

Agenda

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East Area Planning Committee

Date: **Thursday 7 March 2013**

Time: **6.00 pm**

Place: **Oxford Town Hall**

For any further information please contact:

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East Area Planning Committee

Membership

Chair	Councillor Roy Darke	Headington Hill and Northway;
Vice-Chair	Councillor David Rundle	Headington;
	Councillor Mohammed Altaf-Khan	Headington Hill and Northway;
	Councillor Mary Clarkson	Marston;
	Councillor Van Coulter	Barton and Sandhills;
	Councillor Steven Curran	Northfield Brook;
	Councillor Sam Hollick	Holywell;
	Councillor Ben Lloyd-Shogbesan	Lye Valley;
	Councillor Dee Sinclair	Quarry and Risinghurst;

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AGENDA

Pages

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

2 DECLARATIONS OF INTEREST

Members are asked to declare any disclosable pecuniary interests they may have in any of the following agenda items. Guidance on this is set out at the end of these agenda pages.

3 FORMER LORD NUFFIELD CLUB: 12/02935/FUL

1 - 30

The Head of City Development has submitted a report which details a planning application for a change of use from a Leisure Centre (use class D2) to a Community Free School (use class D1), works to the external appearance of the existing building, boundary treatments, provision of play areas including Multi Use Games Area, access and parking along with associated landscaping.

Officer recommendation: Committee is recommended to SUPPORT the proposals in principle but defer the application in order to draw up an accompanying legal agreement securing a community access package to the school's facilities, and to delegate to officers the issuing of the Notice of Planning Permission on its completion.

To support subject to the following conditions,

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching
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- 8 Parking and vehicle manoeuvring areas
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- 16 Noise
- 17 Cooking odours
- 18 Biodiversity enhancements
- 19 Archaeology - Implementation of programme medieval and post-medieval remains

**4 PARKING AREA AND PART SPORTS FIELD, WILLIAM MORRIS
CLOSE: 12/02967/FUL**

31 - 56

The Head of City Development has submitted a report which details a planning application for the construction of two all weather playing pitches, plus a new residential development consisting of 6 x 1 bed flats, 15 x 2 bed flats, 6 x 3 bed flats, 13 x 3 bed houses and 3 x 4 bed houses, together with access road, parking, landscaping etc accessed off Barracks Lane.

Officer recommendation: That the Committee REFUSE the application for the following reasons:

1. The application site has been in use for formal and informal sport and recreation until recently. Although the site is now fenced it has not been clearly shown that the site is surplus to requirements for sport or recreation. The site retains the potential to provide for types of open air sport and recreation for which there is a need in the City. The replacement sports facilities in the form of all-weather mini-pitches with restricted community access are not equal to or better than retaining the potential of the site to provide for open air sport and recreation. Further it is not essential that the all-weather mini-pitches are provided on this particular site to satisfy local need. For these reasons the proposal does not accord with the NPPF, Policy CS21 of the Core Strategy, or Policy SR2 of the Oxford Local Plan.
2. The site meets the requirements of the NPPF as a local green space, valued local amenity which will be lost by developing housing on part of the site and diminished on the mini-pitches part of the site. The all-weather mini-pitches do not form an acceptable alternative to retention of this green space. This is contrary to guidance in the NPPF and Policies CS21 of the Core Strategy and SR2 of the Oxford Local Plan.
3. The development is contrary to Policy CS2 of the Core Strategy in that the site is not allocated for development nor is it needed to meet the NPPF 5 or 10 year housing land availability requirements. There are no other balancing reasons or mitigating circumstances why housing should be allowed on this site. It is not essential that the housing or all-weather mini-pitch developments are developed on this particular site which it is preferable to retain as open space for the well-being of the community it serves.
4. The proposed number of dwellings constitutes an overdevelopment of the site in that it restricts the opportunity to create a high quality housing layout. The largely rectilinear disposition of buildings, the scale, bulk and massing of the block encompassing plots 26-43, and the absence of landmark buildings or features would fail to create a strong sense of place. The public realm would not be a visually attractive environment as it would be dominated by on-street parking with few front gardens, very little green space and no opportunities for landmark or focal-point planting/features. The gardens to plots 26, 27, 32, 33, 38 and 39 which include family units would be too restricted in size. Bin and cycle storage provision would be inadequate and not always conveniently located for use by all occupants of the houses or flats, and there would be inadequate room at the front of the houses/flats to make up these deficiencies. For these reasons the proposal does not accord with

guidance on the design of development set out in the NPPF, Policies CP1, CP6 and CP8 of the Oxford Local Plan, Policy CS18 of the Core Strategy or Policies HP9, HP13 and HP15 of the Sites and Housing DPD.

- 5 The proposed layout would result in a loss of amenity to some existing properties adjacent to the site boundary namely: inter-visibility between plot 2 and number 11 Crescent Close; overlooking the garden area of 11 Crescent Close from plots 6, 7, and 10 to 13; and noise and light disturbance to properties in Beresford Place arising from the location of the access road near to north facing habitable rooms. For these reasons the proposal does not accord with guidance on the design of development set out in Policies CP6 and CP8 of the Oxford Local Plan, Policy CS18 of the Core Strategy or Policies HP9 and HP14 of the Sites and Housing DPD.
- 6 Although the layout is unlikely directly to affect the viability of the important amenity trees on the site periphery, there are concerns that the trees will come under pressure for reduction due to overshadowing the gardens to plots 26, 27, 32, 33, 38 and 39; and reducing the daylight available to plots 26 to 43. The tree work that will be necessary to significantly improve the light situation is likely to have a significant harmful effect on amenity in the area. For these reasons the proposal does not accord with guidance on the design of development set out in Policies CP6 and CP8 of the Oxford Local Plan, Policy CS18 of the Core Strategy or Policy HP9 of the Sites and Housing DPD.
- 7 The proposed development fails to comply with the guidance of the NPPF concerning using natural resources prudently, minimising waste and pollution, adapting to climate change and moving to a low carbon economy; and fails to meet the standards of resource efficiency required by the Council's adopted planning policies on energy, natural resources, waste and recycling, namely Core Strategy Policy CS9, Sites and Housing Plan Policy HP11, and Local Plan Policies CP17 and CP18.

5 DATES OF FUTURE MEETINGS

The Committee NOTES the following future meeting dates:

Tuesday 16th April 2013 (and Tuesday 23rd April if necessary)

Tuesday 7th May 2013 (and Thursday 9th May if necessary)

DECLARING INTERESTS

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your* employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

*Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners..

CODE OF PRACTICE FOR DEALING WITH PLANNING APPLICATIONS AT AREA PLANNING COMMITTEES AND PLANNING REVIEW COMMITTEE

Planning controls the development and use of land in the public interest. Applications must be determined in accordance with the Council's adopted policies, unless material planning considerations indicate otherwise. The Committee must be conducted in an orderly, fair and impartial manner.

The following minimum standards of practice will be followed. A full Planning Code of Practice is contained in the Council's Constitution.

1. All Members will have pre-read the officers' report. Members are also encouraged to view any supporting material and to visit the site if they feel that would be helpful
2. At the meeting the Chair will draw attention to this code of practice. The Chair will also explain who is entitled to vote.
3. The sequence for each application discussed at Committee shall be as follows:-
 - (a) the Planning Officer will introduce it with a short presentation;
 - (b) any objectors may speak for up to 5 minutes in total;
 - (c) any supporters may speak for up to 5 minutes in total;

(Speaking times may be extended by the Chair, provided that equal time is given to both sides. Any non-voting City Councillors and/or Parish and County Councillors who may wish to speak for or against the application will have to do so as part of the two 5-minute slots mentioned above;

 - (d) voting members of the Committee may raise questions (which shall be directed via the Chair to the lead officer presenting the application, who may pass them to other relevant Officer/s and/or other speaker/s); and
 - (e) voting members will debate and determine the application.
4. Members of the public wishing to speak must send an e-mail to planningcommittee@oxford.gov.uk before 10.00 am on the day of the meeting giving details of your name, the application/agenda item you wish to speak on and whether you are objecting to or supporting the application (or complete a 'Planning Speakers' form obtainable at the meeting and hand it to the Democratic Services Officer or the Chair at the beginning of the meeting)
5. All representations should be heard in silence and without interruption. The Chair will not permit disruptive behaviour. Members of the public are reminded that if the meeting is not allowed to proceed in an orderly manner then the Chair will withdraw the opportunity to address the Committee. The Committee is a meeting held in public, not a public meeting,
6. Members should not:-
 - (a) rely on considerations which are not material planning considerations in law;
 - (b) question the personal integrity or professionalism of officers in public;
 - (c) proceed to a vote if minded to determine an application against officer's recommendation until the reasons for that decision have been formulated; and
 - (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

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East Area Planning Committee

7th March 2013

Application Number: 12/02935/FUL

Decision Due by: 14th February 2013

Proposal: Change of use from a Leisure Centre (use class D2) to a Community Free School (use class D1), works to the external appearance of the existing building, boundary treatments, provision of play areas including Multi Use Games Area, access and parking along with associated landscaping. (Amended plans) (Amended description).

Site Address: The Lord Nuffield Club, William Morris Close, **Appendix 1**

Ward: Cowley Marsh Ward

Agent: Miss Grace Manning-Marsh

Applicant: Dr Russell Rook

Recommendation: Committee is recommended to support the proposals in principle but defer the application in order to draw up an accompanying legal agreement securing a community access package to the school's facilities, and to delegate to officers the issuing of the Notice of Planning Permission on its completion.

For the following reasons:

- 1 The need for additional school places in the City can appropriately be met on this site. Through a Community Access Package to be secured under a legal agreement, the local community will be able to make an acceptable level of use of many of the school's internal and external facilities. Subject to conditions and implementation of on-street measures, the additional traffic and parking likely to be generated by this proposal is judged not to have any adverse highways impacts. The external alterations to the building are appropriate in relation to the site and surrounding development, and the use of the building as a school will not have unacceptable detrimental impacts on the residential amenities enjoyed by adjacent properties. The proposal complies with adopted policies contained in the Core Strategy 2026 and the Oxford Local Plan 2011-2016.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

- 3 The Council considers that, by virtue of the provisions to be made under the section 106 agreement, the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
- 4 Officers have considered carefully all objections to these proposals. Officers have come to the view, for the detailed reasons set out in the officers report, that the objections do not amount, individually or cumulatively, to a reason for refusal and that all the issues that have been raised have been adequately addressed and the relevant bodies consulted.

subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Materials - matching
- 4 Landscape plan required
- 5 Landscape - carry out after completion
- 6 Boundary details before commencement first occupation,
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Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP10 - Siting Development to Meet Functional Needs

CP11 - Landscape Design

CP13 - Accessibility

CP21 - Noise

CP23 - Air Quality Management Areas

TR1 - Transport Assessment

TR2 - Travel Plans

TR3 - Car Parking Standards

TR4 - Pedestrian & Cycle Facilities

NE15 - Loss of Trees and Hedgerows

HE2 - Archaeology
SR2 - Protection of Open Air Sports Facilities

Core Strategy

CS2_ - Previously developed and green field land
CS21_ - Green spaces, leisure and sport
CS20_ - Cultural and community development
CS13_ - Supporting access to new development
CS18_ - Urban design, town character, historic environment
CS16_ - Access to education
CS12_ - Biodiversity

Other Material Considerations:

- National Planning Policy Framework
- Policy Statement – planning for schools development, DCLG, August 2011, issued jointly by the Secretary of State for Communities and Local Government and the Secretary of State for Education

Background to the Case

1. At the East Area Planning Committee on the 5th February 2013, Members resolved to defer consideration of the planning application in order:
 - that the application could be dealt with at the same time as the application on the adjacent site for housing and all-weather pitches (12/02967/FUL).(A separate report dealing with application 12/02967/FUL appears elsewhere on this agenda);
 - to receive further information on the need for schools in this area; and,
 - to receive further information on road safety matters.
2. The latter two issues are examined in this report which should be read in conjunction with the original officer's report attached now as **Appendix 2**.
3. In addition the opportunity is being taken in this report to update the original report in two respects:
 - i. In the previous report the inclusion of a Multi-Use Games Area (MUGA) was referred to but it was reported at the Committee that a location for the MUGA had not been agreed. A suitable location has now been proposed and the revised layout and amended description were subject to public consultation. The revised layout is available on the website and a slide will be available to view at the meeting. Subject to any public comments which will be reported to Committee the revised layout is recommended for approval.
 - ii. An additional condition is needed requiring submission and approval of the details of the proposed canopy forming the front entrance to the proposed

school.

Officers Assessment

Additional Schools Information

4. The County Education Authority has supplied details of schools applications, the analysis of which is set out below.

Demand and Supply

5. Schools in all Oxford postcode districts are oversubscribed, but in September 2012 the greatest degree of oversubscription was for schools in the OX4 district
6. In 2012 on current Published Admission Numbers, schools in the OX4 postcode were oversubscribed by 98 places. Taking into account expansions already approved, the OX4 postcode was still oversubscribed by 58 places.
7. The only current proposal for expansion to schools in the OX4 postcode district is the proposal to lower the age range of St Gregory the Great School to provide primary provision. This would add 60 primary school places in the OX4 postcode, but as this would be a Catholic school, it is likely that it would draw pupils from a wider area, and would not, therefore, fully address the oversubscription in OX4.

