. The building would sit comfortably within the existing surroundings.

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

- Principle of development;
- Design and impact on the Conservation Area;
- Trees and landscaping;
- Neighbouring amenity;
- Noise;
- Transport, construction vehicles and cycle parking;
- Sustainability and energy;
- Flooding and drainage;
- Biodiversity;
- Air quality;
- Other: Archaeology, Contaminated land

2.3. Officers consider that the proposal would be acceptable in all regards and would be in accordance with the relevant National and Local Policies.

### **3. LEGAL AGREEMENT**

3.1. Not applicable.

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

4.1. The proposal is liable for CIL. The total amount required is £39,574.84.

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

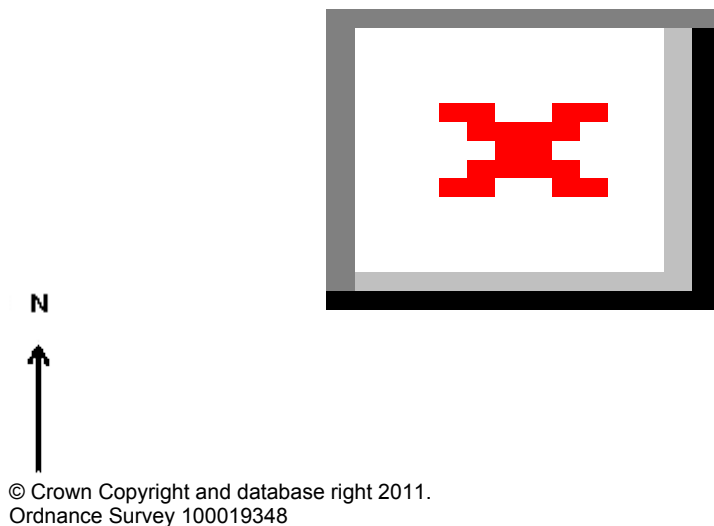
5.1. Dragon School is located on the corner of Bardwell Road and Dragon Lane. Dragon School comprises a collection of buildings dating from the late 19<sup>th</sup> Century through to the twenty-first century that lie on the eastern edge of the North Oxford Victorian Suburb Conservation Area, backed by open playing fields that run down to the banks of the River Cherwell. The site for the music school lies immediately behind, to the east of Lane House an early twentieth century building currently used for staff accommodation that fronts onto Dragon Lane directly behind the eastern crescent of Park Town (listed grade II). The building is proposed to sit immediately to the south of and adjacent to communal school buildings in the form of Lynam Hall and to the west of Art buildings. The proposed building would be linked to Lynam Hall and the Forum.

5.2. Dragon Lane connects Norham Road and Bardwell Road. The boundary treatment along Dragon Lane features various trees. Trees make an important contribution to the suburban character of the lane. Therefore, the retention of those trees which form an important element of this quiet lane is welcomed. Also trees along Norham End would be kept. On one side of Dragon Lane is Dragon School and on the other side is Park Town. Brick rear elevations, garages and rear gardens of properties of Park Town are visible from Dragon Lane. Lane House is located between the application site and Dragon Lane and is largely hidden due to the existing large trees. Lane House and existing trees would restrict the visibility of the proposed development from the public realm.

Surrounding development are mostly constructed from brick and render. The height of the surrounding development varies from two and three storeys. The proposed development would not be higher than the Forum and Art buildings. The proposed development would be slightly higher than Lane House, however the view of the proposed music school would be restricted by the chimneys on Lane House and trees along Dragon Lane.

5.3. The planning permission was given in 1975, ref. 75/00776/A\_H to build Norham End development, which was constructed to the south of the application site. Norham End is a three storey building, which comprises 17 flats and garages. The garages are located along the boundary with Dragon School.

5.4. Site location plan:



## 6. PROPOSAL

6.1. The application proposes the erection of a new music school, construction of a link to Lynam Hall and provision of landscaping including the formation of a new courtyard, garden area to Lane House and entrance courtyard. The School has temporary planning permission for music rooms, which are currently accommodated in a temporary building off Chadlington Road. The temporary permission expires in February 2022, the condition associated with this permission states that if a permanent replacement building be completed before the expiration of this permission, the temporary facility shall be removed upon completion of the replacement building and the land shall be reinstated to its former condition.

6.2. The proposed music school would be built over two storeys. The new music school would provide: 29 teaching and practise rooms, 4 teaching rooms for heads of section, 3 rehearsal rooms and ensemble playing, 2 music teaching classrooms, instrument storage, music library and breakout area. The building would be located next to the existing Lynam Hall, which provides the school's

main assembly space. The practise, rehearsal, classroom and music staff rooms would be distributed over the two floors. The largest rehearsal room is proposed to be on the East elevation, looking out to the river Cherwell.

## 7. RELEVANT PLANNING HISTORY

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

14/02466/FUL - Demolition of Lane House. Erection of new music facility.. WDN 30th December 2014.

15/01562/FUL - Demolition of existing Lane House and garages. Erection of new music facility on 2 and 3 floors.. WDN 4th November 2015.

