

WEST AREA PLANNING COMMITTEE

20 February 2019

Application number:	18/03313/FUL
Decision due by	13 February 2019
Extension of time	27 February 2019
Proposal	Erection of two, two storey modular buildings for temporary school premises at 'Swan School', provision of external associated facilities together with car and cycle parking for a period of no more than two academic years.
Site address	Land To The East Of Cherwell School South Site, Marston Ferry Road, Oxford – see Appendix 1 for site plan
Ward	St Margarets Ward
Case officer	Nadia Robinson
Agent:	Natasha Ireland Applicant: River Learning Trust
Reason at Committee	The application is before the committee because it involves the development of over 500m ² new floor space.

1. RECOMMENDATION

1.1. West 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 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 Acting Head of Planning Services to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary;
- 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 Acting Head of Planning Services considers reasonably necessary; and

- issue the planning permission.

2. EXECUTIVE SUMMARY

- 2.1. Planning permission 18/01173/FUL granted consent for a new secondary school, “Swan School”, on the site of Meadowbrook College in Marston, as well as a replacement building for Meadowbrook College. Due to the acute shortage in secondary school places for pupils in Oxford, the new Swan School will need to provide school places for year 7 pupils from September 2019 while the permanent school buildings are being constructed.
- 2.2. This report considers an application for two two-storey temporary buildings to provide educational facilities for the new secondary school. These are proposed to be located on the land next to Cherwell School’s playing fields to the south of Marston Ferry Road for a period of no more than two academic years.
- 2.3. Officers consider that the temporary buildings proposed are justified and the development, subject to conditions, would comply with the requirements of the NPPF and local plan policies.

3. LEGAL AGREEMENT

- 3.1. A Travel Plan monitoring fee is required, to be secured via legal agreement or unilateral undertaking.

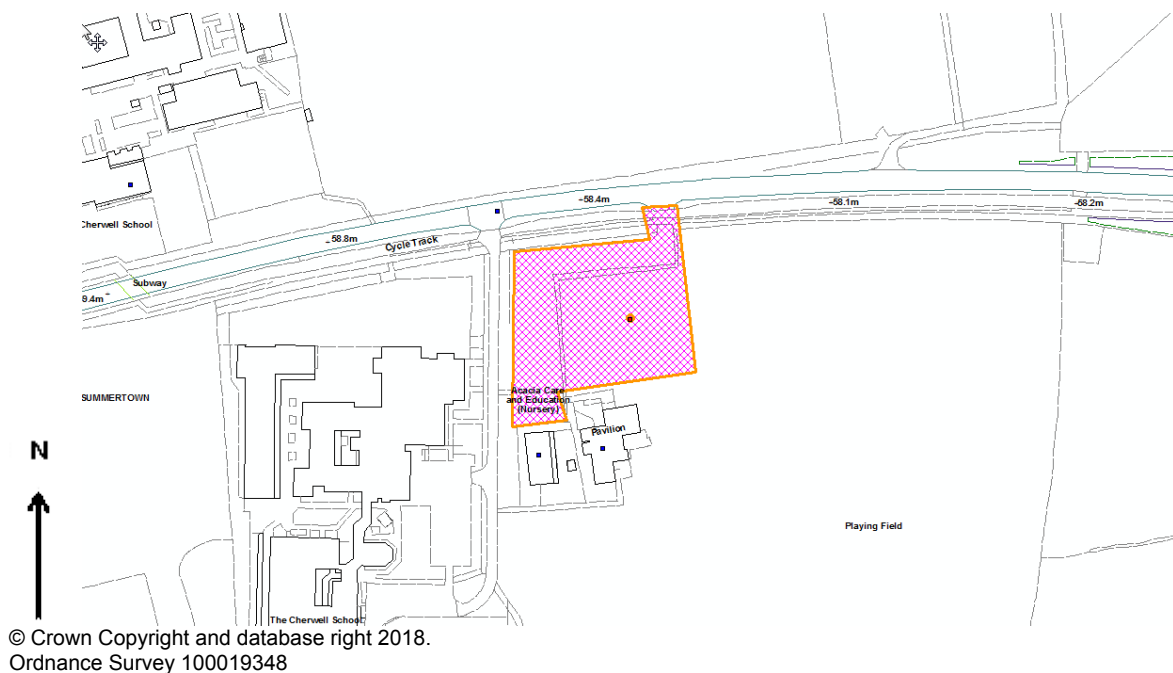
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is not liable for CIL because it is an application for temporary permission.