Geographic Choice

Postcode	No. applications	No. allocations	% allocations which gained 1 st preference school	Average distance from home to allocated school
OX1	151	147	93.2%	0.719 miles
OX2	354	348	82.8%	0.795 miles
OX3	522	514	75.9%	0.753 miles
OX4	832	824	75.2%	0.958 miles

8. The table above shows 2012 applications by postcode. From this it can be concluded that:
 - i. OX1 was least in need of new schools, as most parents secure their first place school, and the average distance to allocated school is the lowest;
 - ii. parents in OX3 and OX4 have a significantly lower chance of securing their first preference school, and the lowest of any postcode district in the county; and,
 - iii. OX4 has the longest average travel distance to allocated school in the city, indicating the need for more schools in the area to ensure parents can choose a local school, minimising the need for travel by car.

9. It is worth noting that the proposed Tyndale Community School (Free School) site is only about 350 metres from the boundary with the OX3 postcode area, so it would easily serve many families in both postcodes.

Faith-based Choice

10. All faith based schools in the City are oversubscribed. The majority of additional places provided in the city in recent years have been at non-faith schools, 215 places at non-faith schools and 60 at faith schools.

11. The table below sets out the proportion of faith/non-faith places in reception year in 2012 by post code. This shows that there is a balance of faith and non-faith based schools in OX4.

Post code	Places allocated in Reception in 2012	Faith	Non- faith
OX1	90	90 (100%)	0
OX2	210	120 (57%)	90 (43%)
OX3	464	105 (23%)	359 (77%)
OX4	698	354 (51%)	344 (49%)

12. The submitted documentation for the proposed Tyndale Community School states that it will be run with a Christian ethos for a multi-cultural community supporting children and families of all faiths and none. A figure of 30% Christian intake at the school has been suggested which, as shown below, would nominally add 18 places to faith based places and 42 to non-faith places in OX4 (based on 60 places at the proposed school in the reception year).

OX4 with Tyndale	758	372 (49%)	386 (51%)
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13. This would not significantly alter the balance of faith/non-faith schools in OX4 and may help to increase access to faith-based schooling in OX3 which has a lower proportion of faith-based schools.

Additional Road Safety Information

This information will be made available upon receipt from the Highway Authority

Conclusion:

14. In the light of this additional information together with the revised position of the MUGA and the additional condition relating to the design of the entrance canopy, and for the reasons set out above, the Officers' recommendation is maintained to approve the development in principle, but to defer the application for the completion of a legal agreement to secure community access to the school and its grounds.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions and an accompanying legal agreement. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers: 12/02967/FUL

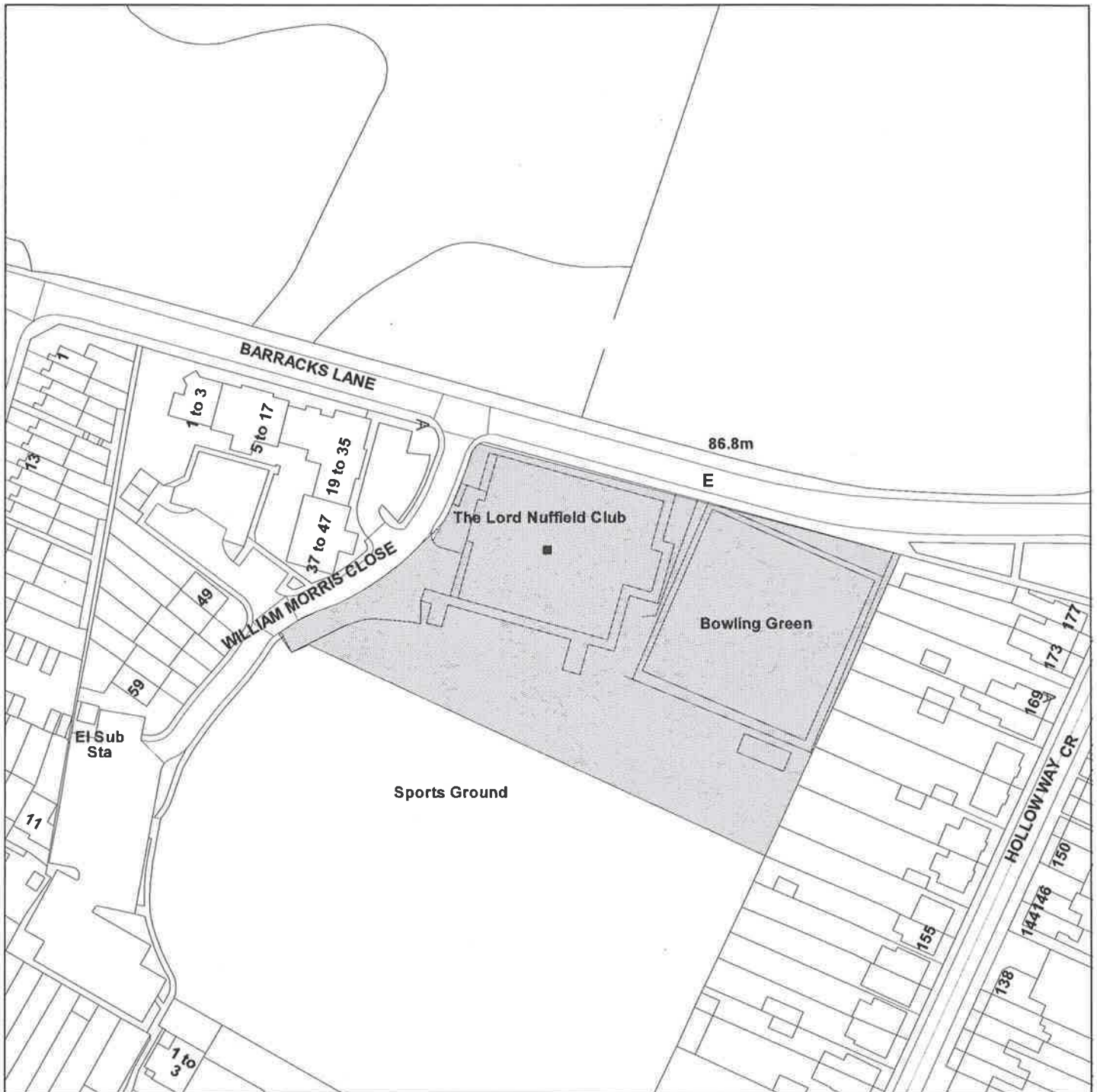
Contact Officer: Fiona Bartholomew

Extension: 2159

Date: 25th February 2013

Appendix 1

12/02935/FUL Lord Nuffield Club, William Morris Close



Scale : 1:1250

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Organisation	Not Set
Department	Not Set
Comments	
Date	23 January 2013
SLA Number	Not Set

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Application Number: 12/02935/FUL

Decision Due by: 14th February 2013

Proposal: Change of use from a Leisure Centre (use class D2) to a Community Free School (use class D1), works to the external appearance of the existing building, boundary treatments, provision of play areas, access and parking along with associated landscaping. (Amended plans)

Site Address: The Lord Nuffield Club, William Morris Close, **Appendix 1.**

Ward: Cowley Marsh Ward

Agent: Miss Grace Manning-Marsh

Applicant: Dr Russell Rook

Recommendation: Committee is recommended to support the proposals in principle but defer the planning application in order to draw up an accompanying legal agreement and to delegate to officers the issuing of the notice of planning permission on its completion.

Reasons for Approval

- 1 The need for additional school places in the City can appropriately be met on this site. Through a Community Access Package to be secured under a legal agreement, the local community will be able to make an acceptable level of use of many of the school's internal and external facilities. Subject to conditions and implementation of on-street measures, the additional traffic and parking likely to be generated by this proposal is judged not to have any adverse highways impacts. The external alterations to the building are appropriate in relation to the site and surrounding development, and the use of the building as a school will not have unacceptable detrimental impacts on the residential amenities enjoyed by adjacent properties. The proposal complies with adopted policies contained in the Core Strategy 2026 and the Oxford Local Plan 2011-2016.
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Main Local Plan Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP10** - Siting Development to Meet Functional Needs
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Other Material Considerations:

National Planning Policy Framework

Policy Statement – planning for schools development, DCLG, August 2011, issued jointly by the Secretary of State for Communities and Local Government and the Secretary of State for Education

Relevant Site History:

02/02046/FUL - Demolition of sports and social club buildings, two houses, garages and outbuildings. Retention of sports ground and bowling green. Erection of new sports and social club, 63 dwellings comprising 23 x 2 bedroom flats in a 3 storey block and a terrace of 6 houses, 4 x 3 bedroom and 2 x 4 bedrooms in a 2 storey block (some with accommodation in roof space) 2 caretakers flats in the sports and social club building, accessed from Barracks Lane, with associated car parking (97 spaces). cycle parking and bin storage. Erection of 7 x 3 bedroom and 4 x 4 bedroom 2 storey terraced houses (some with accommodation in roof space) fronting Crescent Road and two 3 storey blocks of 21 x 2 bedroom flats, with associated car parking (32 spaces) accessed from Crescent Road. (Amended Plans). PER 8th December 2004.

Representations Received:

Two planning applications on adjacent parts of the former Lord Nuffield Club building and grounds were registered 5 days apart:

- the application which is the subject of this report (12/02935/FUL) for conversion of the former sports and social club building to a school with associated outside facilities on the northern part of the former recreation ground; and,
- an application (12/02967/FUL) for housing and two all-weather pitches on the southern part of the former recreation ground and the former car park: this application is to be presented to a future meeting of this Committee.

Local people have either commented on both applications in one response or as two or more responses. The applications are of course being assessed separately on their own merits but for simplicity and to reflect the interconnectedness of the

applications in the mind of most respondents, the public response is presented here as a single summary table in **Appendix 2**.

Statutory and Internal Consultees:

Sport England - objects to the proposal because it represents the loss of an area of playing field and the ancillary parking and building which provided changing rooms for the sports pitches and does not accord with any of the exceptions in Sport England's playing fields policy. Sport England would be more likely to support this proposal if the adjacent playing fields could be retained for use by the School and the Community, along with changing provision (potentially located within the School buildings) and parking.

Highways Authority – no objections subject to conditions relating to: the design and construction of the parking areas; submission of a Travel Plan and Safe Routes to School Study; retention of cycle parking facilities; schedule of school rolls; and submission of a Construction Travel Management Plan and a Service Delivery management Plan.

Thames Water Utilities Limited – no objections in relation to water supply and waste.

No comments have been received from: OCC Developer Funding Team, OCC Drainage Team Manager, Oxford Area Playing Fields Association, Oxford Sports Council, Oxford Civic Society, Open Spaces Society, Department of Education & Science, Oxfordshire Primary Care Trust.

THE SITE AND SURROUNDINGS

1. The site is located within a primarily residential area at the junction of Barracks Lane with William Morris Close. It is bounded to the east and west by residential development (properties in William Morris Close and on Hollow Way); to the north by Barracks Lane and the Southfield Golf Course beyond; and to the south by the playing fields associated with the former use of the land as a sports and social club.
2. The application site extends to 0.59ha. It comprises a large leisure-use building with a footprint of some 0.115ha (the former Lord Nuffield Sports and Social Club); together with open land immediately adjacent to the building extending for another 0.475ha.
3. The existing building is dark-red brick-built with some feature-banding brick work in a contrasting colour. The roof has pitched concrete slate side elements and a central area of flat roof. On its south wall it has an open viewing terrace; and on its east elevation it has two and single storey projections. It has powder coated aluminium gutters and powder coated aluminium windows and doors. It has a basement and 2 upper floors creating an external height of some 12.2m. It has a total internal floorspace of 2,704 sq. m. and a building footprint of 1,150 sq. m. It is fully air-conditioned and has a lift.

THE PROPOSAL

4. The proposal is to convert the former Lord Nuffield Sports and Social Club building (Use Class D2) and land immediately adjacent to a school for reception and primary age children (Use Class D1).
5. The school will be operated by Chapel Street Community Schools Trust under the Government's 'Free Schools' Programme. It is proposed to open in September 2013 with 60 pupils; rising by 60 pupils each year for 6 years until at full capacity the school will have 420 pupils in mixed boy and girl classes of target size 28. It is envisaged that there will be 22 full time and 23 part time employees at the site during the school day. The Trust intends to provide outstanding teaching and learning for children with a Christian ethos for a multi-cultural community supporting children of and families of all faiths and none. The school facilities are to be made available to the local community via a Community Access Package to provide a hub for local education and community activities. The Site Manager and associated staff will be responsible for access to the school out of hours and during the holidays.
6. The existing building structure is to be retained but with additional doors and windows to allow interior remodelling to accommodate classrooms and other school facilities. The existing air conditioning and other plant, and external lighting are to be retained.
7. Access to the school site will be from William Morris Close off Barrack's Lane. 18 staff parking spaces are proposed, together with 2 disabled and 2 visitor parking spaces, an in-and-out turning area some 43 metres long, a pupil drop-off zone 16.5 metres long and 36 cycle parking spaces. Bin and recycling storage is proposed in a position convenient for collection from William Morris Close.
8. External formal and informal soft and hard play and education areas are proposed within the site: the school would not be dependent on provision of pitches or other facilities outside the application site. The trees along the eastern boundary are to be retained and some additional planting and landscaping are proposed within the site including an educational nature area.
9. The stone boundary wall to the north will be retained; the residential fences along the eastern boundary will not be affected by this proposal. The southern boundary will be formed by a 2m open weld fence (with a secure access to the open space to the south if required).