16/03259/VAR - Variation of condition 1 (Temporary Permission) of planning permission 12/01168/VAR to allow temporary music room building to be used for a further period.. PER 14th February 2017.

## 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
<b>Design</b>	7 [paragraphs 56, 57, 58, 60, 61]	CP1, CP8, CP9	CS18		
<b>Conservation/ Heritage</b>	12	HE3, HE7, HE2			North Oxford Victorian Suburb Conservation Area
<b>Housing</b>	6	CP10		HP14	
<b>Natural Environment</b>	9, 11, 13	CP11, CP17, CP18, NE15, NE16	CS2, CS11, CS12, CS9		Natural Resource Impact Analysis SPD
<b>Social and community</b>	8	SR2	CS19, CS16		
<b>Transport</b>	4			HP15, HP16	Parking Standards

					SPD
<b>Environmental</b>	10	CP19, CP21, CP22			Energy Statement TAN
<b>Misc</b>	5	CP.13, CP.24, CP.25		MP1	

## 9. CONSULTATION RESPONSES

- 9.1. Site notices were displayed around the application site on 3<sup>rd</sup> November 2017 and 6th December 2017 and an advertisement was published in The Oxford Times newspaper on 2nd November 2017.

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

#### Oxfordshire County Council (One Voice)

- 9.2. No objection subject to conditions.

#### Historic England

- 9.3. We do not wish to offer any comments.

#### Natural England

- 9.4. No comments.

#### Thames Water Utilities Limited

- 9.5. With the information provided Thames Water, has been unable to determine the water infrastructure needs of this application. Should the Local Planning Authority look to approve the application ahead of further information being provided, we request that the 'Grampian Style' condition be applied. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharge into public sewer. On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application. Thames Water advise that a drainage strategy should contain details of pre and post development surface water run off rates and the proposed methods of surface water flow management e.g. attenuation, soakways etc. The drainage strategy also make clear the location of where the development's drainage will be connected to the public sewer.

### **Public representations**

- 9.6. Seven local people commented on this application from addresses in 313 Woodstock Road, 55 Park Town (2 comments), 58 Park Town (2 comments), 60 Park Town (2 comments), 61 Park Town (2 comments), 64 Park Town, 56 Park

Town.

The Park Town Trustees also commented.

In summary the main points of support were:

- The profiles of the new building do not obstruct any views and do not impinge on the quality of life of those living nearby
- This music building is not about scope- creep for the school, it is a constructive use of brownfield infill land
- No reason why residents should prevent the inoffensive evolution of a nearby educational organisation
- It would free up the existing music schools to be perhaps developed

In summary the main points of objection were:

- Access
- Amount of development on site
- Effect on adjoining properties
- Effect on character of area
- Effect on pollution
- Effect on privacy
- Effect on traffic
- Height of proposal
- Local ecology, biodiversity
- Noise and disturbance
- On-street parking
- Parking provision
- Public transport provision/accessibility
- Removal of trees
- Local Plan policies
- Noise that will be generated by the activities in the Music School, not only during term time, but also during holiday periods when the Dragon School is often rented out to other organisations
- Noise late into the night
- Noise levels are already high in the houses and gardens
- It will be important that proper soundproofing is installed throughout the new building and that any outdoor activities are properly supervised by the Dragon School and its sub-contractors, proper measures to mitigate to mitigate this noise
- Plant equipment in the East-West oriented segment and lack of acoustic report
- Noise from heat pumps
- We want condition for – all elements of construction to final completion to take place Monday-Friday only; any ground work or construction work involving heavy plant or machinery which is noisy not to be undertaken before 8am; construction to take place regularly and consistently throughout the period and not staged to have intensive periods during the vacations at Christmas, Easter and the Summer; no use of radios externally on site
- Use of vans, contractors in Dragon Lane

- Throughout the period of construction produce a weekly newsletter to update and inform the local residents and provide a person who can be contacted during the construction
- Substantial protrusion of the new building beyond the Southern end of Lane House, which will obstruct views across fields and down to the river. This would obstruct part of the view to the river from Park Town terrace houses
- Reducing its size would be much appreciated by the local residents
- The new building compromises the view through the Park Town Archway
- Traffic in and around Dragon Lane
- It is essential that conditions are put in place both during the construction phase of the project and afterwards that will avoid putting all the users of Dragon Lane at risk
- The current plan entails the destruction of the Lane House garden and many established trees, which are home to a wide variety of birds
- Removal of trees
- During construction, provisions should include a prohibition on any construction equipment or vehicles parking or driving through Dragon Lane and a requirement that construction company staff are used to guide vehicles in and out of the construction site
- The new building should also not result in any additional parking spaces
- A condition must be that there will be no increase in vehicle traffic due to staff or visitors

Comments received after the additional Acoustic Report had been submitted:

- The report makes clear noise from Dragon Lane will be audible in the music school, it would seem likely that the reverse applies and we will be able to hear the music in Dragon Lane and The Terrace
- It is not possible for a layperson to assess whether the recommendations made in this report are in fact going to be followed
- The external door that will allow external noise to penetrate the building from external vehicles. Given that there is this concern about the external noise, we are very worried about the noise that will emanate from the building around these doors.
- The back of the Park Town Terrace houses will all be affected by noise from this new building. It must be ensured that no noise will emanate from the Rehearsal and Practice rooms, especially in summer when windows are open and residents will be sitting in their gardens.
- We ask for assurance that the School has the strictest rules about the use of these rooms out of term
- The summer months will be the worst for noise
- The report does not comment on excessive noise generated by Summer schools ending from Dragon School
- The report does not address the impact on neighbours of the plant noises that will inevitably be generated by the building's heating and cooling system.
- The impact from environmental control systems is not clear
- It does say that there wouldn't be open windows on the West side of the building to avoid causing "annoyance" to the residents of Lane House, no mention is made of the residents of the Park Town Terrace.

- The reports says there will be windows opened for ventilation on the East side of the building, but noise will then inevitably seep out of the open windows towards the Park Town on the West side of the block.
- There is a mention made of protecting staff in Lane House from excessive noise by avoiding having percussion instruments on that side of the building, but no mention is made of protecting Park Town residents, not is it clear that the “recommendation” to keep wind and string instrument practise rooms on the West side of the building can or will be enforced.
- It must be made clear to the Dragon School that the present Music block application should not in any way be seen as an agreed step in a major series of building works in the coming years.

## **10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Design and impact on the Conservation Area;
- iii. Trees and landscaping;
- iv. Neighbouring amenity;
- v. Noise
- vi. Transport
- vii. Sustainability and energy
- viii. Flooding
- ix. Biodiversity
- x. Air quality
- xi. Other: Archaeology, contaminated land

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

10.2. The National Planning Policy Framework (NPPF) states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools; and work with schools’ promoters to identify and resolve key planning issues before applications are submitted. Policy CS16 of the Core Strategy states that planning permission will only be granted for new education facilities in locations accessible by walking, cycling and public transport.

10.3. The National Planning Policy Framework (NPPF) encourages the effective use of land by reusing land that has been previously developed (brownfield land) provided that it is not of high environmental value. Policy CS2 of the Oxford Core Strategy states that development will be focused on previously developed land.

10.4. The application site is just outside of an area that is designated as protected open space, therefore the proposal would not result in the loss of open-air sports



facilities and the requirements set out in Policy SR2 of the Oxford Local Plan are not relevant.

- 10.5. Dragon School have previously sought planning permissions for a new music school, ref. 14/02466/FUL and 15/01562/FUL. Both applications were withdrawn. The previous proposals included the demolition of Lane House and the erection of new buildings which would have been three storeys in height and ranged from about 2200sqm to 2400sqm in proposed floorspace.
- 10.6. The development site comprises a hard playground and the existing garden of Lane House. The current scheme comprises the retention of Lane House, which would continue to provide staff accommodation. The proposed new building would be two storey and have an overall footprint of approximately 1600sqm.
- 10.7. Lane House will lose the existing garden at the rear, however a new outdoor area is proposed at the front of Lane House, which would replace the existing parking area. The front garden would improve the existing appearance of that front driveway and create a more domestic appearance.
- 10.8. Officers consider that the proposal is acceptable in principle having had specific regard to the requirements of Policy CS16 of the Core Strategy (2011).

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

- 10.9. The NPPF requires that local authorities seek high quality design. It suggests that opportunity should be taken through the design of new development to improve the character and quality of an area and the way it functions.
- 10.10. Paragraph 132 of the NPPF 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. Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Paragraph 137 of the NPPF states that local planning authorities should look into opportunities for new development within Conservation Areas and within the setting of heritage assets to enhance or better reveal their significance.
- 10.11. Policy CS18 of the Core Strategy together with Policies CP1 and CP8 of the Oxford Local Plan require that planning permission will only be granted for development which shows a high standard of design that respects the character and appearance of the area and uses materials of a quality appropriate to the nature of the development and creates an appropriate visual relationship with the form of the existing building and its surroundings. Policy HE3 of Oxford Local Plan states that planning permission will only be granted for development which is 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. Policy HE7 of the Oxford Local Plan states that planning permission will only be granted for development that preserves or

enhances the special character and appearance of the conservation areas or their setting.