5. SITE AND SURROUNDINGS

- 5.1. The site is a small area (just over 2,000 square metres) on the edge of the Cherwell School South Site playing fields; it takes in the existing car park and access from Marston Ferry Road. The site does not encroach on the pitches themselves and is just outside the zone of playing fields protected by Policy SR2 of the Oxford Local Plan 2001-2016.
- 5.2. To the south of the application site are two single-storey buildings, one housing Kumon tuition school and sports pavilion, the other housing a nursery. The car park has 66 car parking spaces (including 2 disabled bays) used by Cherwell School staff as well as by Kumon and the nursery. Beyond these two buildings to the south, and to the east lie Cherwell School playing fields. To the east of the site lies Cherwell School’s south site, which has a separate vehicle access from Marston Ferry Road.

- 5.3. The site lies to the south of Marston Ferry Road with a vehicle access crossing the Marston Ferry Road cycle and pedestrian route. The road markings give priority to cyclists and pedestrians over vehicles. There are 15 individual trees, two groups of trees and four hedgerows in and adjacent to the proposed development site including a crack willow tree on the boundary with the cycle route, on the northern boundary of the site, and two small trees (crab apple and goat willow) where the grassed area meets the car park. The trees on the boundary with Marston Ferry Road provide a good level of screening for the site.
- 5.4. The playing fields are used for training by Summertown Stars football club on weekday evenings. Oxford Harlequin rugby club vacated the site in September 2018.
- 5.5. The site is in Flood Zone 1 and there is no residential development in the immediate area.
- 5.6. See block plan below:



6. PROPOSAL

- 6.1. The application proposes two sets of pre-fabricated modular classrooms over two storeys. Each will have an external staircase for emergency escape. The temporary buildings would house classrooms, a science lab and administrative facilities. See **Appendix 1** for proposed site layout.
- 6.2. The application follows the grant of permission, 18/01173/FUL, for a new secondary school, “Swan School”, on the site of Meadowbrook College in Marston, as well as a replacement building for Meadowbrook College. The pressing need for secondary school places in Oxford means that the new secondary school will need facilities for year 7 pupils from September 2019 while the permanent school buildings are being constructed.

- 6.3. The temporary buildings are intended to be provided in two phases, the first to accommodate 120 year 7 pupils from September 2019 (618 square metres). Phase 2 would provide facilities for a second intake of 120 pupils in September 2020 (380 square metres), should the permanent school buildings not be ready for occupation at that point. The second phase, therefore, may not be necessary depending on progress with the main project. There would be up to 29 members of staff.
- 6.4. The proposal includes cycle parking for 140 cycles. No changes are proposed to the area of car parking. The buildings, cycle stands and play area would be enclosed by 2.4 metre mesh fencing and gated access. Management of the site access is proposed via the Travel Plan at the start and end of the school day.
- 6.5. A training area for Summertown Stars football club would be provided on Cherwell School playing fields, to the south of the application site, during the temporary development proposed.

7. RELEVANT PLANNING HISTORY

- 7.1. There is no relevant planning history on the site itself, however the following two applications at The Harlow Centre site (Raymund Road, Marston, OX3 0PG) are relevant for this application.

18/01173/FUL - Demolition of existing buildings on the site and their replacement with a new two-storey education facility, associated parking and external play areas for Meadowbrook College. Erection of a new secondary school in the form mix of one and three-storey buildings together with provision of a new access from Marston Ferry Road, associated car and cycle parking along with formal and informal play and sport provision. Erection of a multi-use games area (MUGA) and eco-shelter for St Nicholas Primary School. (Amended description) (Amended plans and additional information)(Further amendments received 25.09.2018). Approved 17 December 2018

18/01697/FUL - Partial demolition of the existing Meadowbrook College buildings and erection of modular units to provide a temporary education facility for Meadowbrook College, including the provision of an external play area to the south of the modular units to be enclosed by a 3.0 metre high rebound fence for a period of no more than two years and other associated works. Approved 17 December 2018.