DETERMINING ISSUES

- The principle of a new school in this location
- Loss of a community facility
- School development on protected open space
- Impact on local highways
- Impact on surrounding residential properties
- Other issues – archaeology and biodiversity

The principle of a new school in this location

10. The NPPF (March 2012) states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities are required to take a proactive, positive and collaborative approach to development that will widen choice in education by giving great weight to the need to create, expand or alter schools.
11. A statement had also been issued in August 2011 jointly by the Secretaries of State for Communities and Local Government and for Education setting out the Government's view that the creation and development of state-funded schools is strongly in the national interest; and underlining the Government's commitment to support their delivery through the planning system.
12. The County Council as education authority has commented in relation to this application that the school expansions already in progress, planned or being explored, will all be needed for the existing population, and may still prove insufficient. Options for further expansions are becoming limited, and new schools will be needed to support increased parental 'choice' and a better geographic distribution of supply and demand for any additional population growth. The location of the application site is regarded as being appropriate to meet this need.
13. In response to consultation on this proposal local residents have commented both against and in favour of this proposal. Those against may well accept the need for additional schools but for reasons of highway impact, loss of open space, and impact on local residential amenities do not accept that this is an appropriate site. Those in favour emphasise the need for additional school places and high quality education, and consider this to be a good use of a redundant building and a good site for a school being well connected to the local transport network.
14. Improving educational attainment is at the heart of the City Council's Corporate Plan, backed by a range of initiatives and financial and other resource investments. Policy CS16 of the Core Strategy states that the City Council will work with the County Council and other agencies to improve access to all levels of education, through new or improved facilities. In view of the County's analysis that the need for additional school places can appropriately be met on this site it can be asserted that this development is acceptable in principle in that it also accords with the aims of the City Council's Corporate Plan and Core Strategy. Significant benefits are therefore likely to accrue to the City's community as a whole in the development of a school on this site. Its acceptability in terms of planning policy and highway impact would still however need to be established.

Loss of a community facility

15. Policy CS20 of the Core Strategy aims to resist the loss of community facilities where the foreseeable need justifies their retention.

16. The former Club functioned as a community facility with public access. Local residents have commented on the value to them of community use of the building; that such facilities are still needed locally; and that rather than using it for a school, alternative community users and uses for the building could be found. Other local residents regard school use with community access as an acceptable use of the currently unused building.
17. When the administrators were seeking purchasers for the property, efforts were made by the City Council and others to see if it would be possible to continue the use of the Lord Nuffield Club as designed, but to no avail. The planning agent for the current owners of the site, has commented that during marketing of the site over a period of about 3 years there have been no offers of which they are aware to either continue a private club use or to provide public recreational facilities.
18. As a building approved under Use Class D1 for use for general leisure purposes, the former Club building could be converted, without further permission, for use for commercial leisure activities such as a cinema, concert hall, bingo hall or casino, dance hall, swimming bath, skating rink gymnasium or area for other indoor or outdoor sport and recreation. In contrast, the school use with public access to some of its internal facilities (including a large hall) out of hours and during holidays (secured through a Community Access Package) and with school staff managing community facilities, would allow for locally generated community use of the building (such as local clubs, sports teams, community meetings, drama groups, children's' and youth groups, fitness classes and so on). In this primarily residential environment such community generated uses may be regarded as preferable to alternative possibly large sale commercial leisure activities.
19. Therefore, subject to conclusion of a legal agreement which secures a satisfactory level and type of sustained community access, this proposal is regarded as providing continued community use of the building and therefore acceptable in terms of Policy CS20. Details of a community access package would require further dialogue with the applicant in the event of the planning application being supported by committee.

School development on protected open space

20. The recreational open space, of which this application site is a part, is a remnant of the larger recreational open space associated with the Morris Motors Social Club which previously owned and occupied the space. The site plan prior to redevelopment attached at **Appendix 3**.
21. In 2004 planning permission was given to demolish the Morris Motors Club buildings on Crescent Road and build a new club building (the Lord Nuffield Club which is now the subject of this application) enabled financially by housing development on part of the open space not used as playing pitches (William Morris Close) and on the demolished club house site on Crescent Road. The block plan from that application is attached as **Appendix 4**. This was contrary to planning policy which aimed to protect recreational open space but was regarded as expedient given that the social club use would be relocated and upgraded on

the site, and the main area of playing pitches would not be developed. Other important benefits included social housing and community access.

22. The application being considered for the school therefore represents a further significant reduction in the available area of recreational open space from that which existed prior to the 2004 permission for the redeveloped club. As the analytical drawing at **Appendix 5** shows, the application site as a whole constitutes 34% of the remaining recreation field, and aside from the building, the open space being taken by the school is 27% of the remaining recreation field. Sport England has raised an objection to the loss of this part of the larger playing field and the ancillary parking and building which provided changing rooms for the sports pitches.
23. In commenting on these proposals (for the school and the housing on the adjacent site) local residents have voiced almost unanimous opposition to any development of the open areas of the former club site. Only one respondent (to the housing scheme) commented that all-weather pitches would be a better use. The open space is highly valued by local residents and the majority consider that it should be retained as such for the following reasons (in summary):
- has been well used by local people for 80 years and valued as an open green space, not redundant;
 - adds to the character of the area, part of green image of the city;
 - local and Government planning policy indicates it should be kept open
 - previous planning permission (for the Lord Nuffield Club) was conditional on retention of the open space – this should be upheld;
 - it should be safeguarded land for long term use;
 - the all-weather pitches do not allow for the informal recreation that people enjoy on this land;
 - no floodlighting means that public use restricted;
 - negative impact on local wildlife.
24. There is strong national and local planning policy protection for existing recreational and open green space. The NPPF states that the Government considers that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - 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; or
 - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
25. The NPPF also indicates that urban green space may be worthy of protection as Local Green Space if it is:

- in reasonably close proximity to the community it serves;
 - demonstrably special to the local community and hold a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
 - local in character.
26. At the local level this site is protected as an open space under Policy SR2 of the Oxford Local Plan which resists the loss of open space where there is a need for the facility to be retained in its current location, or the open area provides an important green space for local residents. Exceptions to this policy can only be made where there is no need at all for the facility for the purposes of open space, sport or recreation or where there is a need for the development and there are no alternative green field sites and the facility can be replaced by equal or improved replacement facilities.
27. This site is also protected as an open space under Policies CS2 and CS21 of the Core Strategy. Policy CS2 allows the development of greenfield and previously developed land only if it is allocated for the proposed use or, in the case of housing proposals it is needed to maintain a five-year housing land supply. Policy CS2 only allows the allocation of open space for development if a need for the development can be demonstrated and if the open space is not needed for the well-being of the community it serves. Policy CS21 seeks to maintain an overall average of 5.75 ha of publicly accessible green space per 1,000 population. Under this policy losses of sports and leisure facilities will only be acceptable if alternative facilities can be provided of equal accessibility and if no deficiency is created in the local area.
28. The Council's Sites and Housing Plan which was recently approved by a Planning Inspector and is due for formal adoption by the Council on 18th February, contains some housing allocations on previously open private sports grounds. These sites were not specifically sought by the Council in order to prepare the plan but were suggestions for possible development sites proposed by landowners which were responded to by the Council in the context of the plan-making process. Each site was subjected to a rigorous and detailed assessment by the Council of its value and potential for formal and informal sport and its amenity value as green space; and also to public scrutiny through consultation and examination in public. The sites which have in part been allocated for development were required to retain at least 25% of the site area as unrestricted publicly accessible open space, suitably located and designed for practical public use. The Sites and Housing Plan was a discrete planning process specifically geared to identify sites to demonstrate a 5 and 10 year supply. This is now complete and achieved. Other development proposals now coming forward on green field and sports sites will be considered against the national and local plan policies described above.
29. In relation to national and local policy therefore it is important to establish whether the land is redundant for recreational use. The applicants have not submitted evidence to that effect. Local people made active use of the land prior

to its being fenced in mid-November 2012 when the current planning applications were submitted. Sport England and the Council's Leisure Services have identified a range of sporting and recreational uses to which the land as a whole could be put. The space is not therefore surplus to sport and recreation requirements or redundant for sports and recreation use. Although in private ownership and fenced off, the site retains the potential to be brought back as high quality provision for active formal or informal outdoor recreation.

30. The determining issues therefore in respect of the proposed school's incursion into the protected open space are:
 - whether the benefits of developing a new school here which requires outdoor facilities that can only be accommodated on protected open space, outweighs the policy protection of the open space; and,
 - whether the proposed replacement provision would be equal to or better than the existing provision.
31. On the first point, in a previous section of the foregoing report, the need for and principle of development of a new school in this part of the city was accepted, as has its location within the former Club building subject to meeting planning policy constraints. It was established that significant benefits are likely to accrue to the City's community as a whole in the development of a school on this site. This assertion therefore weighs heavily in assessing the acceptability of the open space to be taken by the school.
32. On the second point, part of the Community Access Package proposed includes access to the external areas of the school. This offers the local community access (outside of school hours and in the holidays) to a grass play area, a grass amphitheatre, an all-weather Multi-Use Games Area (MUGA), and trim-trail equipment. The MUGA will be a fenced games area (2m minimum fence height) that will allow for at least 4 different sports to be played on it. It will be accessible without going onto the school grounds, so that it can be fully used by the community outside of school hours. It will be managed and maintained by the school at no cost to the council.
33. Taken together with the in-principle benefits of school development on this site, the level and type of community access proposed is regarded as being an acceptable alternative sport and recreational provision on this part of the protected open space. Reducing the former recreation area by the amount required by the school and in the location proposed still leaves a usable area in the rest of the site (in terms of size and configuration) which retains the potential to accommodate a range of outdoor sports to meet local needs.
34. Therefore, subject to conclusion of a legal agreement which secures a satisfactory level and type of sustained community access to the external areas and facilities of the school, this proposal is regarded as providing the opportunity for continued sport and recreational use by the local community on the former open site. It may therefore be regarded as being in accordance with the NPPF and acceptable in terms of Policies CS1, CS2 and CS21 of the Core Strategy and Policy SR2 of the Oxford Local Plan.

35. Further, this open space has a role within the local area as a green space and is protected as such under the NPPF and Policy CS 2 of the Core Strategy. It meets the requirements of the NPPF to be regarded as a Local Green Space (although its formal designation as such could only occur through the Local Plan process) in that:
- It is local in character and is adjacent to and bounded by the community it serves; and,
 - It is demonstrably special to the local community: local people have commented that:
 - until recently it was in active use by local people for formal recreation in association with the Club;
 - until it was fenced when the current planning applications were submitted (mid-2012) it was in regular use for spontaneous informal recreation, and dog walking;
 - it has visual amenity value as a green space, in defining the character of the area, as a relief to the density of development in the local area, and as a place for wildlife.
36. Apart from open wood fencing no structures are proposed by the school on this open space. The areas of additional hard surface will diminish but not eradicate the 'greenness' of the space, and there is also to be additional soft landscaping and tree planting. The openness of the space will therefore be retained as will its value as a 'green' visual amenity similar to a Local Green Space. In these terms also therefore the proposal may be regarded as acceptable.

Impact on local highways

37. The Local Highway Authority has considered the school application on its own merits (aside from the housing/pitches application on adjacent land).
38. The Authority regards the submitted Transport Assessment to be robust and agrees with the assumptions used and conclusions drawn: it acknowledges that the key issue in assessing the likely traffic generation of the school is the likely proportion of the pupils who will arrive by car. Officers of the Highway Authority considers it not un-reasonable to predict that 70% of pupils will arrive at this school by sustainable means, given that in this location there is a high resident population within walking distance. They consider that although 70% is higher than the national average, the location is an area with higher than average accessibility by sustainable means. The national average takes into account many places of an inaccessible nature or less accessible than the proposed site.
39. They have also considered the impact of the faith aspect of the school and the usual expectation that this would result in a larger catchment and generate a higher proportion of pupils arriving by car. This is not a faith school in the usual accepted understanding of the term – it is to be operated with a Christian ethos but would be open to people of all faiths and none. A figure of 30% expected Christian intake was suggested to the Highway Authority. The Authority regards this as a low proportion (indeed they would regard anything less than 50% as a

low proportion) and conclude that small changes in proportions would only translate into small differences in traffic generated.

40. The Authority urges a degree of caution however and makes it clear that its view is dependent upon the phased growth of the school (60 pupils per year) to allow sustainable travel to school habits to normalise. They suggest a condition to secure the phased growth of the school and request submission by the applicant of a more robust Green Travel Plan, a Safe Routes to School Study which has greater depth, a Construction Traffic Management Plan and a Service Delivery Management Plan all to be agreed prior to commencement of works on site.
41. The traffic generation based on these predictions and assumptions was used in capacity testing carried out as part of the Transport Assessment at the local junctions. This shows that the junctions will be able to operate within capacity.
42. Under the NPPF the Local Highway Authority may object to development proposals only if the traffic impact is assessed to be "severe". In this case the traffic impact assessment of the proposed school is compared to the potential traffic impact of the range of activities which could take place in the building which is approved for D2 leisure uses (as noted above these include cinema, concert hall, bingo hall or casino, dance hall, swimming bath, skating rink gymnasium or area for other indoor or outdoor sport and recreation). Under this analysis the school impact is judged by the Authority to be comparable with or indeed have potentially less impact than the permissible leisure uses of the site.
43. Additionally the Authority notes that, the peak hours of traffic impact of a school do not coincide with the network peak. This is especially the case with respect to the PM peak. The AM peak in a location such as this tends to be earlier than the school peak delivery time. This is as a result of outward commutes taking place at an early hour and many of the drop-off journeys, if by car, being on the network already as a result of being a re-directed commute trip.
44. The Authority has therefore concluded that subject to conditions and implementation of on-street measures, the Free School proposal is acceptable in terms of safety, transport impact and development layout (subject to minor layout adjustments to be determined at the detailed design stage). The Highway Authority judges that the application does not raise any adverse highway impacts and raises no objections to it.
45. Local people are however extremely concerned that the development of a school on this site will adversely impact on the local highway network. Most objectors to the scheme raised highways impact as their first and often principle objection to it. They consider that the Transport Assessment is flawed and that the Green Travel Plan is inadequate. A residents' survey of rat-running in the area has been submitted. A wide range of detailed comments about traffic, parking, circulation and on-site design are made in the public responses, the principal ones being:
 - there will be increased traffic generally on already heavily congested local roads and at junctions (Hollow Way/Barracks Lane/Horspath Road; Hollow

Way/Cowley Road/Garsington Road; and The Slade/Horspath Driftway) with more traffic to come because of developments in the wider locality which use this route including the Business Park;

- Barracks Lane is unsuitable for access to a school (plus housing and all-weather pitch developments); and that,
- the access point for new developments from Barracks Lane to William Morris Close will be dangerous and will adversely affect the amenities of local residents.