- 10.12. The site falls within the North Oxford Victorian Suburb Conservation Area, a designated heritage asset within the definition set in the NPPF.
- 10.13. The Dragon School main site comprises a collection of nineteenth century and twentieth century buildings that have developed on a site to the east of Park Town in North Oxford. The school now occupies the main site on the southern part of Bardwell Road and the opposite side of Bardwell Road where the current music department occupies a number of temporary buildings sited in the gardens of a number of early twentieth century houses also within the school's ownership.
- 10.14. The new music building has been designed on a site at the southern end of the main site adjacent to an area of car parking that is accessed off Norham Road, to the east of Lane House, an early twentieth century house designed by the architect George Gardiner.
- 10.15. The views from the River Cherwell are dominated by the existing Art Building. The Art Building would sit forward of the proposed music school. The proposed building would sit comfortably between the existing Art Building and the Norham End development.
- 10.16. The site is relatively well screened from public view in that it would be set behind Lane House and adjacent to Lynam Hall and the enclosed area of the school called the Forum which are either of greater mass or set at a higher level to the proposed building. Furthermore there is a row of trees along Dragon Lane, which provides additional screening. There would be glimpsed views of the proposed building from Dragon Lane, set against the mass of the existing buildings when viewed looking up Dragon Lane from Norham Road to the south as well as through the modest gap between the existing Lynam Hall building and the north end of Lane House where the sense of built form rather than any distinctive view of a building will be evident. There is a modest gap between Lane House and the Norham End development, it is considered that the proposed building due to its scale, size and existing trees along Dragon Lane would still allow the glimpsed views through Dragon Lane and would still allow distant views from the properties along Park Town.
- 10.17. The proposed development comprises a two sided, "I" shaped plan building set around an open quad. The overall building mass is proposed to be two-storey. The ridge height of the proposed building would be approximately 10.8m and with louvers approximately 11.6m and the eaves height would be approximately 7.1m.
- 10.18. To reduce the massing of the build form a "nested" double pitch has been proposed. The building form comprises a large range with a smaller range, "nested" within the outer providing a central corridor and circulation space joining the two ranges.

- 10.19. The “ends” of building have been designed with detached gables that provide a stop end to the essentially unbroken roof slopes. The building facades are proposed to be finished in a red facing brick with roofs finished in a plain clay tile. A ventilated rendered rain screen is proposed for the North elevation (facing Lynam Hall) to provide more reflective and lighter wall treatment. The palette of materials is restrained, complementing the simplicity of form and clarity of architectural form of the proposed building. A condition is recommended to be imposed to ensure that the materials are of high quality.
- 10.20. The building has been designed with a relatively simple form relying on the specific detailing of elements, windows and openings to provide the appropriate level and quality of detailing in the context of the Conservation Area and the neighbouring listed buildings. The strong, unbroken, continuous roof slopes will be seen as a contrast to the more decorative, domestic architecture of its immediate neighbour.
- 10.21. The building design responds to the change in level from west to east across the site and the thoughtful landscape design for the “quad” provides an elegant setting to the hard architecture of the building that frames its eastern and northern sides with the repetitive rhythm of the colonnade that creates a cloister with the consequent visual interest that will be created through the play of shadows and the movement of light and shade.
- 10.22. The weakest part of the proposed design is the relationship between the new music building and its eastern neighbour. This space will provide the formal entrance to the building. The proposal strengthens this space by introducing a shared garden. This has no visual impact on the character and appearance of the Conservation Area in that it is enclosed within the school site and barely visible in long distance views from the eastern bank of the River Cherwell from where the new building will sit as a relatively simple mass in contrast to the existing school buildings.
- 10.23. In reviewing the design prior to submission the Oxford Design Review Panel were supportive of the revised design proposals but had some reservations about the design of the building’s facades. In response the architects have revisited the detail of the facades and the proposed materials and are now presenting a more consistent and unified proposal with a strong albeit simplified design. The design panel felt that the design of the spaces around the building needed more careful consideration in order to allow a better relationship between Lane House and the new building. In response the contribution of the landscape architect appears stronger and more integrated. The panel were concerned about accessibility particularly given the level changes across the site and whilst they understood and applauded the design response in its use of existing levels they felt that there needed to be a more obvious response to the question of accessibility. The proposal includes a lift, which would provide access to the spaces within the new building and also the proposed link between the new building and adjacent Lynam Hall which would give greater connection between these spaces.

- 10.24. The application site lies within the North Oxford Victorian Suburb Conservation Area, which is a designated heritage asset. The closest listed buildings are properties in Park Town. There are also other listed buildings in the area such as Lady Margaret Hall and 2 and 4 Charlbury Road, however due to their location, it is considered that the proposed development would not impact on their significance. The proposed development would be situated on the existing open space, which is between Lane House and Art Building. The Lane House and trees along Dragon School contribute to the character and appearance of the Conservation Area. The application site would be very well screened due to the retention of Lane House and trees along Dragon Lane, therefore the views of the new building and its impact on the Conservation Area and Listed Buildings would be restricted.
- 10.25. Overall, on balance, it is considered that the proposed development will not harm either the character or appearance of the North Oxford Victorian Suburb Conservation Area and that the design of the building and its siting sits comfortably in the context of its surroundings. The visibility from the Conservation Area and surrounding listed buildings to the proposed building would be very limited. It is considered that the proposed building would have no harmful impact on the setting of the listed buildings. The proposed development is considered to preserve the character of the Conservation Area.
- 10.26. As stated in the report above, the proposed development will not harm the Conservation Area and the setting of listed buildings. Therefore, as there will be no harm the proposals meet the requirements of paragraphs 132-134 of the NPPF and Policy HE3 and HE7 of the Oxford Local Plan 2001-2016.