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	Emerging Local Plan 2036*
Design	124-132	CP1 CP6 CP8 CP10	CS18_			DH1
Heritage	184-202	HE2				DH4
Natural environment	133-147 148-169 170-183	NE15	CS12_			G2
Social and community	91-101	CP13 CP19 CP20 CP21	CS16_			G5 V7
Transport	102-111	TR1 TR2 TR3 TR4	CS13_		Parking Standards SPD	M1 M2 M3 M5
Environmental	117-121	CP22	CS9_ CS11_ CS21_			RE3
Miscellaneous	7-12	CP25		MP1		S1 RE7

* Only limited weight can be given to policies in the emerging Oxford Local Plan 2036 because the plan is only at Proposed Submission Draft stage.

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 12 January 2019.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. No objection subject to conditions.

9.3. The proposal seeks to use 20 car parking spaces on site for staff and students with mobility issues. All other student drop-off and pick-up will be undertaken from Marston Ferry Sports Centre, a short walk from the site. The proposed access management with staggered start times, restriction on the use of the car park, warden presence and implementation of the Travel Plan is supported and welcome and will help reduce impact on the cycle lane.

- 9.4. The Travel Plan requires amendments and therefore a condition has been recommended. Further cycle parking details are required, therefore a condition has been included in the officer recommendation. The construction travel management plan requires further detail and this is also included in the officer recommendation.
- 9.5. A legal agreement is required to secure £770 Travel Plan monitoring and administration fee.

Oxfordshire County Council (Drainage)

- 9.6. No objection subject to condition for surface water drainage scheme details.

Oxfordshire County Council (Education)

- 9.7. The temporary school accommodation which is the subject of this application is essential to enable the new Swan School to open in September 2019. Without this school, Oxford city will have a severe shortage of places for Year 7 pupils in September, due to a sharp rise in the population.
- 9.8. The Swan School is planned to open with 120 Year 7 places (rising to 180 per year group once it moves to its permanent accommodation). For 2019 it is already heavily oversubscribed. The school's permanent accommodation has been granted planning permission. However, places cannot be allocated at the school until the temporary accommodation also has planning permission. All applicants to the school will need to be also allocated a place at an existing school, even if they have a provisional allocation to the Swan School. They will only be able to release the place at an existing school once the Swan School's opening is confirmed (if this planning permission is granted).
- 9.9. School place allocations for September 2019 need to be issued on 1st March, and accepted by 21st March. It is therefore urgent that planning permission is granted for this accommodation, to allow the school admissions process to progress. Until then, a significant number of Oxford families face uncertainty over what school their children will be able to attend in September.

Oxfordshire County Council (Local Member Views – Cllr John Howson)

- 9.10. Two areas of concern: transport matters and the nature of the education provision in terms of standards required for state funded schools and what should be required as a minimum standard in state funded schools.
- 9.11. Concern over individual vehicles crossing the cycle path as lone cyclists are using the cycle path and the risk of accidents.
- 9.12. There may be other facilities not provided that would be expected of a secondary school, including the amount of indoor and outdoor space per student, adequate space for staff to work and meet together, medical facilities, community space for school meals and meeting together as a school community, space for the arts, including drama, music and practice rooms for

instrumental tuition, facilities for challenging pupils or those with special teaching needs.

Sport England

9.13. No objection subject to recommended conditions.

Thames Water

9.14. On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Condition recommended in respect of waste water. Informatives recommended.

Cherwell Travel Action Group

9.15. General support for the development, its travel plan and construction travel plan but suggest ways in which the proposal can be strengthened including:

- Segregation of cycle/pedestrian access from vehicular;
- Firming up of language to ensure HGV movements are managed during construction period;
- Additional cycle parking should be provided;
- Correction needed regarding Cherwell School student drop offs to the site;
- Car park should be relocated to Cherwell School North site;
- Vehicle activated speed sign should be installed; and
- Speed limit on Marston Ferry Road by the site should be reduced to 20mph.

Public representations

9.16. 63 representations were received from 56 addresses in the local area, from further afield in Oxford, and from beyond Oxford. All comments were in support of the proposal.