46. The applicants have stated in their submission that they wish to work positively with the local community and become a community hub. Daily problems with traffic and parking and negative interaction with the local community would clearly not serve that purpose. In order to help overcome the concerns of local people and to help meet the aims of the school, the applicants have been asked whether they would be prepared to accept an annual limit on the school roll (starting at 120 pupils then adding 60 each year) so that the actual traffic and parking implications of the school in operation can be assessed before additional pupils are accepted. In this way the school would only be allowed to grow in concert with implementation of any necessary highway improvements or other mitigation measures to deal with any highway problems being experienced. For different reasons this was the general approach (but with different limits) adopted at the relocated SS Phillip and James School at Aristotle Lane in North Oxford.

47. In response, the applicants have accepted the principle of a cap on pupil numbers as suggested. In time for consideration at the Committee meeting, they are undertaking additional work to assess the number of students that are driven to school in neighbouring schools in order to benchmark the numbers in the transport assessment; and are also submitting a more in depth travel plan. They have however requested that the initial cap be 300 pupils with the initial traffic impact review to take place at 240 pupils. This is for 2 reasons:

- i. because the traffic impacts of a new school are not linear throughout the pupil year groups. Those of a younger age (reception etc) are less likely to cycle and walk compared to the older years. In the applicants' view therefore it is important to allow the school to reach those year groups so that a more comprehensive understanding of the traffic impacts can be gained; and,
- ii. in order for the school to be able to operate the usual admissions procedure (admissions are taken in January). If, as a result of the traffic study, the cap needs to be enforced at 300 then the pupils admitted the previous January will be unaffected.

48. This approach places significant risk on the applicants given that refusal of future growth may be an option for the City Council. In view however of local residents' daily experience of traffic in the local area and their significant fears about added traffic, this approach may be considered to be an acceptable way to progress the scheme given that the Highway Authority does not object to it. The recommendation is written with this condition included (set at 120 plus 60 each year). Members are asked to consider whether or not they would support this approach and at what level the cap should be set.

Impact on surrounding residential properties

49. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policy HP9 of the Sites and Housing DPD combine to require that development proposals incorporate high standards of design and respect local character.
50. Additional windows and doors are proposed in every elevation to facilitate conversion of the existing building to a school. On the east and west elevations which look towards existing residential properties these have been designed with high cills to allow light to penetrate but to prevent overlooking towards existing properties. The east elevation is 27 metres from the front of houses in William Morris Close; the west elevation is 89 metres from the rear of properties in Hollow Way
51. Policy CP 21 of the Oxford Local Plan specifically protects noise sensitive developments (including residential areas and education facilities) from new development which causes unacceptable levels of noise. Two local residents have commented adversely on the likely noise and general disturbance in their gardens of the outside activities of the proposed school particularly from the proposed 'amphitheatre'. The Council's Environmental Development service has been consulted on the proposals and do not recommend refusal on the grounds of noise from children playing nor on balance from the use of the external spaces by the community in the evenings and at weekends given that the external facilities are small scale. A noise condition is recommended for the internal plant.

Other issues

52. Archaeology - Policy CS18 of the Core Strategy safeguards the City's archaeological assets. This site is of archaeological interest and a condition is recommended requiring an archaeological investigation consisting of a watching brief.
53. Biodiversity – Policy CS 12 of the Core Strategy protects the City's biodiversity. An ecology report was submitted which is comprehensive and compliant with policy. The following relevant biodiversity features can be secured by condition:
 - a reptile survey and precautions regarding breeding birds;
 - retention of mature trees;
 - the planting scheme should include native species and climbers and be the subject of an agreed maintenance scheme;
 - lighting should take account of bat use of trees;
 - there should be bat and bird nest boxes on the mature trees; and,
 - a heated maternity roost for bats in the roof space on the south facing roof, built with camera access.

Conclusions

54. There is a need for additional school places in the City over and above the new schools and school expansion schemes in the pipeline. Locating a new school in this part of the City is acceptable in principle and this building is suitable for conversion to school use.
55. The incorporation of recreational land into the school site would normally be regarded as contrary to national and local policies which safeguard such land for the community. The need however for additional school places in the City and the ability to help meet that need on this site can be regarded as sufficient justification to override that protection given that a Community Access Package can be secured under a legal agreement to enable the local community to make good use of the school's external as well as its internal facilities.
56. Subject to conditions, the additional traffic and parking likely to be generated by this proposal is judged by the Highway Authority not to have any adverse highways impacts. The local community has however voiced significant and important concerns about the traffic situation they currently experience in the local area, about the adverse impacts which they believe added traffic will cause, about the assumptions and predictions which fed into the transport assessments, and about the Travel Plan, other mitigation and on-site design proposed. In order to progress the scheme a condition is suggested which places limits on the school roll. The limits can be released progressively if it can be seen that the traffic generated by the school is being satisfactorily accommodated on the local highway network with highway improvement works or other mitigating measures being undertaken as necessary.
57. The external alterations to the building are appropriate in relation to the site and surrounding development, and the use of the building as a school will not have unacceptable detrimental impacts on the residential amenities enjoyed by adjacent properties.
58. An objection to the proposal has been received from Sport England, and there has been a large number of objections and some comments of support from local people all of which have been given careful consideration. The need for improved schooling in the City however together with the Community Access Package and the cap on pupil numbers proposed means that the proposal complies with the identified exceptions to the relevant policies of the Core Strategy 2026 and the Oxford Local Plan 2011-2016.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions and an accompanying legal agreement. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

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

Section 17 of the Crime and Disorder Act 1998

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

Background Papers:

Contact Officer: Fiona Bartholomew

Extension: 2159

Date: 22nd January 2013

Appendix 2

Summary of Public Response to applications 12/02935/FUL and 12/02967/FUL

Comments of Objection
<p>Increased traffic generally on already heavily congested local roads and specifically at junctions (Hollow Way/ Barracks Lane/ Horspath Road; Hollow Way/Garsington Road; and The Slade/Horspath Driftway) with more traffic to come because of developments in the wider locality which use this route including at the Business Park:</p> <ul style="list-style-type: none">• Extra traffic dangerous for the many users of the local road network with narrow footways• Already suffer long waits at the traffic lights at the Hollow Way/ Barracks Lane/ Horspath Road junction – this has potential for gridlock• Restricted access for emergency vehicles• Difficult for local residents to get out of the area to go to work at peak times• The urban clearway in Hollow Way not well enforced creates extra local traffic difficulties• Already suffer from pollution from waiting traffic in the area – will get worse• The development is against Core Strategy Policy CS19 because there will be more accidents on Hollow Way
<p>Barracks Lane unsuitable for access to school/housing/pitch developments:</p> <ul style="list-style-type: none">• Will become bottleneck because Barracks Lane is dead end so people have to turn round in the access way• Poor visibility around many parked cars on Barracks Lane• Parking on both sides of Barracks Lane mean only one vehicle can pass along it• Parking on Barracks Lane will get worse and problems will arise as they did when the Club was running• Can't restrict parking on Barracks Lane because local people need it to park their cars who have no other option• Is heavily used by pedestrians, children and cyclists – access to Oxford Spire Academy – will become more dangerous
<p>Access point for new developments from Barracks Lane to William Morris Close:</p> <ul style="list-style-type: none">• Dangerous for children• Will adversely affect amenity of flats• There will be parents and staff school parking in nearby residential areas• There is often ice on the road at this junction• Poor visibility because of high wall at the junction
<p>Inadequacy of traffic assessments:</p> <ul style="list-style-type: none">• This will be the largest primary school in East Oxford• Wide catchment, people will come from far away – a much greater proportion will drive to school, too far for many to walk• Walking overestimated, driving underestimated• Unrealistic to expect primary school children to use alternative local transport

<p>Green Travel Plan inadequate:</p> <ul style="list-style-type: none"> • no real positive measures are suggested for achieving reduced car travel • Can penalties be introduced if the aims are not met?
<p>Transport Assessment poor:</p> <ul style="list-style-type: none"> • makes erroneous/misleading comparisons with non-free schools with a narrower catchment • Need better/more traffic surveys – one day not enough
<p>Open space should be retained:</p> <ul style="list-style-type: none"> • Has been well used by local people for 80 years and valued as an open green space, it is not redundant • Adds to the character of the area, part of green image of the city • Local and Government planning policy indicates it should be kept open • Previous planning permission (for the Lord Nuffield Club) was conditional on retention of the open space – this should be upheld • It should be safeguarded land for long term use • The all-weather pitches do not allow for the informal recreation that people enjoy on this land • No floodlighting means that public use restricted • Need to retain footpath from Crescent Road to Beresford Close • Negative impact on local wildlife
<p>Retain the former club building in community use:</p> <ul style="list-style-type: none"> • Needed locally with the closure of Temple Cowley Pools and Gym • Can find a user who will make it viable, many clubs looking for premises • A valuable local facility • Use for old people's clubs • Removal of essential local community sports facility unacceptable in view of Olympic legacy
<p>The need for the school:</p> <ul style="list-style-type: none"> • No need for a school – there are enough locally, will lead to other schools closing • Agree need for school but this is the wrong site for traffic reasons • Objection to faith based school – 40% Oxford residents not Christian
<p>The school and its site:</p> <ul style="list-style-type: none"> • Parents will also park in Crescent Road (unacceptable and dangerous) • Use of the footpath through Beresford Close is unsuitable because it goes through a car park not along a path; also not adopted and unlit, suffers anti-social behaviour • Significant impact to privacy of local residents • Inadequate on-site turning, set-down/drop-off area and parking for staff • Design unacceptable – bright modern colours and materials not appropriate • Future extensions to the school should be restricted • Noise from school will affect amenity of rear gardens to properties in Hollow Way • Loss of parking around field for residents of William Morris Close
<p>Housing:</p> <ul style="list-style-type: none"> • No need for this given developments locally and at Barton • Too high density, area already high density – this will make it worse • Poor design – windows too small, roof blank, needs to incorporate solar panels etc., question need for chimneys • Adversely affects the amenities of properties adjacent – Crescent Road, Hollow Way and Beresford Place: loss of privacy, light, outlook, overshadowing • 3-storey is out of scale and overbearing, out of keeping with locality • Access road less than 10m from ground floor bedrooms in Beresford Place, intrusive vehicle headlights.

Drainage: <ul style="list-style-type: none"> • Steep hill, surface water run-off already a problem causing flooding down Barracks Lane to Boundary Brook • More hard surface area will exacerbate this
Local house prices will fall
Statement of Community Involvement misleading

Comments of Support
Need for school: <ul style="list-style-type: none"> • Desperate need for primary places, other schools full, many people have to travel out of the area to school, pressure will increase due to population growth, • educational underachievement leads to poverty: need a good school to raise achievement
A good re-use of a redundant building with the added bonus of community use of the building and grounds
A good site for a school, well connected to transport and for walking
Extended school hours will spread the traffic implications. Can monitor traffic problems and adjust as the school grows.
Great need for new housing
There will be better use of the open space if developed for all-weather pitches