**iii. Trees and landscaping**

- 10.27. Trees along Dragon Lane and along the boundary with Norham End are proposed to be retained.
- 10.28. The proposal would involve the loss of 9 substantial trees. A Norway spruce, which has been identified as an 'A' quality category tree (i.e. the highest value), notwithstanding this categorisation, the tree makes only a limited impact to public view points and its form and incoherence with the landscape context and setting determine that its contribution to the character and appearance of the Conservation Area is not significant.
- 10.29. The best trees, in terms of visual amenity contribution and physical condition, are those that are visible through a narrow view point gained from Dragon Lane at the south-eastern corner of Lynam Hall; these are a large weeping willow and a mature Laburnum.
- 10.30. The most significant functional landscape features of the site are the hedge/tree-line along Dragon Lane, which provides screening and enclosure to the school site as well as imbuing a distinctive landscape character to the lane as a public route between Bardwell Road, Park Crescent and Benson Place; and the boundary trees to the south of the site, which provide mutual screening with Norham End, Benson Place. There is also a yew tree within the boundary of

Norham End (covered by a Tree Preservation Order) that contributes to screening and enclosing Norham End from the school. These elements are unaffected by the proposals. The loss of the weeping willow and laburnum trees will be mitigated through the proposed retention of the boundary hedge and trees fronting Dragon Lane, and the southern screen trees between the school site and Norham End; also the high standard of design indicated for landscape strategy proposals, which includes enhancements to various parts of the wider school site. An existing large Magnolia to the south of Lane House is proposed to be retained; whilst this tree has little relevance to the wider street scene, it is an excellent specimen that will provide an attractive feature of landscape maturity to the site; therefore its retention is welcomed as an element of good design. A new tree is proposed to be sited to the north of Lane House; this would provide some mitigation to the loss of the willow tree. The landscape strategy proposals require further development which is recommended to be secured under appropriate conditions.

10.31. The proposed development is therefore considered acceptable in terms of arboricultural impacts in regard to Oxford Local Plan Policies CP1, CP11, NE15 and NE16. The impact of the loss of trees is mitigated by the high standard of design indicated for landscape proposals, which respects the character and appearance of the area, and include landscape enhancements to various parts of the wider school site.

#### **iv. Impact on Neighbouring Amenity**

10.32. The proposed building would be located to the north of the Norham End development and to the west of Park Town properties. The distance between the proposed development and Norham End would be approximately 39m, the distance between the proposed building and the rear elevations of the properties in Park Town would be approximately 44m-50m. The distance from Park Town varies as a result of the shape of Park Town being laid out as a crescent.

10.33. It is considered that the proposed building would not have any detrimental impact on the neighbouring properties in terms of loss of light, overlooking or have an overbearing impact.

10.34. The existing distant views from rear elevations of Park Town properties are already restricted by the chimneys of Lane House and large trees along Dragon School.

10.35. Officers recommend that the proposed development complies with Policy HP14 of the Sites and Housing Plan.

#### **v. Noise**

10.36. The nature of the proposed use is in principle the same as the present, and an acoustic assessment report demonstrating that sound from the practice rooms would not harm the amenity of neighbours has been provided. The Stage 3 Acoustics Report applies conservative or 'worse case' assumptions regarding performance sound breakout from the new development. It also contains

recommendations for noise mitigation measures to be built in at the construction stage and maintained thereafter. A condition requiring a noise insulation scheme adopting these or similar measures is recommended.

- 10.37. Construction phase noise and vibration might, if carried out in an irresponsible way, cause unreasonable impact on neighbours. Therefore details of the measures to be adopted to minimise impacts from noise, fumes and other environmental emissions are recommended to be submitted in the Construction Environmental Management Plan (CEMP) as a requirement of a condition.
- 10.38. Heating and ventilation plant, including the proposed air source heating pumps, are likely to generate noise. Although noise of this sort is readily controlled, no acoustic details or mitigation measures have been submitted, therefore a condition is recommended to be imposed in order to maintain the existing noise climate and prevent noise creep in the interests of the residential amenities in accordance with Policies CP1, CP10, CP19 and CP21 of the Oxford Local Plan.
- 10.39. Representations from neighbouring residents include concerns about use of the facilities by 3<sup>rd</sup> parties, late into the evening and from outdoor events. In principle none of these should be expected to cause unreasonable impact or harm to the existing amenity and character of the area, provided that the school acts responsibly and complies with separate noise control and licensing legislation. The Council's noise departmental records give no reason to suggest that this has not been the case to date.
- 10.40. Various objections were received in terms of the impact of the proposed development on noise. The conditions, which are recommended to be imposed will maintain the existing noise climate and prevent noise creep. Subject to the recommended conditions being included the development is considered to comply with the requirements of Policy CP21 of the Oxford Local Plan 2001-2016.