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

- Need for secondary school places
- Travel distance to temporary school for children in catchment area
- Accessible location for cycling

Officer response

9.18. The application is being made by the River Learning Trust with the support of the Department for Education. The application is integral to the wider strategy for Swan School. It is therefore considered that concerns raised by the local member for Oxfordshire County Council over the quality of accommodation

provided for pupils will have been dealt with through Department for Education reviews and checks. The Department for Education have minimum design space standards against which proposals are measured; the proposals are understood to be compliant with these standards.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Principle of development
- ii. Site layout and design
- iii. Transport and highways
- iv. Flooding and drainage
- v. Trees
- vi. Ecology and biodiversity
- vii. Archaeology

i. Principle of development

Temporary buildings

10.2. Policy CP25 of the Oxford Local Plan 2001-2016 allows temporary or portable buildings where short-term need has been clearly demonstrated, such as on sites already allocated for permanent development, buildings to house short-term or trial projects, to meet seasonal or peak demands, for urgent operational requirements, or in connection with major site development work. This development has clearly demonstrated the short term need because of the construction of the secondary school in Marston and the urgent need for school places in Oxford.

10.3. Policy CP25 goes on to state that permission will not be granted where:

- buildings would adversely affect visual attractiveness, trees or parking provision; and
- proposals do not adequately address, where appropriate: landscaping; noise insulation; access for people with disabilities; relationship to existing buildings; prejudice future developments; access points; or provide a suitable external appearance.

10.4. These issues are discussed in detail later in this report but officers consider that the application adequately addresses the points above.

10.5. A condition is recommended requiring removal of the buildings at the end of the proposed two-year period and the reinstatement of the land to its former condition.

Education

10.6. 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.

- 10.7. 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.
- 10.8. 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 provision of temporary school facilities proposed would support the aims of NPPF Paragraph 94 and Policy CS16.

Site selection

- 10.9. The Swan School and Cherwell School are both operated by River Learning Trust and so locating the temporary classrooms close to Cherwell School is practical so that other school facilities can be shared, minimising the amount of temporary floorspace needed.
- 10.10. In addition, officers consider the site to be suitable due to the compatible adjacent land uses, i.e. sports facilities and education uses. The site is close to the permanent site and in a sustainable location on a dedicated cycle route. This will mean pupils will be able to cycle to school in this temporary location before moving to the main school site.

Playing fields and community use

- 10.11. Policy CS20 of the Oxford Core Strategy 2026 seeks to protect and enhance existing cultural and community facilities. The site lies outside the area of open-air sport facilities protected by Local Plan Policy SR2 (and emerging policies G1 and G5, to which little weight can be given), although the grassed area on which the buildings would sit is part of the wider grassed playing fields and so falls within Sport England's definition of playing field land. The site is used by the Summertown Stars football club as a training area; Sport England has therefore recommended a condition for the land to be reinstated to a use for sport that is fit for purpose.
- 10.12. Alternative training facilities are to be made available further south on the Cherwell School South playing fields. In this way, the community use will be safeguarded during and after the lifetime of the development, in accordance with policy CS20 of the Oxford Core Strategy 2026. The temporary training area and pitches for Summertown Stars are detailed on the proposed playing fields drawing A111 revision 01 and it is proposed that a condition be imposed requiring the applicant to make the re-provision prior to commencement, and for the lifetime of the development.

ii. Design and visual impact

- 10.13. 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.

- 10.14. 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. Policy CP25 resists buildings that would adversely affect visual attractiveness.
- 10.15. The pre-fabricated buildings are to be finished in dark grey, which will be visually recessive in the semi-rural landscape setting. For the first year, only one of the two buildings would be in situ. At two storeys over a small footprint, the height and massing are not considered excessive. These functional buildings will not be unduly prominent or jarring in public views due to their setback from the road, their colour, the surrounding vegetation and tree screening, and the educational, playing field and pavilion building setting.
- 10.16. The temporary buildings have ramped access and the applicant proposes to accommodate pupils with mobility problems by timetabling their classes on the ground floor. The ground floor will be Disability Discrimination Act compliant. This is considered a proportionate approach to a temporary development that complies with the Council's policy regarding accessibility, CP13 of the Oxford Local Plan.
- 10.17. Having regard to their temporary nature, it is considered that the siting and design of the development is satisfactory in compliance with local policies and the NPPF.

iii. Transport and highways

- 10.18. 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.

- 10.19. 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. Policy CP25 of the Oxford Local Plan prevents temporary development from adversely affecting parking provision.
- 10.20. A Transport Statement, School Travel Plan, Delivery and Service Management Plan and Construction Travel Management Plan were submitted with the application.

