

EAST AREA PLANNING COMMITTEE

5 September 2018

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

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

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

Ward Marston Ward

Case officer Nadia Robinson

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

Reason at Committee Major development

1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

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

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

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

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

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

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

2. EXECUTIVE SUMMARY

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

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

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

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

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

3. LEGAL AGREEMENT

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

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

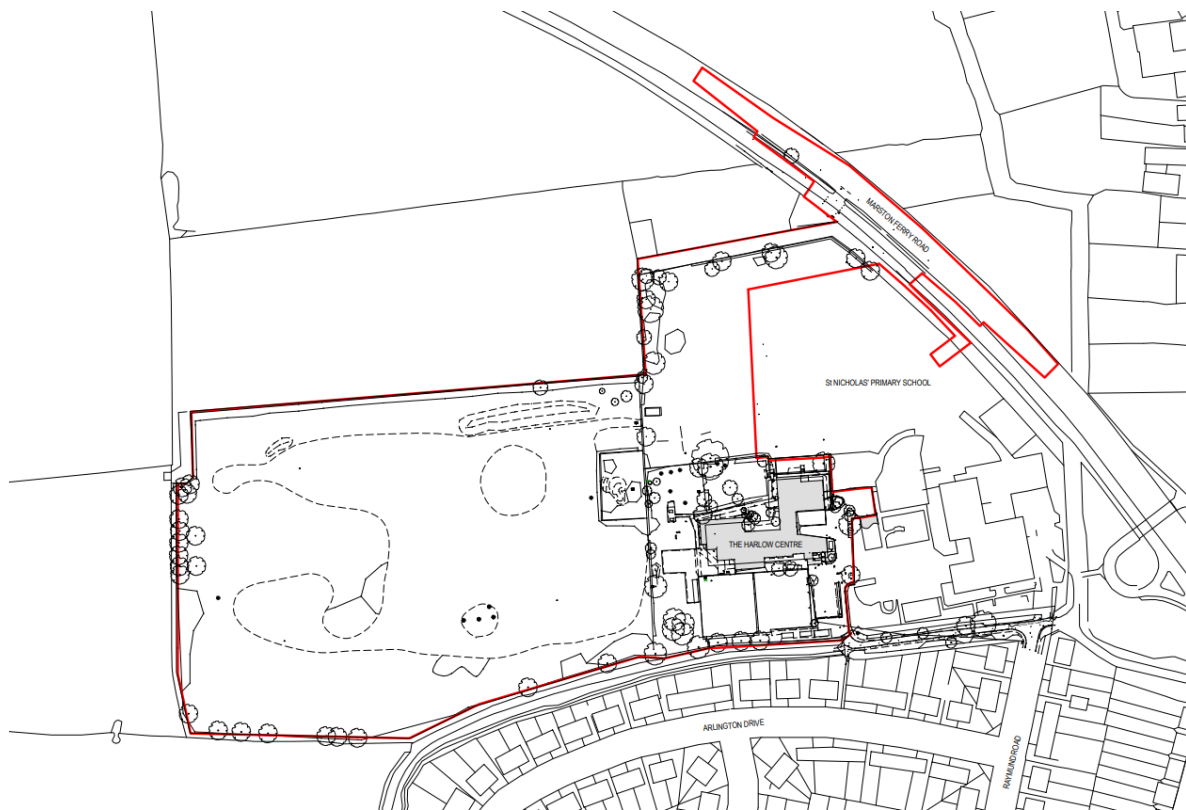
- 4.1. The development would be liable for CIL contribution of £254,897.14. Please note that charitable institutions are able to apply for exemption from CIL and so this amount may not be payable.

5. SITE AND SURROUNDINGS

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

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

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



6. PROPOSAL

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

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

7. RELEVANT PLANNING HISTORY

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

54/00344/M_H - Erection of secondary modern school – Approved 30.03.1955

56/00160/M_H - Erection of a secondary modern school – Approved 06.03.1956

56/00280/M_H - Erection of Secondary Modern School. – Approved 08.05.1956

71/00190/M_H - New art and pottery room. – Approved 15.03.1971

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

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

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

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

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

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

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

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

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

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

9. CONSULTATION RESPONSES

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

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

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

Response dated 22 June 2018

- 9.3. No objection subject to conditions.

- 9.4. Comments relating to Swan School:

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

- 9.5. Comments relating to Meadowbrook College:

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

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

Response dated 15 August 2018

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

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

Oxfordshire County Council (Drainage)

- 9.12. No objection subject to condition.