**vi. Transport, construction vehicles and cycle parking**

- 10.41. The new music building would reduce the need for pupils to cross the road to access the existing music building. The proposed building would enable all teaching to take place on the same side of Bardwell Road. The proposed building is larger than the existing, however there is no increase in pupils or staff numbers. It is therefore considered that there would be no additional vehicular trips as a result of the development. Furthermore the area is currently within a Controlled Parking Zone and therefore any potential over-spill parking would be restricted. As this proposal is unlikely to cause an increase in vehicle movements, a travel plan or statement is not required.
- 10.42. The Technical Appraisal of Traffic and Highway Impact states that parents would continue to drop-off and collect their children as they currently do. There would be no vehicular or pedestrian access into the proposed Music School from either the south (Benson Place/Norham Road) or from the West (Dragon Lane). Therefore the proposed development is not considered to disturb the existing school traffic.

- 10.43. Construction would take place within a managed and secure site compound within the Dragon School site. Access to the compound would be via the dedicated driveway access off Norham Road. If deliveries cannot use the driveway, other routes may be to be considered such as through the main school site using the access from Bardwell Road. Entry and Exit of all vehicles would be supervised at all times by a banksman to ensure the safety of the public. The Technical Appraisal of Traffic and Highway Impact states that construction vehicles would not use Dragon Lane.
- 10.44. The Highway Authority did not object to the proposal, subject to conditions. The conditions included the requirement for a Construction Traffic Management Plan (CTMP) to be submitted and agreed prior to commencement of construction. The CTMP should include details of delivery and servicing arrangements, construction worker trips, routing of construction vehicles, mitigation measures, etc. It is also recommended that a condition is required for swept path analyses for construction and delivery vehicles using the accesses outline in the Transport Statement and that these are submitted as part of the CTMP.
- 10.45. Heavy construction vehicles could result in damage to kerbs and footways. Given the surfacing material of the local roads (in some areas granite setts rather than concrete kerbs), a dilapidation survey is requested from the applicant to establish the existing condition of the public highway. Any damage to the public highway would need to be remediated at the applicant's expense.
- 10.46. The application site is currently occupied by a hard play area including bicycle shelters. No details have been provided on the relocation of the cycle parking spaces. Therefore a condition is recommended to be imposed to provide details on the number, type, location, design of the new cycle store.

**vii. Sustainability and Energy**

- 10.47. Policy CP18 of the Oxford Local Plan states that Natural Resource Impact Analysis (NRIA) would be required for all major developments. For the purpose of this policy a major development is defined as 10 or more dwellings or 2000sqm or more of floorspace.
- 10.48. The proposed gross internal floorspace of the proposed new Music School is 1,636sqm therefore the NRIA is not required.
- 10.49. Policy CS9 of the Core Strategy states that all developments should seek to minimise their carbon emissions. Proposals for development are expected to demonstrate how sustainable design and construction methods will be incorporated. All development must optimise energy efficiency by minimising the se of energy through design, layout, orientation, landscaping and materials, and by utilising technologies that help achieve Zero Carbon Developments.
- 10.50. The applicant provided information regarding energy efficiency, the information can be found in the section 5.28 of the Planning Statement and in the Design and Access Statement. The Planning Statement states that “the energy strategy for

the building follows a 'fabric first' approach in line with the Energy Hierarchy, which is the most effective methodology to reduce the energy demand (and thereby carbon emissions) and utility costs of a building". Section 6.0 of the Design and Access statement demonstrated the energy strategy and what is being proposed to reduce the energy demand and utility costs of a building. The solar photovoltaic (PV) panels are being proposed. The PV panels would be located on the southeast and southwest facing pitched roofs.

10.51. It is considered that the proposed development, because of its design, materials, sun orientation, proposed PV panels, high efficiency and air source heat pumps would enable it to meet the energy performance measures required to meet Policies CP15, CP16 and CP17 of the Oxford Local Plan and Policy CS9 of the Core Strategy (2011).

#### **viii. Flooding and drainage**

10.52. The site is not in an identified area of high flood risk. Given the overall increase in impermeable area that would result from the proposed development, details of the drainage infrastructure is recommended to be required prior to commencement. This condition would also require details on how this is to be maintained in order to ensure the systems remain safe and functional for the lifetime of the development. In line with Policy CS11 of the Oxford Core Strategy, it is expected that Sustainable Drainage Systems (SuDS) would be used unless shown not to be feasible.

10.53. The principles of drainage set out in section 5.6 of the Design and Access Statement are generally acceptable. For previously developed sites, Oxford City Council would seek to limit discharge rates to greenfield runoff rates ideally, or if this is not feasible, then a degree of betterment should be provided. As noted in the Design and Access Statement Section 5.6, agreements should be sought with Thames Water when considering the drainage strategy.

10.54. A condition is recommended to be imposed to provide further details regarding drainage to ensure compliance with Policy CS11 of the Oxford Core Strategy.

10.55. Thames Water commented on the proposal. No objections were received from Thames Water, however they recommended two conditions to deal with the waste water infrastructure and surface water drainage and two informatives regarding groundwater risk management permit and water infrastructure capacity. The recommended conditions and informatives are included in the officer recommendation.