Access

- 10.21. The site will be accessed from Marston Ferry Road using the existing access which serves the car park for the southern site of the Cherwell School, the nursery, and the sports pavilion used by Kumon tuition in the afternoons.
- 10.22. The existing access takes the form of a priority junction which also requires vehicles to give way to cyclists on the Marston Ferry Road cycle lane. The access is able to achieve visibility splays of 2.4 x 43 metres to the west (which is appropriate for the 30mph speed limit) and is able to achieve 2.4 x 120 metres to the east (which is appropriate given that the speed limited changes to 40mph past the access). The access can achieve visibility splays of 2.4 x 33 metres to the cycle lane which is considered sufficient. The access arrangement is not proposed to change with the proposed temporary use of the site by Swan School.

Car parking

- 10.23. The existing car park provides 66 car parking spaces which are currently used by Cherwell School for student drop-off and pick-up, the on-site nursery and by the Kumon Club during the afternoons which operates from the sports pavilion. The number of car parking spaces is proposed to remain the same with slight alterations to the allocation of car parking to the various users to allow the allocation of 20 car parking spaces to Swan School.
- 10.24. Of these 20 spaces, 15 will be allocated to staff and 5 spaces to student drop off for those students who have mobility issues. On reviewing the trip generation of staff, it would appear that a demand for 16 car parking spaces will arise from staff upon full occupation of the temporary accommodation.

However, as there are 20 spaces, the demand arising from students and staff can be managed, especially if the Travel Plan measures are successful in promoting car sharing and reducing car reliance altogether.

- 10.25. The times of use of the car park has also been reviewed and is set out in Table 7.2 (page 39) of the Transport Statement. Although this table does not include the use of the car park by parents of Swan School who have been granted a permit for drop off, these numbers are expected to be low and therefore are likely to have a minimal impact. The table shows that the Cherwell School, nursery, Kumon and Swan School use of the car park do not largely overlap and therefore the demand for the car park will not occur simultaneously. The car park is able to accommodate the demand arising from the different uses.
- 10.26. Any other drop-off of students will take place from the Ferry Sports Centre car park, as for Cherwell School, and students will walk from the car park to the school site. This is anticipated to be a very low number of students due to the measures promoting sustainable transport in the travel plan. However, the sports centre car park provides a safe drop-off point should it be needed.

Road safety

- 10.27. As the existing access crosses a well used cycle path, careful consideration has been given to the safety of all users as a result of the proposals. Road safety statistics have been reviewed and only one accident involving a cyclist at this access has been recorded in the last five years, which is considered low. The reason attributed to this accident was driver error. Although it is acknowledged that not all incidents are reported, the statistics show that the geometry and design of this access in itself does not raise road safety concerns.
- 10.28. In addition the access can achieve visibility splays of 2.4 x 33 metres to the cycle lane which allows vehicles exiting the site to have view of cyclists on the cycle lane and thus being able to act accordingly.
- 10.29. It is also proposed to have wardens on operation when the site access and cycle lane are in high use as discussed further below. This combined with the restriction on use of the car park by Swan School (staff only and student drop off with permits only) and staggered start and finish times of Swan School (to avoid busy periods when cycle lane is in use) and warden management means that the risk to users of the access or cycle lane is not increased.

Trip generation

- 10.30. When the site is fully occupied in Year 2, the total number of car trips generated by students would be 17 vehicles. The majority of these trips would be to Ferry Sports Centre car park and therefore would not impact the site itself. Only students with mobility issues would be using the on-site car park, enforced by wardens monitoring drop-off permits. High cycle use amongst students is predicted, with up to 131 cycle trips being made to the school. The remainder of the students are expected to walk or use public transport.

10.31. It is apparent that staff would generate 16 vehicular trips to and from the on-site car park. However, the times during which the car park can be used will be controlled by the school and wardens. Other modes of travel amongst staff are predicted to be low. This should be addressed through measures within the Travel Plan to increase the take up of walking, cycling and use of public transport.

Impact on cycle route

10.32. As with the application for the permanent site, where a new access is to be constructed across the Marston Ferry Road cycle lane, this application also proposes the use of an existing access across the same cycle lane. Officers have therefore given consideration to the conflict that may arise between cycles on the cycle lane and vehicles that will use the car park.