12/02935/FUL

Appendix 3

Original Morris Motors Club site

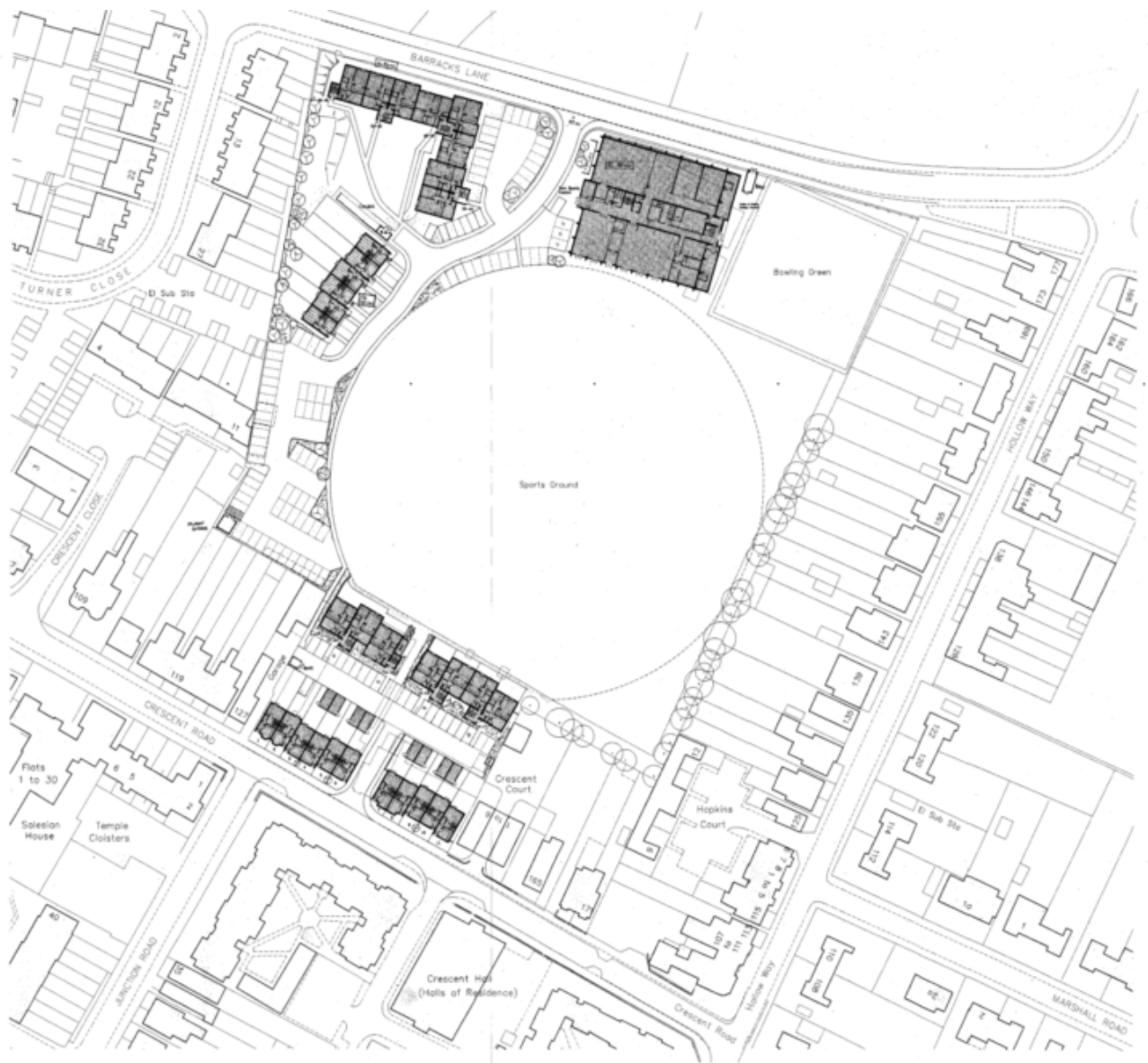


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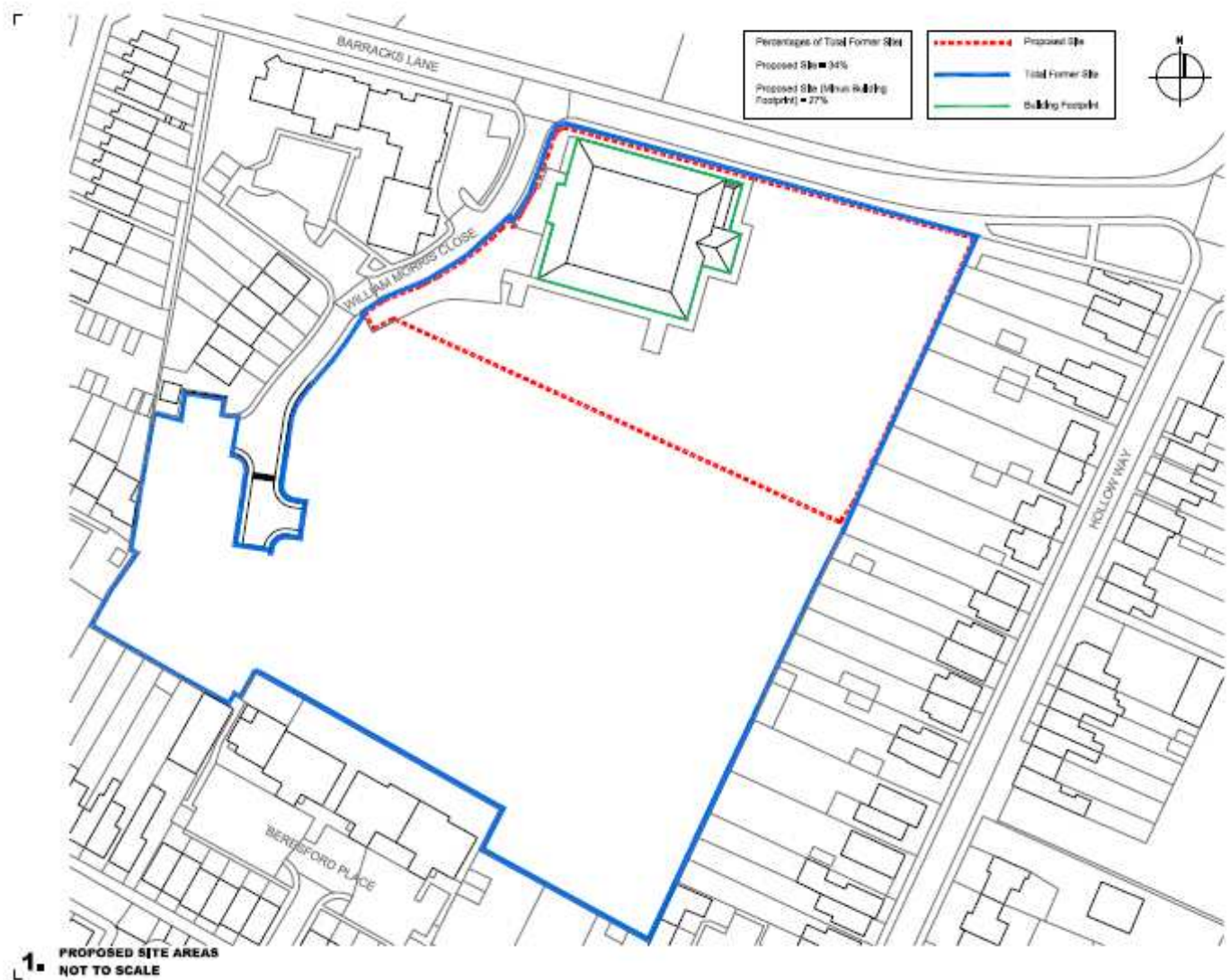
Appendix 4

Block plan of the 2004 permission showing housing development on part of the previous open space and the re-sited Lord Nuffield Club building



Appendix 5

Analytical drawing showing the application site for the Free School as a proportion of the remaining open space.



East Area Planning Committee

7th March 2013

Application Number: 12/02967/FUL

Decision Due by: 19th February 2013

Proposal: Construction of two all weather playing pitches, plus a new residential development consisting of 6 x 1 bed flats, 15 x 2 bed flats, 6 x 3 bed flats, 13 x 3 bed houses and 3 x 4 bed houses, together with access road, parking, landscaping etc accessed off Barracks Lane.

Site Address: Parking Area And Part Sports Field, William Morris Close,
Appendix 1

Ward: Cowley Marsh Ward

Agent: Mr Nik Lyzba

Applicant: Cantay Estates Ltd

Recommendation:

APPLICATION BE REFUSED

For the Following Reasons:-

- 1 The application site has been in use for formal and informal sport and recreation until recently. Although the site is now fenced it has not been clearly shown that the site is surplus to requirements for sport or recreation. The site retains the potential to provide for types of open air sport and recreation for which there is a need in the City. The replacement sports facilities in the form of all-weather mini-pitches with restricted community access are not equal to or better than retaining the potential of the site to provide for open air sport and recreation. Further it is not essential that the all-weather mini-pitches are provided on this particular site to satisfy local need. For these reasons the proposal does not accord with the NPPF, Policy CS21 of the Core Strategy, or Policy SR2 of the Oxford Local Plan.
- 2 The site meets the requirements of the NPPF as a local green space, a valued local amenity which will be lost by developing housing on part of the site and diminished on the mini-pitches part of the site. The all-weather mini-pitches do not form an acceptable alternative to retention of this green space. This is contrary to guidance in the NPPF and Policies CS21 of the Core Strategy and SR2 of the Oxford Local Plan.

- 3 The development is contrary to Policy CS2 of the Core Strategy in that the site is not allocated for development nor is it needed to meet the NPPF 5 or 10 year housing land availability requirements. There are no other balancing reasons or mitigating circumstances why housing should be allowed on this site. It is not essential that the housing or all-weather mini-pitch developments are developed on this particular site which it is preferable to retain as open space for the well-being of the community it serves.
- 4 The proposed number of dwellings constitutes an overdevelopment of the site in that it restricts the opportunity to create a high quality housing layout. The largely rectilinear disposition of buildings, the scale, bulk and massing of the block encompassing plots 26-43, and the absence of landmark buildings or features would fail to create a strong sense of place. The public realm would not be a visually attractive environment as it would be dominated by on-street parking with few front gardens, very little green space and no opportunities for landmark or focal-point planting/features. The gardens to plots 26, 27, 32, 33, 38 and 39 which include family units would be too restricted in size. Bin and cycle storage provision would be inadequate and not always conveniently located for use by all occupants of the houses or flats, and there would be inadequate room at the front of the houses/flats to make up these deficiencies. For these reasons the proposal does not accord with guidance on the design of development set out in the NPPF, Policies CP1, CP6 and CP8 of the Oxford Local Plan, Policy CS18 of the Core Strategy or Policies HP9, HP13 and HP15 of the Sites and Housing DPD.
- 5 The proposed layout would result in a loss of amenity to some existing properties adjacent to the site boundary namely: inter-visibility between plot 2 and number 11 Crescent Close; overlooking the garden area of 11 Crescent Close from plots 6, 7, and 10 to 13; and noise and light disturbance to properties in Beresford Place arising from the location of the access road near to north facing habitable rooms. For these reasons the proposal does not accord with guidance on the design of development set out in Policies CP6 and CP8 of the Oxford Local Plan, Policy CS18 of the Core Strategy or Policies HP9 and HP14 of the Sites and Housing DPD.
- 6 Although the layout is unlikely directly to affect the viability of the important amenity trees on the site periphery, there are concerns that the trees will come under pressure for reduction due to overshadowing the gardens to plots 26, 27, 32, 33, 38 and 39; and reducing the daylight available to plots 26 to 43. The tree work that will be necessary to significantly improve the light situation is likely to have a significant harmful effect on amenity in the area. For these reasons the proposal does not accord with guidance on the design of development set out in Policies CP6 and CP8 of the Oxford Local Plan, Policy CS18 of the Core Strategy or Policy HP9 of the Sites and Housing DPD.
- 7 The proposed development fails to comply with the guidance of the NPPF concerning using natural resources prudently, minimising waste and pollution, adapting to climate change and moving to a low carbon economy; and fails to meet the standards of resource efficiency required by the Council's adopted planning policies on energy, natural resources, waste and recycling, namely Core Strategy Policy CS9, Sites and Housing Plan Policy HP11, and Local Plan

Policies CP17 and CP18

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP6 - Efficient Use of Land & Density

CP8 - Design Development to Relate to its Context

CP10 - Siting Development to Meet Functional Needs

CP11 - Landscape Design

CP17 - Recycled Materials

CP18 - Natural Resource Impact Analysis

CP21 - Noise

TR1 - Transport Assessment

TR2 - Travel Plans

TR3 - Car Parking Standards

TR4 - Pedestrian & Cycle Facilities

NE15 - Loss of Trees and Hedgerows

HE2 - Archaeology

SR2 - Protection of Open Air Sports Facilities

Core Strategy

CS2 - Previously developed and green field land

CS9 - Energy and natural resources

CS11 - Flooding

CS12 - Biodiversity

CS13 - Supporting access to new development

CS18 - Urban design, town character, historic environment

CS21 - Green spaces, leisure and sport

CS22 - Level of housing growth

CS23 - Mix of housing

CS24 - Affordable housing

Sites and Housing Plan

HP2 - Accessible and Adaptable Homes

HP3 - Affordable Homes from Large Housing Sites

HP9 - Design, Character and Context

HP11 - Low Carbon Homes

HP12 - Indoor Space

HP13 - Outdoor Space

HP14 - Privacy and Daylight

HP15 - Residential cycle parking

HP16 - Residential car parking

Planning Obligations and Contributions

- Primary school - £130,554 (County)
- Secondary School - £102,250 (County)
- VI Form – £21,325 (County)
- Social and Community Resource Centre - £8,733 (County)
- Library and Book-stock - £8,506 (County)

- Household Waste Recycling Centre - £4,030 (County)
- Museum Resource Centre - £490 (County)
- Transport Infrastructure - £100,00 (County)
- Indoor sport - £9,009 (City)
- Play Area - £4,756 (City)
- Allotment - £419 (City)
- Public Art - £16,620 (may be by condition) (City)
- 50% affordable housing
- Community Access Agreement

Other Material Considerations:

- National Planning Policy Framework
- Planning Obligations Supplementary Planning Document (SPD)
- Affordable Housing SPD
- Parking Standards, Transport Assessment and Travel Plans SPD
- Natural Resource Impact Analysis SPD
- Balance of Dwellings SPD

Relevant Site History:

02/02046/FUL - Demolition of sports and social club buildings, two houses, garages and outbuildings. Retention of sports ground and bowling green. Erection of new sports and social club, 63 dwellings comprising 23 x 2 bedroom flats in a 3 storey block and a terrace of 6 houses, 4 x 3 bedroom and 2 x 4 bedrooms in a 2 storey block (some with accommodation in roof space) 2 caretakers flats in the sports and social club building, accessed from Barracks Lane, with associated car parking (97 spaces). cycle parking and bin storage. Erection of 7 x 3 bedroom and 4 x 4 bedroom 2 storey terraced houses (some with accommodation in roof space) fronting Crescent Road and two 3 storey blocks of 21 x 2 bedroom flats, with associated car parking (32 spaces) accessed from Crescent Road. (Amended Plans). PER 8th December 2004.