#### **ix. Biodiversity**

10.56. Policy CS12 of the Core Strategy states that opportunities will be taken (including through planning conditions or obligations) to ensure the inclusion of features beneficial to biodiversity (or geological conservation) within new developments throughout Oxford.

10.57. In addition to local policy, the NPPF sets out that "The planning system should



contribute to and enhance the natural and local environment by: minimising impacts on biodiversity and providing net gains in biodiversity where possible” and “opportunities to incorporate biodiversity in and around developments should be encouraged”.

- 10.58. Updated Phase 1 Habitat Report and Biodiversity Impact Assessment Calculation were submitted on the 7<sup>th</sup> December 2017. Officers reviewed the application documents including the revised Phase 1 Habitat Survey Report, Windrush Ecology November 2017 and a completed biodiversity metric confirming no net loss of biodiversity, provided the recommendations in the report for planting of trees, shrubs etc., plus bird and bat boxes are met. The revised Phase 1 Habitat Survey Report also details recommended building enhancements in the form of bird and bat boxes to be installed. Officers recommend that the findings of the report are acceptable.
- 10.59. However, recommendations in the revised Phase 1 Habitat Survey Report have not been taken up as firm commitments in revisions to either the site plans or the Design and Access Statement, therefore conditions are recommended to be imposed in the interests of improving the biodiversity of the City in accordance with NPPF and Policy CS12 of the Oxford Core Strategy 2026.
- 10.60. Furthermore, scrub, trees and buildings on site offer suitable habitat for nesting birds. All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended), therefore an informative is recommended to ensure that removal of vegetation shall be undertaken outside of bird nesting season.

**x. Air Quality**

- 10.61. The Air Quality Assessment states that there will be no car parking spaces provided and it is anticipated that no road traffic will be generated by the proposed development. The technical appraisal of traffic and highway impact report confirms the information provided with the air quality assessment. The document states that the new facilities will not give rise to any net increase in traffic movements and that the number of vehicle trips made along Benson Place/Norham Road before and after construction will remain unchanged, as well as the number of parking spaces provided within the curtilage of the planning.
- 10.62. The emissions from the energy plant to be installed on site have not been modelled as part of this assessment as the combined emissions fall below the Environmental Protection UK and the Institute of Air Quality Management guidance criteria of 5mg/s.
- 10.63. A dust assessment has been submitted, to account for the potential impacts of the construction work. Mitigation measures have been identified which can be secured by condition.
- 10.64. Overall, the operational air quality impacts of the proposed development are considered to be not significant. A condition is recommended to be imposed to ensure that the Construction Environmental Management Plans shall be

submitted to and approved in writing by the Local Planning Authority in the interest of the amenities of neighbouring occupiers to comply with policies CP1, CP19 and CP21 of the Oxford Local Plan 2001-2016.

**xi. Other- Archaeology, contaminated land**

- 10.65. This site is of interest because is located on the edge of the Summertown-Radley gravel terrace, within an extensive landscape of Middle-Neolithic- Early Bronze Age ritual and funerary monuments and subsequent Iron Age and Roman rural settlement sites. A desk based assessment has been produced for this site by Oxford Archaeology (2017) which identifies that the site has the potential to contain below-ground archaeological remains dating to the later prehistoric and Roman periods.
- 10.66. In this case, bearing in mind the constraints placed on field evaluation by existing tree cover, the Officers recommend that, in line with the advice in the National Planning Policy Framework, any consent granted should be subject to an archaeological condition.
- 10.67. The development involves the creation of school facilities. School facilities are considered to be sensitive uses. The risk of any significant contamination being present on the site is low. However, it is the developer's responsibility to ensure that the site is suitable for the proposed use. Therefore, it is recommended that an informative is placed on any planning permission regarding unexpected contamination.

**11. CONCLUSION**

- 11.1. The proposed development complies with the National and Local policies. It makes the efficient use of land available. Officers are satisfied with the form, scale and appearance of the proposed music school and its relationship with surrounding development. The proposed development will not harm the Conservation Area and the setting of listed buildings. The proposed development is not considered to form an unneighbourly development and would not be detrimental to the amenities and living conditions of the neighbouring properties.
- 11.2. On the basis of the above, the officer recommendation is to grant planning permission subject to the conditions listed below.

**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 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 the visual appearance of the North Oxford Victorian Suburb Conservation Area in which it stands in accordance with policies CP1, CP8 and HE7 of the Adopted Oxford Local Plan 2001-2016.

- 4 A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority before development starts. The plan shall include a survey of existing trees showing sizes and species, and indicate which (if any) it is requested should be removed. A landscaping plan shall detail species as recommended by Section 4 of the Phase 1 Habitat Survey Report and shall show in detail all proposed tree and shrub planting, treatment of paved areas, and areas to be grassed or finished in a similar manner.

Reason: In the interests of visual amenity and in the interests of improving the biodiversity of the City in accordance with NPPF and policies CP1, CP11 and NE15 of the Adopted Local Plan 2001-2016 and CS12 of the Oxford Core Strategy 2026.

- 5 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.