10.33. Officers consider that the impact of Swan School staff using the car park on the site, and possibly by a few parents for drop-off and pick-up for students with mobility issues, would not be significant enough to raise any concerns. Officers note that:

- Only 20 spaces are to be allocated to Swan School of the total of 66 spaces. These spaces are to be used by staff with only 5 allocated to student drop-off where mobility issues require it.
- The traffic generated by the use of the above car parking will be minimal, only 16 vehicular trips before Swan School opens and 16 vehicular trips when Swan School closes.
- Permits are required by both staff and students to use the car park. Staff members have to demonstrate mobility issues, car share or have no other alternatives to travel to the site to qualify for a permit. Students with mobility issues only will be issued with a permit.
- All other drop off will occur at the Ferry Sports Centre car park, which is a short walk (670 metres) from the site.
- Swan School start and finish times are staggered to avoid conflict when the cycle lane is in high use. Peak usage of the cycle lane occurs before the start of Cherwell School (between 0800 and 0830) and end of the Cherwell School day (between 1500 and 1530). Swan School will start at 0915 and finish at 1645 Mondays to Thursdays and 1600 on Fridays.
- Wardens will be present to manage traffic movements and monitor permits and will coordinate with the wardens who already manage the access on behalf of Cherwell School. Wardens will be present at times when Swan School students arrive and leave the site for clubs and school by all modes. It should be noted that, although one warden is proposed between 0830 and 0915, two are required to manage the peak arrival of students where conflicting vehicle movements could occur related to the nursery on site. This can be secured via the travel plan amendments sought prior to occupation by the recommended condition.

10.34. Overall, the above measures will ensure that the site access across the cycle lane is managed in a safe and effective manner. The measures are included

in the travel plan and it is proposed that the implementation of the plan be secured by condition to ensure the development is acceptable in transport terms. It is not considered necessary to impose any additional measures, such as those proposed by the Cherwell Travel Action Group, to mitigate the impact of the development (for example, the change in speed limit, speed signs or segregation of access).

Cycle parking

- 10.35. Policy TR4 requires a minimum provision of 1 space per five students and 1 space per five staff. All spaces should be covered and secure.
- 10.36. The school will have 140 cycle parking spaces on-site (including 100 cycle spaces provided from the opening of the site in September 2019 and a further 40 from September 2020). This level of provision is sufficient for the predicted number of staff and student cyclists set out in the travel plan. It is above the required standard and reflects the ambitions of the school to encourage cycling. Detail of the cycle parking is lacking, however, and so a condition is recommended for such detail to be provided, ensuring that the parking is secure and covered.

Travel Plan

- 10.37. The submitted Travel Plan takes the same thorough approach, with ambitious targets for sustainable modes of transport, as the Travel Plan submitted for Swan School under reference 18/01173/FUL. It has been reviewed by the Highways Authority and it is considered that some amendments are required to ensure the delivery of the mode share targets set out in the Plan. Other minor changes are also required such as the addition of an extra warden between 0830 and 0915 and clarification of Cherwell School student drop-offs as noted by the Cherwell Travel Action Group. A condition is therefore recommended to secure this, in the interests of sustainable transport and to accord with Policy TR2.

Construction traffic

- 10.38. A Construction Traffic Management Plan (CTMP) has been submitted, however a number of details have not been supplied and the documents states that these details will be provided with the full CTMP. Therefore, an appropriate condition has been recommended. In particular, details of number of workers and related travel, number of HGV movements and restrictions on access times, swept path analyses, and waiting areas for early deliveries, are needed to ensure the safety during the construction phase.
- 10.39. In summary, the proposal is acceptable in relation to highway safety and local plan transport policies. An existing access is proposed to be used. The Travel Plan ties in with the main Swan School Travel Plan in encouraging high levels of sustainable transport. Subject to conditions, the proposal is acceptable in relation to highways and transport in accordance with the relevant local plan policies and the NPPF.

10.40. Although very little weight can be afforded to the emerging local plan, officers would point out that the proposal would accord with policy M3 in that there is no increase in parking. Cycle parking standards in the emerging plan are higher than in the current local plan; the proposal meets the higher cycle parking standards set out in the appendix of the emerging local plan and therefore the aims of policy M5.

iv. Flooding and drainage

10.41. 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.