Representations Received:

Two planning applications on adjacent parts of the former Lord Nuffield Club building and grounds were registered 5 days apart:

- the application which is the subject of this report (12/02967/FUL) for housing and two all-weather pitches on the southern part of the former recreation ground and the former car park; and,
- the application (12/02935/FUL) for conversion of the former Lord Nuffield sports and social club building to a Free School with associated outside facilities on the northern part of the former recreation ground which is the subject of a separate report to this Committee.

Local people have either commented on both applications in one response or as two or more responses. The applications are assessed separately on their own merits but for simplicity and to reflect the interconnectedness of the applications, the public response is presented here as a single summary table in **Appendix 2**.

Statutory and Internal Consultees:

Sport England:

- Objects to this development because it would lead to the loss of all or part of a playing field which would permanently reduce the opportunities for participation in sporting activities. These activities are important to the social and economic well-being of the country.
- This is a grass pitch, versatile in the number of sports it can accommodate including cricket, football, hockey and rugby. The replacement all-weather mini-pitches are not equivalent in quantity and quality to the playing fields that will be lost and will not benefit the community because they will not be floodlit and will not be of a suitable size and surface that will benefit local sport such that it outweighs the proposed loss of the grass pitch.
- Oxford has a reasonable number of playing fields but is unusual because a high percentage is privately owned. While many private sites allow community access, this is at the discretion of owners and in some cases access may be refused or withdrawn at anytime, resulting in the loss of the opportunity to play sport. The Council should take advantage of opportunities through the planning system to secure community use of private sites to reduce pressure on existing sites that allow community use and eventually result in further shortages.
- There is no additional land within the City's tight boundaries to build new sports facilities to support new housing development within the City and the Council should seek to protect playing fields so that there is sufficient supply to meet future needs.

Oxford Area Playing Fields Association - object strongly because it is valued by the public as green space, and is well used by dog walkers and for children playing football. Object to the loss of open playing field space, without replacement of equal size and quality. The provision of two all weather playing pitches does not meet this requirement. This is particularly pertinent given the recognised lack of playing field space in Oxford City. We would also have concerns about the fact that it is proposed that the school should manage and control the pitches. Although provision should be made for community access, it will clearly be at restricted times. Furthermore, this site was not in the City Council development sites plan.

Highways Authority,

English Heritage – no objection determine in line with local policy.

Thames Water – no objection, subject to comments on surface water drainage and a water supply informative.

Natural England – no objection but recommend SUDS particularly around the all-weather pitches to ensure green field run-off rates and thereby safeguard the nearby Lye Valley SSSI.

Thames Valley Police Chief Constable (Operations) - the additional population generated by the development will place an additional demand upon the existing level of policing for the area and a financial contribution is requested towards the TVP infrastructure requirements, namely: a Mobile Automatic Number Plate Recognition Camera - £11,000 and 2 Bicycles (including necessary kit) - £1600. However legal advice has been taken on the matter and confirmed Planning Officers'

views that such funding falls outside the terms of Core Strategy policy CS.17. For this reason Officers cannot support the request of Thames Valley Police on this occasion.

Oxfordshire County Council - this development will place additional strain on existing community infrastructure. In order that improvements can be made to provide for the anticipated growth in population caused by these new homes contributions towards non educational and non transport services are required as well as towards transport infrastructure. Fire hydrants will also be required but these can be requested by condition.

Officers Assessment:

THE SITE AND SURROUNDINGS

1. The site is located within a primarily residential area accessed from Barracks Lane via William Morris Close. It is bounded to the south, east and west by residential development (properties in Crescent Road, Turner Close, William Morris Close and Hollow Way); and to the north by the former Lord Nuffield Club building and open space around it with Barracks Lane and the Southfield Golf Course beyond.
2. The application site extends to 1.24ha. It is a large level playing field (fenced off since November 2011 and now effectively disused) and disused car park both associated with the former Lord Nuffield Sports and Social Club. The eastern boundary and part of the southern boundary are formed by mature trees.
3. The recreational open space, of which this application site is a part, is a remnant of the larger recreational open space associated with the Morris Motors Social Club which previously owned and occupied the space (site plan prior to redevelopment attached at **Appendix 3**).
4. In 2004 planning permission was given to demolish the Morris Motors Club buildings on Crescent Road and build a new club building (the former Lord Nuffield Club which is now the subject of the concurrent planning application for a Free School) facilitated financially by housing development on part of the open space not used as playing pitches (William Morris Close) and on the demolished club house site on Crescent Road. (The block plan from that application is attached as **Appendix 4**). This was contrary to planning policy which aimed to protect recreational open space but was regarded as acceptable given that the social club use would be relocated and upgraded on the site, and the main area of playing pitches would not be developed. Other benefits included social housing and community access.

THE PROPOSAL

5. The proposal is to develop 43 new dwellings on the southern part of the site including the disused car park in the south-west corner of the site. The residential access road will be an extension of William Morris Close. The South Oxfordshire Housing Association (SOHA) is to develop the housing subject to the grant of planning permission, and the homes would be available by 2014. 63% of the

homes would be affordable i.e. 27 units, of which 10 would be for shared ownership and 17 social rented.

6. In response to the Council's Playing Pitch Strategy which identifies the need for youth football provision, two all-weather mini pitches are proposed across the northern part of the site with access from William Morris Close. A small parking area (12 spaces) dedicated to the pitches is proposed which would also be available for overflow parking for the Free School proposed on adjacent land to the north. Floodlighting was not proposed as part of the planning application but latterly the applicant has offered floodlighting which would have to be the subject of a further planning application.
7. The applicant has agreed to conclude a legal agreement securing the provision of the affordable houses, a community access package for the pitches (either in relation to the adjacent Free School or without it) and financial contributions towards service infrastructure and transport infrastructure.

DETERMINING ISSUES

- National and local policies protecting urban recreational and green space
- The principle of housing and all-weather pitch development on this protected open space
- Impact on local highways
- Design and layout of the proposed housing
- Sustainability

National and local policies protecting urban recreational and green space

8. There is strong national and local planning policy protection for existing recreational and open green space. The National Planning Policy Framework (NPPF) states that the Government considers that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Sport England advises that the NPPF seeks to protect all playing field and sports facilities from development, whether in public or private ownership. The NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
 - an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - 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; or
 - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
9. The NPPF also indicates that urban green space may be worthy of protection as Local Green Space if it is:

- in reasonably close proximity to the community it serves;
 - demonstrably special to the local community and hold a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
 - local in character.
10. At the local level this site is identified on the Local Plan Proposals Map and protected as an open space under Policy SR2 of the Oxford Local Plan. This resists the loss of open space where there is a need for the facility to be retained in its current location, or the open area provides an important green space for local residents. Exceptions to this policy can only be made where there is no need at all for the facility for the purposes of open space, sport or recreation or where there is a need for the development and there are no alternative green field sites and the facility can be replaced by equal or improved replacement facilities.
11. This site is also protected as an open space under Policies CS2 and CS21 of the Core Strategy. Policy CS2 allows the development of green field and previously developed land only if it is allocated for the proposed use or, in the case of housing proposals it is needed to maintain a five-year housing land supply. Policy CS2 only allows the allocation of open space for development if a need for the development can be demonstrated and if the open space is not needed for the well-being of the community it serves. Policy CS21 seeks to maintain an overall average of 5.75 ha of publicly accessible green space per 1,000 population. Under this policy losses of sports and leisure facilities will only be acceptable if alternative facilities can be provided of equal accessibility and if no deficiency is created in the local area.

The principle of housing and all-weather pitch development on this protected open space

12. The 2004 planning permission represented a significant reduction of the size of this open recreation area to allow improvements to the community and sporting potential of the site to be brought about through the inclusion of on-site enabling housing development. The current application represents a further significant reduction in the available area of recreational open space. The applicants wish to justify this on the basis of providing 63% affordable housing, and two all-weather pitches with community access as a replacement for the area of playing field lost.
13. Given the planning history of the site and the open space protection policies described above, the determining issues in relation to development on this protected open space may be summarised as:
- whether the existing playing field is surplus to sport and recreational requirements;
 - whether the open space has value to the local community as a green open space;
 - whether it is essential to meet the City's housing needs on this site; and whether meeting those needs on this site outweighs the protection of the open space;

- whether it is essential that the all-weather mini-pitches are provided on this site; and,
 - whether the proposed replacement provision would be equal to or better than the existing provision.
14. The first determining issue is whether the playing field is surplus to sport and recreational requirements. For many years and until recently the playing field was used for formal recreation: cricket and football, in association with the sports and social club. Local people comment that they made active use of the land for informal recreation prior to its being fenced in mid-November 2012 when the current planning applications were submitted. Sport England regards this as a versatile grass pitch and has identified a range of sporting uses to which the land could be put.
15. The space is not therefore surplus to sport and recreation requirements or redundant for sports and recreation use. Although in private ownership and fenced off, the site retains the potential to be brought back as high quality provision for active formal or informal outdoor recreation.
16. The second determining issue is whether the open space has value to the local community as a green open space. It meets the requirements of the NPPF to be regarded as a Local Green Space (although its formal designation as such could only occur through the Local Plan process) in that:
- it is local in character and is adjacent to and bounded by the community it serves; and,
 - it is demonstrably special to the local community: local people have commented that:
 - until recently it was in active use by local people for formal recreation in association with the Club;
 - until it was fenced when the current planning applications were submitted (mid-2012) it was in regular use for spontaneous informal recreation, and dog walking;
 - it has visual amenity value as a green space, in defining the character of the area, as a relief to the density of development in the local area, and as a place for wildlife.
17. The third determining issue is in 2 parts: whether it is essential to meet the City's housing needs on this site; and whether meeting those needs on this site outweigh the protection of the open space.
18. There is huge unmet need in the City and for general and affordable housing but the scale of need is not reason alone to build on green field recreational sites. Through the NPPF the government requires that local authorities take a plan-led approach to satisfying housing needs. In Oxford the NPPF housing land supply requirements are met, and indeed exceeded in the policies of the Core Strategy (adopted in March 2011) and the Sites and Housing Plan (adopted 18th February 2013). Preparation of the Sites and Housing Plan was a plan-making process specifically geared to identify enough housing sites to demonstrate a 5 and 10 year housing land supply. All the available options for delivering housing land supply were researched, the relevant issues were balanced and sound and

robust allocations were made. As a planning policy document the Sites and Housing Plan is as up to date as possible.

19. The latest review of the Strategic Housing Land Availability Assessment, December 2012 concludes that the 5-year NPPF requirements can be met on deliverable sites with no reliance on windfall sites; the 10-year target is exceeded.
20. It should be noted however that the Sites and Housing Plan allocates some housing on previously open private sports grounds. These sites were not specifically sought by the Council in order to prepare the plan: they were possible development sites put forward to the Council by landowners and responded to by the Council in the context of the plan-making process. Each site was subjected to a rigorous and detailed assessment by the Council of its value and potential for formal and informal sport and its amenity value as green space. Each site was also subjected to public scrutiny through consultation and examination in public. The previously open private sports grounds which have in part been allocated for development were required to retain at least 25% of the site area as unrestricted publicly accessible open space, suitably located and designed for practical public use.
21. The current application site was not put forward by the landowner for consideration as part of this plan-making process, and the Sites and Housing Plan does not allocate it for housing development. It could be argued that the provision of 27 affordable units on this site through this proposal (63%) is an exceptional reason why development of the site should be allowed. The need for affordable housing existed however before, during and after the production of the Core Strategy and Sites and Housing Plan. It is not a new exceptional issue that has emerged and which requires a change in approach from the recently adopted plans and policies. These Plans were produced with the evidence of the need for affordable housing available and this evidence was balanced against the need to maintain green field sites. Core Strategy Policy CS2 is clear that non-allocated green field land is only to be developed if a five year housing land supply cannot be demonstrated. As noted above Oxford can demonstrate both a five and ten year housing land supply. No other balancing reasons or mitigating circumstances are apparent which would predicate housing development on this site and it can therefore be concluded that there is no need for housing development to take place on this site.
22. Given that the site is not allocated for development in the Sites and Housing DPD and there is no need to develop this site in order to meet the NPPF housing land supply requirements, it can be concluded that any benefits arising from housing development on the site do not outweigh its qualities and justifiable protection as open space. In addition, as Sport England has noted, an unusually significant proportion of Oxford's playing fields are in private ownership. If housing were to be allowed on this privately owned site, it would encourage others to similarly seek development on further non-allocated green field sites. The current proposal would not solve the affordable housing need in Oxford, allowing other applicants to argue that their private playing field should be developed. Using the evidence from the latest Strategic Housing Market Assessment, Oxford would

need to double in size to meet all its housing need and therefore all non-allocated green field land could be under threat if this development was allowed.