- 6 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 NE16 of the Adopted Local Plan 2001-2016.

- 7 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.

- 8 Prior to the start of any work on site, details of the location of all underground services and soakaways shall be submitted to and 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.

- 9 Details of the design of all new hard surfaces shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To avoid damage to the roots of retained trees in accordance with policies CP1, CP11 and NE16 of the Local Plan 2001-2016.

- 10 No development shall take place 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, no 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 for trial trenching and subsequent archaeological 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 prehistoric and Roman remains (Local Plan Policy HE2).

- 11 No development shall take place until a Construction Environmental Management Plan shall have first been submitted to and approved in writing by the Local Planning Authority. The plan may refer, inter alia, to 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 to future adjacent development plots;

- noise limits;
- hours of working;
- vibration;
- control of emissions including dust odours and dirt;
- waste management and disposal, and material re use;
- prevention of mud / debris being deposited on public highway;
- materials storage; and
- hazardous material storage and removal

The approved Construction Environmental Management Plan shall be implemented accordingly throughout the demolition and construction phases of development, and will consolidate the various mitigation measures identified in the air quality assessment REP-AQA-23102017 Chapter 5 - Mitigation, submitted with the application

Reason: In the interests of the amenities of neighbouring occupiers, in accordance with policies CP1, CP19 and CP21 of the Oxford Local Plan 2001-2016, and in order to make sure that any residual effect from dust generating activities is considered not significant

- 12 A Construction Traffic Management Plan 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, including the adjacent care home.
  - Swept path analyses of construction/ delivery vehicles using access.
  - A Dilapidation Survey

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times

- 13 A cycle parking strategy including details of number, type and location should be submitted for approval of the Planning Authority to ensure that the development does not result in any net loss of cycle parking.

Reason: To encourage sustainable transport.

- 14 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 demonstrate that;

I. The drainage system is to be designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event with an allowance for climate change.

II. The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the greenfield runoff rate for a given storm event.

III. Excess surface water runoff must be stored on site and released to receiving system at greenfield rates.

IV. Network drainage calculation to demonstrate the above points

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 LPA.

Details of a Sustainable Drainage (SuDS) Maintenance Plan shall also be submitted to and approved in writing by the Local Planning Authority, and adhered to for the lifetime of the development. 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, and 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 in perpetuity.

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

- 15 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.

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.

- 16 Prior to the occupation of the development the drainage infrastructure shall be constructed in accordance with the approved details and thereafter retained. The development is to be maintained in accordance with the approved Sustainable Drainage (SUDs) Maintenance Plan.

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

- 17 Biodiversity enhancement measures as specified in Section 4 and the appendices of the Phase 1 Habitat Survey Report, Windrush Ecology, November 2017 shall be incorporated into the scheme and be fully constructed prior to occupation of the approved building and retained as such thereafter. These are as follows:

Four Ibstock Eco-habitat for swifts to be installed at the apex of the walls of the new building. Two of these boxes to be installed along the eastern sides of the building and two boxes to be installed along the western elevation.

A Schwegler 1SP box house sparrow will be erected on the eastern elevation of the new school building.

Removal of the mature trees to be undertaken by an experienced arboriculturalist and trees should be section felled, with checks for bats and any evidence of bats within the felled sections. In the very unlikely event that bats are encountered, works will stop and advice will be sought from an experienced ecologist.

2 Schwegler 1FR bat tubes to be installed along the southern elevation of the new building.

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

- 18 No occupation shall take place until the building has been insulated against noise breakout in accordance with a scheme that has been submitted to, and approved in writing by, the Local Planning Authority. Measures should be in accordance with recommendations made in the Stage 3 Acoustics Report by AMA Acoustics dated 20/10/17 or of an equal effect. There shall be no variation to the approved scheme unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with policies CP9, CP19 and CP21 of the Oxford Local Plan 2001-2016.

- 19 In respect of any proposed air conditioning, mechanical ventilation or associated plant, the applicant shall ensure that the plant to be installed will meet the noise limit calculated for this purpose by Hoare Lee in their Report Planning Stage Acoustic Assessment Report of 21/02/2017. A noise control scheme, to include this confirmation and appropriate measures for noise management of the potential impact of staff arrival and departure and

deliveries and collections, shall be submitted for approval before the development is brought into operation

Reason: In order to maintain the existing noise climate and prevent ambient noise creep in the interests of the residential amenities in accordance with policies CP1, CP10, CP19 and CP21 Oxford Local Plan 2001-2016..

- 20 No development shall take place until a Construction Environmental Management Plan shall have first been submitted to and approved in writing by the Local Planning Authority. The plan may refer, inter alia, to 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 to future adjacent development plots;
- 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;
- materials storage; and
- hazardous material storage and removal

The approved Construction Environmental Management Plan shall be implemented accordingly throughout the demolition and construction phases of development.

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

### **13. APPENDICES**

**Appendix 1 – Site Location Plan**

**Appendix 2 – Oxford Design Review Panel Letter**

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

- 14.1. 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.

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

This page is intentionally left blank