10.42. The application is accompanied by a flood risk assessment; this states that the development is not at significant risk of flooding from any sources. However the proposed development will lead to an increase in impermeable area, and subsequently an increase in surface water runoff. Therefore, officers consider that a sustainable drainage strategy will be required to mitigate this. Conditions are recommended to require this in order that the development comply with policy CS11 and the NPPF. The application would accord with emerging Policy RE3 to which very little weight can be given at this stage.

10.43. Thames Water has requested a condition regarding waste water, which officers recommend be applied should consent be granted.

v. Trees

10.44. The proposals do not include the removal of any trees, but several will be pruned (notably, a crack willow is to be pollarded) and construction activities could be damaging to some of the retained trees. However, the application includes an Arboricultural Report which includes an appropriate Arboricultural Method Statement and Tree Protection Plan; if recommendations are strictly implemented the proposals should not be detrimental to the viability of trees that are significant for public amenity in the area.

10.45. In order for the development to comply with Local Plan Policies CP1, CP11 and NE15 which safeguard trees of public amenity value, conditions are recommended to require work to be carried out in accordance with the submitted details. The objectives of emerging Policy G8 in protecting existing green infrastructure are met by the development, subject to the recommended conditions, although very little weight can be given to this emerging policy.

10.46. Any new underground and utility services and drainage should be located to avoid the Root Protection Areas of retained trees as far as possible and officers recommend that details are required by condition if planning permission is granted.

vi. Ecology and biodiversity

- 10.47. 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.
- 10.48. The submitted Ecological Impact Assessment demonstrates that the potential presence of protected habitats and species has been given due regard. The surveys have confirmed the site is of relatively low ecological value. A condition is recommended in respect of site enhancements to accord with Policy CS12.

vii. Archaeology

- 10.49. The submitted archaeological desk based assessment identifies "medium potential for prehistoric remains to survive in this location". The assessment was requested to review the available aerial photographic evidence after likely parch marks belonging to prehistoric settlement (or relating to geological features) were identified near the River Cherwell further to the east in 2018 and subsequently Iron Age settlement was identified at the Harlow Centre/Swan School site to the east of the Cherwell. No new additional information was identified by the assessment and the proposed temporary classrooms are to be placed on pads with a surface strip for new hard standing.
- 10.50. Taking into consideration the limited nature of the proposed groundworks and the distance of the site from known archaeology, officers advise that the development is unlikely to have significant archaeological implications. The proposal would therefore accord with policy HE2 and no conditions relating to archaeology are required.

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 NPPF. 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 are inconsistent with the result of the application of the development plan as a whole.
- 11.4. The application is for temporary classrooms and ancillary facilities to provide pupil places for up to a two-year intake during the construction of approved development 18/01773/FUL. The need has been clearly demonstrated in the application, no harm has been identified by officers as a result of the development, and it would comply with local plan policies, subject to the recommended conditions.
- 11.5. Therefore officers consider that the proposal would accord with the development plan as a whole.

Material considerations

- 11.6. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.
- 11.7. National Planning Policy: The NPPF has a presumption in favour of sustainable development. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted.
- 11.8. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, Paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.
- 11.9. Officers would advise members that having considered the application carefully including all representations made with respect to the application, that the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Sites and Housing Plan 2011-2026, Oxford Core Strategy 2026, and Oxford Local Plan 2001-2016, when considered as a whole, and that there are no material considerations that would outweigh these policies.
- 11.10. Therefore it is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 12 of this report and subject to the satisfactory completion (under authority delegated to the Acting Head of Planning Services) of a legal agreement to secure Travel Plan monitoring fees.

12. CONDITIONS

1. Time limit

The development hereby approved shall be for a limited period until 1 September 2021. Within one month of this date the buildings and structures consented under this permission shall be removed and the land reinstated to its former condition, subject to condition 13.

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

2. Approved plans

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

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

3. Materials

The materials to be used in the new development shall be as specified in the application hereby approved and the external finish of the buildings shall be dark grey matt finish. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure the satisfactory visual appearance of the new development in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016, CS18 of the Oxford Core Strategy 2026

4. Travel Plan

Prior to first occupation of the development hereby approved, an updated Travel Plan shall be submitted and approved in writing by the local planning authority. The approved Travel Plan shall be adhered to in full at all times for the lifetime of the development. Within three months of occupation of the school, details of the appointed Travel Plan coordinator and the survey results shall be submitted to and approved 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.