23. The fourth determining issue is whether it is essential that all-weather mini-pitches are provided on this site. There is an identified need for all-weather mini-pitches for youth sport in the City but these could be provided on smaller sites elsewhere in the city and not necessarily on green field sites. The Free School proposed on the adjacent site has indicated in its Planning Statement that although it is prepared to use and manage the pitches, the operation of the school is not dependent on provision of the pitches. It is not essential therefore that the need for all-weather mini-pitches is met on this site. Whilst meeting the need for all-weather mini-pitches might be welcomed in principle, the City's needs for sport and recreation are better met by retaining the potential of this particular site for larger scale open air sports which require a green field setting.
24. The fifth determining issue is whether the proposed replacement provision would be equal to or better than the existing provision. Now that the playing field has been fenced off from public access it could be argued that any community access to the site is better than none. This is not accepted because, as noted by Sport England, the value of this open space is in it being a grass pitch and in its size and configuration which has the potential to be brought back into use for sports which require a high quality large(r) scale pitch(es). Such sites with good accessibility for local communities are limited in this part of the City and once lost to development cannot be regained. Additionally, there are a number of factors which restrict community access to the proposed all weather mini-pitches:
 - the proposed Free School on the adjacent site is to use and manage the pitches making them available for community use as part of their Community Access Package. Community use of the pitches will be accordingly restricted unless the Free School does not come into operation in which case alternative community access arrangements as yet unspecified are proposed;
 - floodlighting is not proposed and so community access will not be available in the evenings or in bad light. The applicant has latterly indicated that floodlighting could form part of the development. This would have to be the subject of a further specific planning application and given the proximity of housing there is no certainty that it would be approved. Given that the pitches are aimed at youth sport which is likely to be in the evenings fulfilment of the stated aim will be limited;
 - no changing facilities are proposed.
25. It is therefore concluded that the proposed housing and mini-pitch development with limited public access do not outweigh the value to the community of retention of the potential of this site to accommodate larger scale outdoor sports. The pitches do not therefore represent replacement facilities of equal or improved provision.

26. It can be concluded therefore that the proposed housing and all-weather mini-pitch development on this site is unacceptable in that it does not accord with national and local planning policies:

- it does not accord with the NPPF, Policy CS21 of the Core Strategy, or Policy SR2 of the Oxford Local Plan in that it has not been clearly shown that the site is surplus to requirements for sport or recreation, the replacement mini-pitches with restricted community access are not equal to or better than the potential of the site to provide for larger scale open air sport and recreation, and it is not essential that the housing and mini-pitches are provided on this particular site;
- the development is contrary to Policy CS2 of the Core Strategy in that the site is not allocated for development nor is it needed to meet the NPPF 5 or 10 year housing land availability requirements. It is not essential that the need for housing or mini-pitch development should be met on this particular site, and there are no other balancing reasons or mitigating circumstances why housing should be allowed. It is therefore preferable to retain the site as open space for the well-being of the community it serves; and,
- the site meets the requirements of the NPPF as a local green space, a valued local amenity which will be lost by developing housing on part of the site and diminished on the mini-pitches part of the site. No acceptable alternative facilities are proposed. This is contrary to guidance in the NPPF and Policies CS21 of the Core Strategy and SR2 of the Oxford Local Plan.

Impact on local highways

27. Many local people are extremely concerned that the proposed housing and Free School developments on this site will adversely impact on the local highway network. Most objectors to the schemes raised highways impact as their first and often principle objection. They offer much anecdotal evidence of local traffic problems and have submitted a residents' survey of rat-running in the area. They consider that the Transport Assessment is flawed (and that the school's Green Travel Plan is inadequate). A wide range of detailed comments about traffic, parking and circulation are made, the principal ones being:

- there will be increased traffic generally on already heavily congested local roads and at junctions (Hollow Way/Barracks Lane/Horspath Road; Hollow Way/Cowley Road/Garsington Road; and The Slade/Horspath Driftway) with more traffic to come because of developments in the wider locality which use this route including the Business Park;
- Barracks Lane is unsuitable for access to these developments; and that,
- the access point for new developments from Barracks Lane to William Morris Close will be dangerous and will adversely affect the amenities of local residents.

28. The Local Highway Authority however regards the submitted Transport Assessment to be robust and agrees with the assumptions used and conclusions drawn. The Authority has considered the transport impacts of the housing/pitches application together with and aside from those of the Free School application on

adjacent land. The Authority has concluded that the housing/pitches proposals are acceptable subject to conditions relating to a modification of the layout to accommodate a turning area and submission of cycle parking details, a Residential Travel Plan Statement and a Construction Traffic Management Plan. Developer contributions for transport infrastructure are also required. The footpath leading out of the site into Beresford Place would become an adopted route.

29. In the light of these considerations and subject to conditions and the conclusion of a legal agreement to secure transport contributions, this application can be considered to be acceptable in highway terms.

Housing mix, design and layout

30. The proposed mix of dwellings is 13% 1 bed, 35% 2 bed, 44% 3 bed, and 7% 4 bed. This complies with Policy CS23 and the Balance of Dwellings SPD. The mix of affordable housing meets the 80% social rented and 20% shared ownership requirement of Core Strategy Policy CS 24 and the Affordable Housing SPD but not the prescribed mix of dwelling sizes within those two affordable housing categories. Given the policy objections to housing on this site as set out above and the design issues described below the issue of the mix of affordable dwellings has not been pursued at this stage to avoid embarking on potentially abortive work for all concerned.
31. The NPPF requires that local authorities seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It suggests that opportunities should be taken through the design of new development to improve the character and quality of an area and the way it functions. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policies HP9 and HP14 of the Sites and Housing DPD in combination require that development proposals incorporate high standards of design and respect local character.
32. There are significant concerns about the design, layout and neighbourliness of this proposal and its potential affects on some of the boundary trees. The proposed number of dwellings constitutes an overdevelopment of the site in that it restricts the opportunity to create a high quality housing layout. The layout proposed would be car-dominated and would not result in a visually attractive environment or a strong sense of place: the largely rectilinear disposition of buildings, the scale bulk and massing of the block encompassing plots 26-43, and the absence of landmark buildings or features fails to create a strong sense of place; and, the public realm is dominated by on-street parking with few front gardens, very little green space and no opportunities for landmark or focal-point planting/features. The gardens to plots 26, 27, 32, 33, 38 and 39 which include family units would be too restricted in size. Bin and cycle storage provision would be inadequate and not always conveniently located for use by all occupants of the houses or flats and there is inadequate room at the front of the houses/flats to make up these deficiencies.

33. The proposed layout would result in a loss of amenity to some existing properties adjacent to the site boundary namely: inter-visibility between plot 2 and number 11 Crescent Close; overlooking the garden area of 11 Crescent Close from plots 6, 7, and 10 to 13; and noise and light disturbance to properties in Beresford Place arising from the location of the access road near to north facing habitable rooms.
34. Although the layout is unlikely directly to affect the viability of the important amenity trees on the site periphery, the gardens and rooms on the east side of building plots 26-43 are likely to be excessively shaded by the retained group of birch and lime trees (G3) that stand along the boundary of the site and as a result there will be irresistible pressure for these trees to be significantly lopped and/or topped or even felled on occupation of the buildings. The tree work that will be necessary to significantly improve the light situation is likely to have a significant harmful effect on amenity in the area.
35. An alternative design and possibly a reduction in the density may be needed to resolve these issues. There was no detailed pre-application negotiation of the layout and it has not been possible to resolve these issues within the context of the planning application procedure.
36. It is concluded therefore that judging the scheme against NPPF guidelines and the Council's adopted policies on the design of development, the scheme cannot form the basis of approval.

Sustainability

37. The NPPF gives a definition of sustainable development part of which is the environmental role which development plays in using natural resources prudently, minimising waste and pollution, adapting to climate change and moving to a low carbon economy. A core planning principle of the NPPF is to support the transition to a low carbon future. The Council's Core Strategy Policy CS9, Sites and Housing Plan Policy HP11, and Local Plan Policies CP17 and CP18 reflect the requirements of the NPPF in this regard. These policies are supported by the Natural Resource Impact Analysis Supplementary Planning Document (NRIA SPD).
38. To meet the requirements of the NRIA SPD and thereby demonstrate compliance with the guidance of the NPPF and the Council's adopted planning policies on energy, natural resources, waste and recycling:
 - a score of at least 6 out of a possible 11 should be achieved in the NRIA SPD checklist, with
 - at least 1 point (the minimum standard) should be achieved in each of the four categories of energy efficiency, renewable energy, materials and water resources, and,
 - the 'preferred standard' (a score of 2 points) reached in a least 2 categories of the checklist.
39. The NRIA checklist submitted with the application achieves a score of 4 out of a possible 11:

- in terms of energy efficiency the proposals achieve only the minimum “good” standard (a score of 1);
- none of the energy requirements of the development are produced by on-site renewable methods and the score achieved is therefore 0. Some explanation is provided for this but the rationale is that it is better to minimise energy consumption rather than to generate energy on site. Minimising energy consumption is clearly a necessary objective but not one which means that no on-site energy generation should be provided;
- the choice of materials achieves a standard in the middle of the acceptable range (score of 2) principally due to the use of FSC certified timber (or equivalent) and/or reclaimed timber used in 90% of timber uses (by volume);
- the use of water resources also only reaches the minimum standard of 54m³/bedspace/year, not the preferred standard of 37.5m³/bedspace/year (score of 1).

40. It can be concluded therefore that the proposed development fails to comply with the guidance of the NPPF on using natural resources prudently, minimising waste and pollution, adapting to climate change and moving to a low carbon economy; and fails to meet the standards of resource efficiency required by the Council’s adopted planning policies on energy, natural resources, waste and recycling.

Other issues

41. Planning Obligations and Contributions - as the development consists of 43 dwellings contributions are sought towards supporting facilities in relation to this latest application. These are based on the adopted Planning Obligations Supplementary Planning Document (SPD) and all index linked. They are as follows and all are agreed by the applicant:

- Primary school - £130,554 (County)
- Secondary School - £102,250 (County)
- VI Form – £21,325 (County)
- Social and Community Resource Centre - £8,733 (County)
- Library and Book-stock - £8,506 (County)
- Household Waste Recycling Centre - £4,030 (County)
- Museum Resource Centre - £490 (County)
- Transport Infrastructure - £100,000 (County)
- Indoor sport - £9,009 (City)
- Play Area - £4,756 (City)
- Allotment - £419 (City)
- Public Art - £16,620 (may be by condition) (City)

42. 50% on-site affordable housing is also required but in this case the applicant has proposed that the provision is 63% and has agreed to enter into a legal agreement at that higher level of provision.

43. In addition a Community Access Package is required to secure access to the all-weather pitches. Again the applicant has agreed to enter into a legal agreement on

that basis providing for community access either in concert with the adjacent Free School if that is permitted or separately if not.

44. As noted above the Thames Valley Police (TVP) considers that the additional population generated by the development will place an additional demand upon the existing level of policing for the area. The TVP has requested a financial contribution towards the resulting TVP infrastructure requirements, namely: a Mobile Automatic Number Plate Recognition Camera - £11,000 and 2 Bicycles (including necessary kit) - £1600. However legal advice has been taken on the matter and confirmed Planning Officers' views that such funding falls outside the terms of Core Strategy Policy CS17. For this reason Officers cannot support the request of Thames Valley Police on this occasion.
45. Archaeology - Policy CS18 of the Core Strategy safeguards the City's archaeological assets. This site is of archaeological interest and if the application is to be approved a condition is recommended requiring an archaeological investigation consisting of a watching brief.
46. Noise - Policy CP 21 of the Oxford Local Plan specifically protects noise sensitive developments (including residential areas and education facilities) from new development which causes unacceptable levels of noise. The Council's Environmental Development service has been consulted on the proposals and do not raise concerns or recommend refusal on the grounds of noise from use of the all-weather pitches given that this is already an outdoor sports area.
47. Drainage – Policy CS11 of the Core Strategy requires all developments to incorporate SUDS and preferably to reduce the existing rate of run-off. Local people in commenting on these proposals raised concerns about flooding from surface water run-off. A Surface Water Drainage Strategy was therefore submitted in relation to this application which concludes that: the site will not be at risk of flooding from fluvial sources; is able to discharge surface water via infiltration drainage techniques; and is able to employ a surface water drainage design based upon the principles of sustainable drainage. The Highways Authority as the relevant agency has reviewed this Strategy and considers it acceptable.
48. Biodiversity – Policy CS 12 of the Core Strategy protects the City's biodiversity. An ecology report was submitted with this application the principal conclusions of which are that the site's value in biodiversity terms is intrinsically low and the loss of the site's habitats through development would not be considered to result in a significant ecological impact at local level. While badgers evidently use the site for foraging, no protected species have been confirmed as resident and as such no constraints have been identified in relation to such species that could represent an overriding constraint to development. Should the development be permitted the landscaping scheme should incorporate some species that produce fruit, such as yew, crab apple and hawthorn to provide a foraging resource for garden bird species and badgers post-development. Installation of bird and bat boxes on retained trees and/or new buildings would also offer opportunities for such species to utilise the site post development. Native species, preferably of

local provenance, should be used wherever possible throughout the development.

Conclusions

49. There are fundamental objections to the development of this site for housing and all-weather pitches stemming from the protection of the site as an open space. The site retains the potential to help meet the City's outdoor recreational needs and is not surplus to requirements. As a recreational asset and for its green openness it is valued by local people living in close proximity. The proposed all-weather pitches are not replacement facilities of equal value to potential of the open space that would be lost through development.
50. It is not essential to develop housing and all-weather pitches on this site to meet housing land availability or recreational requirements, and there are no other mitigating or balancing reasons why those developments should take place on this site.
51. There are concerns about the design and layout of the housing in terms of its density, form, function and amenity for future residents and people already living in the locality; and its implications for the use of natural resources.
52. For these reasons the scheme is not supported and is recommended for refusal.

Human Rights Act 1998

Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse 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.