Oxfordshire County Council (Education)

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

Thames Water

Waste Comments

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

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

Water Comments

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

Natural England

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

Environment Agency

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

Historic England

- 9.29. Do not wish to offer any comments.

Sport England

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

Old Marston Parish Council (1st representation)

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

Old Marston Parish Council (2nd representation)

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

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

Meadowbrook College

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

Oxford Preservation Trust

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

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

Cyclox

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

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

Oxford Civic Society

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

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

Protect Old Marston & Elsfield

9.71. Objection due to:

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

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

9.72. Objection due to:

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

Cherwell Travel Action Group (1st representation)

9.73. Objection due to:

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

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

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

Cherwell Travel Action Group (2nd representation)

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

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

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

Oxfordshire Cycling network

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

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

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

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

Public representations

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

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

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

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

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

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

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

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

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

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

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

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

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

a. Principle of development

Education use

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

Site selection

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

Green Belt

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

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

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

Loss of open-air sports facilities

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

b. Green Belt

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

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

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

Purpose of Green Belt in this location

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

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

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

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

Harm to Green Belt

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

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

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

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

Mitigation of harm

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

Material planning considerations

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

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

Balancing exercise

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

c. Impact on designated heritage assets

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

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

d. Site layout, form and massing

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

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

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

e. Landscape and open space

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

Arboricultural implications

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

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

Landscape mitigation proposals

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

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

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

f. Highways and transport

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

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

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

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

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

Meadowbrook College

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

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

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

Access and highways – Swan School

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

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

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

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

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

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

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

Sustainable travel to site – Swan School

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

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

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

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

Car parking – Swan School

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

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

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

Drop off arrangements – Swan School

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

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

Cycle parking – Swan School

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

Trip generation and traffic impact – Swan School

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

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

Travel Plan – Swan School and Meadowbrook College

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

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

Delivery and servicing – Swan School and Meadowbrook College

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

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

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

Conclusion – highways and transport

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

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

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

g. Neighbouring impact

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

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

h. Archaeology

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

i. Flooding and drainage

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

j. Biodiversity

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

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

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

k. Energy and sustainability

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

l. Air quality

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

m. Land quality

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

11. CONCLUSION

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

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

Compliance with Development Plan Policies

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

Material considerations

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

12. CONDITIONS

1. Time limit

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

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

2. Approved plans

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

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

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

3. Material samples

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

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

4. No felling or tree surgery

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

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

5. Landscaping details

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

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

6. Landscape management plan

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

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

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

7. Completion of landscaping

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

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

8. Hard Surfaces

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

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

9. Tree Protection Plan

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

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

10. Arboricultural method statement

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

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

11. Landscape underground services

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

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

12. Ecological Mitigation and Management Plan

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

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

13. Vegetation Clearance: Nesting Birds

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

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

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

14. Lighting

The development shall be undertaken in accordance with the provisions of the Ecological Mitigation and Management Plan produced by Thomson Ecology in April 2018 (report VGAL 105/012 001). The lighting scheme (Corde, 2017) does not result in direct illumination of existing and proposed boundary planting and includes hooded, downward facing lighting. Any lighting so installed shall not thereafter be altered without the prior consent in writing of the local planning authority other than for routine maintenance which does not change its details.

Reason: In the interests of visual amenity, to avoid harm to the dark night skies of the countryside and to prevent disturbance to protected species such as bats in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.

15. Electric vehicle charging points

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

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

16. Energy sustainability

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

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

17. Sports Hall

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

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

18. MUGAs

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

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

19. Sports pitches

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

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

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

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

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

20. Community use

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

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

21. Waste water

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

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

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

22. Water network

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

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

23. Road Safety Audit

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

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

24. Car Park and Access Management Plans

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

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

25. Cycle Parking

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

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

26. Travel Plan – Swan School

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

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

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

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

27. Travel Plan – Meadowbrook College

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

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

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

28. Site Visits

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

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

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

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

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

30. Construction Traffic Management Plan (CTMP)

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

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

31. Visibility Splays

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

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

32. Showers and changing facilities – staff cycling to work

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

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

33. Unexpected contamination

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

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

34. Drainage

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

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

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

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

35. Archaeology

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

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

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

36. Foundation condition

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

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

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

37. Outdoor sports facilities – hours of use

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

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

13. INFORMATIVES

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

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

14. APPENDICES

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

15. HUMAN RIGHTS ACT 1998

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

16. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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