5. Cycle Parking

Prior to first occupation of the development hereby approved, a cycle parking plan shall be submitted and approved in writing by the local planning authority. The location, dimensions, enclosure, number and type of this provision shall be submitted. The cycle parking shall be secure and covered. The cycle parking shall be implemented in full accordance with the approved details.

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.

6. Construction Traffic Management Plan

Prior to commencement of works, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the local planning authority. The CTMP shall follow Oxfordshire County Council's template if possible. This should identify:

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

The development shall be carried out in full accordance with the approved CTMP.

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.

7. Delivery and Servicing Management Plan

The Delivery and Servicing Management Plan (doc. ref. 2915/065/001) submitted with the application shall be implemented for the lifetime of the development.

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, CP10 and CP23 of the Oxford Local Plan 2001-2016.

8. Underground services – trees

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

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

9. Tree protection

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

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

10. Arboricultural Methods

The development shall be carried out in strict accordance with the approved methods of working and tree protection measures contained within the planning application details unless otherwise agreed in writing by the local planning authority.

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

11. Biodiversity

A scheme of ecological enhancements shall be submitted to and approved in writing by the local planning authority to ensure an overall measurable net gain in biodiversity will be achieved. The scheme will include details and locations of any native landscape planting of known benefit to wildlife, artificial roost features, including bird and bat boxes. The approved scheme shall be implemented prior to occupation of the development hereby approved.

Reason: To comply with the requirements of the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2017, Wildlife and Countryside Act 1981 (as amended) and Policy CS12 of the Oxford Core Strategy 2026.

12. Sustainable 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 development shall subsequently be implemented in accordance with the approved details. The surface water drainage scheme shall include:

- An assessment of the existing surface water runoff and drainage system on the site and whether there is any discharge point connecting to any ditch or drainage system outside the site.
- An estimation of existing and proposed hardstanding areas.
- Calculations of greenfield runoff rate and attenuation or long term storage required for post development situation. Devices of storage and their locations should be identified and proposed.
- Discharge point and evidence of agreement for discharge point and rate.

- Explanation of how the drainage discharge hierarchy has been followed
- The submitted drainage strategy drawing is conceptual. It is required that a detailed plan to be submitted showing the layout of the proposed drainage network, the location of the storage within the proposed development and how these relate to the submitted calculations, including any chamber, pipe numbers, direction of flow, invert and cover levels, gradients diameters and dimensions. The methods of flow control must be detailed as should non-conventional elements such as pond and permeable paving.
- Proposed impermeable areas of the development should include a 10% allowance for urban creep. As a result, the storage calculation should be revisited.
- Storage devices should be designed to empty sufficiently within 24 hours to be able to accommodate 80% of the 10% (1 in 10) storm runoff. The evidence showing the proposed storage meets this requirement should be demonstrated.
- A qualitative assessment of residual risk is required to demonstrate that what would happen if any part of the drainage system fails and the flood water will have routes through the site without endangering other properties and assets.
- A qualitative assessment of flood flow routing in exceedance conditions.
- A SuDS maintenance plan (who and how the SuDS maintenance will be undertaken and who will fund the maintenance over the project life).

Reason: in the interests of sustainable drainage in compliance with Core Strategy Policy CS11.

13. Playing field quality

(a) No development shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:

(i) A detailed assessment of ground conditions (including drainage and topography) of the land where the temporary development is to be installed which identifies constraints which could adversely affect the quality of the playing field to be reinstated; 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. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation after the removal of the temporary development hereby approved.

(b) The approved scheme shall be carried out in full and in accordance with the approved programme of implementation when the temporary buildings are removed. 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 land on which the temporary development is to be installed is reinstated to an adequate standard for playing fields and is fit for purpose and to accord with policy CS20 of the Oxford Core Strategy 2026.

14. Community use

Prior to commencement of development, the temporary training area detailed on the proposed playing fields drawing A111 revision 01 shall be provided for use outside core school hours by Summertown Stars FC and this provision shall continue for the lifetime of the development.

Reason: to secure existing community sports facilities and to accord with Policy CS20 of the Oxford Core Strategy.

15. 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 with Thames Water to allow 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: to accord with policy NE14 of the Oxford Local Plan because 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.

13. APPENDICES

- **Appendix 1 – Proposed block plan**

14. HUMAN RIGHTS ACT 1998

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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