Section 17 of the Crime and Disorder Act 1998

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

Background Papers: 12/02967/FUL

Contact Officer: Fiona Bartholomew

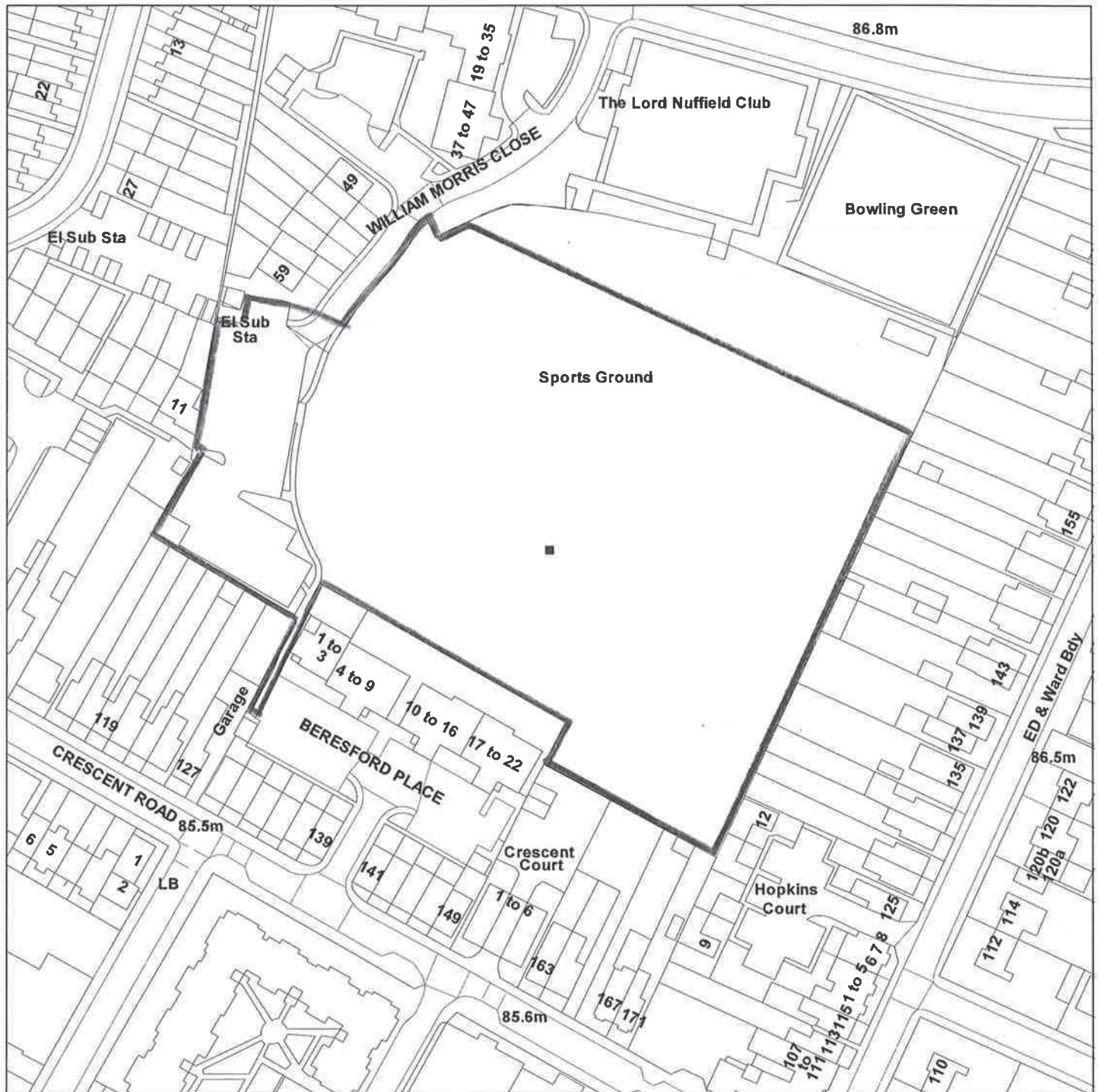
Extension: 2159

Date: 25th February 2013

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Appendix 1

12/02967/FUL Parking Area And Part Sports Field, William Morris Close



Scale : 1:1250

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Organisation	Not Set
Department	Not Set
Comments	
Date	25 February 2013
SLA Number	Not Set

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Appendix 2

Summary of Public Response to applications 12/02935/FUL and 12/02967/FUL

Comments of Objection
<p>Increased traffic generally on already heavily congested local roads and specifically at junctions (Hollow Way/ Barracks Lane/ Horspath Road; Hollow Way/Garsington Road; and The Slade/Horspath Driftway) with more traffic to come because of developments in the wider locality which use this route including at the Business Park:</p> <ul style="list-style-type: none">• Extra traffic dangerous for the many users of the local road network with narrow footways• Already suffer long waits at the traffic lights at the Hollow Way/ Barracks Lane/ Horspath Road junction – this has potential for gridlock• Restricted access for emergency vehicles• Difficult for local residents to get out of the area to go to work at peak times• The urban clearway in Hollow Way not well enforced creates extra local traffic difficulties• Already suffer from pollution from waiting traffic in the area – will get worse• The development is against Core Strategy Policy CS19 because there will be more accidents on Hollow Way
<p>Barracks Lane unsuitable for access to school/housing/pitch developments:</p> <ul style="list-style-type: none">• Will become bottleneck because Barracks Lane is dead end so people have to turn round in the access way• Poor visibility around many parked cars on Barracks Lane• Parking on both sides of Barracks Lane mean only one vehicle can pass along it• Parking on Barracks Lane will get worse and problems will arise as they did when the Club was running• Can't restrict parking on Barracks Lane because local people need it to park their cars who have no other option• Is heavily used by pedestrians, children and cyclists – access to Oxford Spires Academy – will become more dangerous
<p>Access point for new developments from Barracks Lane to William Morris Close:</p> <ul style="list-style-type: none">• Dangerous for children• Will adversely affect amenity of flats• There will be parents and staff school parking in nearby residential areas• There is often ice on the road at this junction• Poor visibility because of high wall at the junction
<p>Inadequacy of traffic assessments:</p> <ul style="list-style-type: none">• This will be the largest primary school in East Oxford• Wide catchment, people will come from far away – a much greater proportion will drive to school, too far for many to walk• Walking overestimated, driving underestimated• Unrealistic to expect primary school children to use alternative local transport

<p>Green Travel Plan inadequate:</p> <ul style="list-style-type: none"> • no real positive measures are suggested for achieving reduced car travel • Can penalties be introduced if the aims are not met?
<p>Transport Assessment poor:</p> <ul style="list-style-type: none"> • makes erroneous/misleading comparisons with non-free schools with a narrower catchment • Need better/more traffic surveys – one day not enough
<p>Open space should be retained:</p> <ul style="list-style-type: none"> • Has been well used by local people for 80 years and valued as an open green space, it is not redundant • Adds to the character of the area, part of green image of the city • Local and Government planning policy indicates it should be kept open • Previous planning permission (for the Lord Nuffield Club) was conditional on retention of the open space – this should be upheld • It should be safeguarded land for long term use • The all-weather pitches do not allow for the informal recreation that people enjoy on this land • No floodlighting means that public use restricted • Need to retain footpath from Crescent Road to Beresford Close • Negative impact on local wildlife
<p>Retain the former club building in community use:</p> <ul style="list-style-type: none"> • Needed locally with the closure of Temple Cowley Pools and Gym • Can find a user who will make it viable, many clubs looking for premises • A valuable local facility • Use for old people's clubs • Removal of essential local community sports facility unacceptable in view of Olympic legacy
<p>The need for the school:</p> <ul style="list-style-type: none"> • No need for a school – there are enough locally, will lead to other schools closing • Agree need for school but this is the wrong site for traffic reasons • Objection to faith based school – 40% Oxford residents not Christian
<p>The school and its site:</p> <ul style="list-style-type: none"> • Parents will also park in Crescent Road (unacceptable and dangerous) • Use of the footpath through Beresford Close is unsuitable because it goes through a car park not along a path; also not adopted and unlit, suffers anti-social behaviour • Significant impact to privacy of local residents • Inadequate on-site turning, set-down/drop-off area and parking for staff • Design unacceptable – bright modern colours and materials not appropriate • Future extensions to the school should be restricted • Noise from school will affect amenity of rear gardens to properties in Hollow Way • Loss of parking around field for residents of William Morris Close
<p>Housing:</p> <ul style="list-style-type: none"> • No need for this given developments locally and at Barton • Too high density, area already high density – this will make it worse • Poor design – windows too small, roof blank, needs to incorporate solar panels etc., question need for chimneys • Adversely affects the amenities of properties adjacent – Crescent Road, Hollow Way and Beresford Place: loss of privacy, light, outlook, overshadowing • 3-storey is out of scale and overbearing, out of keeping with locality • Access road less than 10m from ground floor bedrooms in Beresford Place, intrusive vehicle headlights.

Drainage: <ul style="list-style-type: none"> • Steep hill, surface water run-off already a problem causing flooding down Barracks Lane to Boundary Brook • More hard surface area will exacerbate this
Local house prices will fall
Statement of Community Involvement misleading

Comments of Support
Need for school: <ul style="list-style-type: none"> • Desperate need for primary places, other schools full, many people have to travel out of the area to school, pressure will increase due to population growth, • educational underachievement leads to poverty: need a good school to raise achievement
A good re-use of a redundant building with the added bonus of community use of the building and grounds
A good site for a school, well connected to transport and for walking
Extended school hours will spread the traffic implications. Can monitor traffic problems and adjust as the school grows.
Great need for new housing
There will be better use of the open space if developed for all-weather pitches

12/02935/FUL

Appendix 3

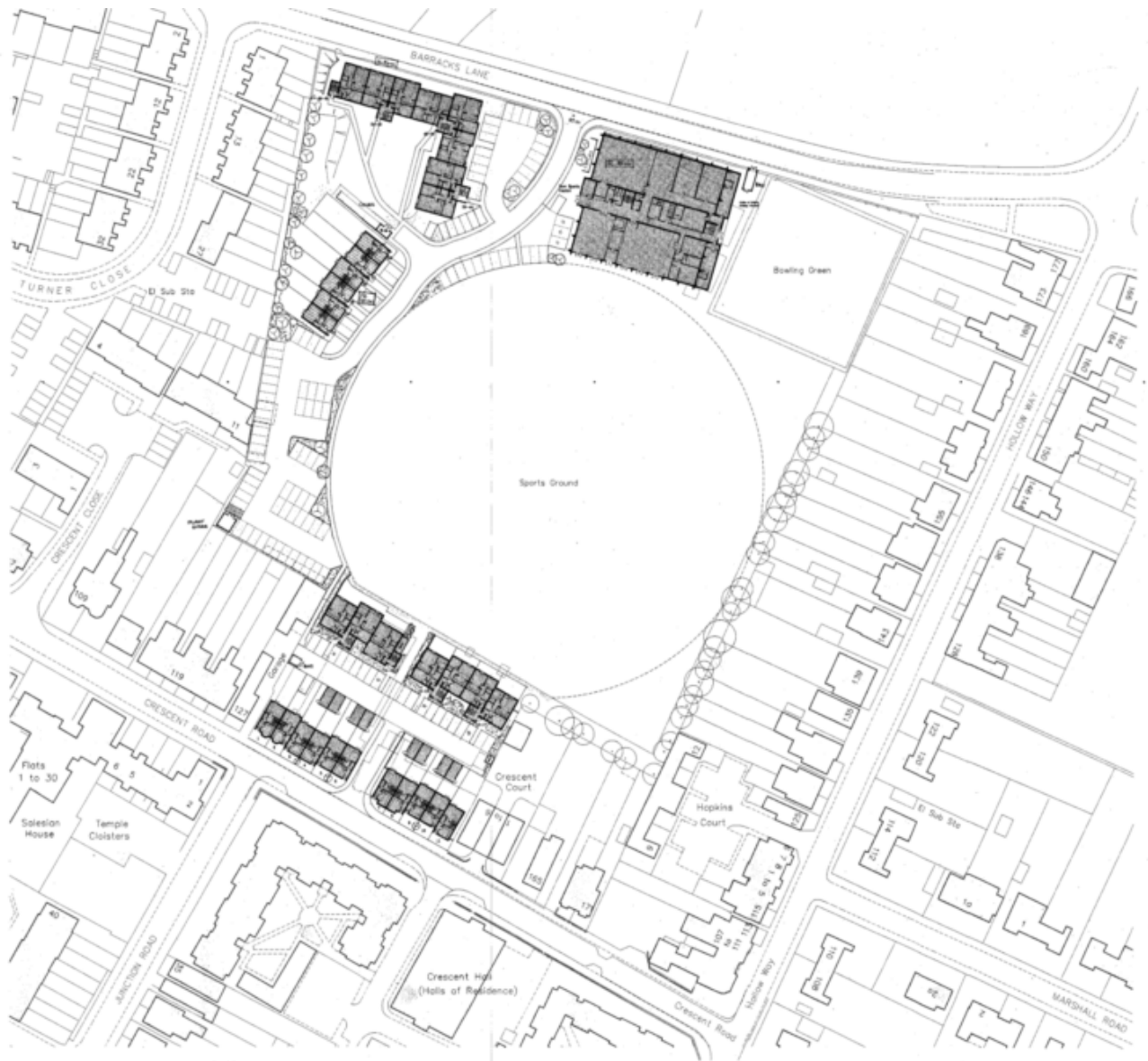
Original Morris Motors Club site



12/02935/FUL

Appendix 4

Block plan of the 2004 permission showing housing development on part of the previous open space and the re-sited Lord Nuffield Club building



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