

Agenda

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Planning Review Committee

Date: **Monday 15 October 2018**

Time: **6.00 pm**

Place: **The Old Library - Oxford Town Hall**

For any further information please contact the Committee Services Officer:

Catherine Phythian, Committee and Member Services Officer

Telephone: 01865 252402

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If you intend to record the meeting, it would be helpful if you speak to the Committee Services Officer before the start of the meeting.

Planning Review Committee

Membership

Chair	Councillor James Fry	North;
Vice-Chair	Councillor Chewe Munkonge	Quarry and Risinghurst;
	Councillor Mohammed Altaf-Khan	Headington;
	Councillor Jamila Begum Azad	Apologies. Substitute Cllr Arshad.
	Councillor Hosnieh Djafari-Marbini	Apologies. Substitute Cllr Taylor.
	Councillor Stephen Goddard	Wolvercote;
	Councillor Sajjad Malik	Cowley Marsh;
	Councillor Dr Joe McManners	Headington Hill and Northway;
	Councillor Linda Smith	Blackbird Leys;

The quorum for this meeting is five members. Substitutes are permitted.

Copies of this agenda

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AGENDA

	Pages
1 Apologies for absence and substitutions	
2 Declarations of Interest	
3 18/01173/FUL: "Swan School", The Harlow Centre, Raymund Road, Oxford, OX3 0PG	9 - 120
Site address:	The Harlow Centre (site of Meadowbrook College), Raymund Road, Oxford, OX3 0PG.
Proposal:	<p>Demolition of existing buildings on the site and their replacement with a new two-storey education facility, associated parking and external play areas for Meadowbrook College. Erection of a new secondary school in the form mix of one and three-storey buildings together with provision of a new access from Marston Ferry Road, associated car and cycle parking along with formal and informal play and sport provision. Erection of a multi-use games area (MUGA) and eco-shelter for St Nicholas Primary School. (Amended description) (Amended plans and additional information) (Further amendments received 25.09.2018)</p>
Recommendation:	Planning Review Committee is recommended to:
1.	<p>approve the application for the reasons given in the report and subject to</p> <ul style="list-style-type: none"> • the satisfactory completion of a legal agreement(s) and/or unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; • the required planning conditions set out in section 8 of this report; and • confirmation from the Secretary of State that the application is not required to be 'called in' in accordance with The Town and Country Planning (Consultation) (England) Direction 2009 <p>and grant planning permission;</p>
2.	<p>agree to delegate authority to the Acting Head of Planning to:</p> <ul style="list-style-type: none"> • consider and deal with any new material planning considerations that may be raised through public consultation up to 18 October 2018 including deciding whether it is necessary to refer the application back to the committee prior

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

4 18/01697/FUL: Temporary buildings at The Harlow Centre, Raymund Road, Oxford OX3 0PG 121 - 142

Site Address: The Harlow Centre, Raymund Road, Oxford, OX3 0PG

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

Recommendation: Planning Review Committee is recommended to:

1. approve the application for the reasons given in the report and subject to the required planning conditions set out in section 8 of this report; and grant planning permission;
2. agree to delegate authority to the Acting Head of Planning to finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning considers reasonably necessary and issue the planning permission.

5 Minutes 143 - 146

To approve as a true and accurate record the minutes of the meeting held on 20 August 2018.

6 Date of Future Meetings

The following dates are scheduled for meetings of this Committee (if required):

2018	2019
20 November	17 January
12 December	27 February
	19 March
	16 April

Councillors 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. Advice on bias, predetermination and declarations of interest is available from the Monitoring Officer.

The following minimum standards of practice will be followed.

At the meeting

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 (in accordance with the rules contained in the Planning Code of Practice contained in the Council's Constitution).
2. At the meeting the Chair may 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;
 - (d) 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;
 - (e) 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 Officers and/or other speakers); and
 - (f) voting members will debate and determine the application.

Preparation of Planning Policy documents – Public Meetings

4. At public meetings Councillors should be careful to be neutral and to listen to all points of view. They should take care to express themselves with respect to all present including officers. They should never say anything that could be taken to mean they have already made up their mind before an application is determined.

Public requests to speak

5. Members of the public wishing to speak must notify the Democratic Services Officer by noon on the working day before the meeting, giving their name, the application/agenda item they wish to speak on and whether they are objecting to or supporting the application. Notifications can be made in person, via e-mail or telephone, to the Democratic Services Officer (whose details are on the front of the Committee agenda).

Written statements from the public

6. Any written statements that members of the public and Councillors wish to be considered should be sent to the planning officer by noon two working days before the day of the meeting. The planning officer will report these at the meeting. Material received from the public at the meeting will not be accepted or circulated, as Councillors are unable to view give proper consideration to the new information and officers may not be able to check for accuracy or provide considered advice on any material consideration arising. Any such material will not be displayed or shown at the meeting.

Exhibiting model and displays at the meeting

7. Applicants or members of the public can exhibit models or displays at the meeting as long as they notify the Democratic Services Officer of their intention by noon, two working days before the start of the meeting so that members can be notified.

Recording meetings

8. Members of the public and press can record the proceedings of any public meeting of the Council. If you do wish to record the meeting, please notify the Committee clerk prior to the meeting so that they can inform the Chair and direct you to the best place to record. You are not allowed to disturb the meeting and the chair will stop the meeting if they feel a recording is disruptive.
9. The Council asks those recording the meeting:
 - Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule, or show a lack of respect towards those being recorded.
 - To avoid recording members of the public present unless they are addressing the meeting.

Meeting Etiquette

10. 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.
11. 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; or
 - (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

Code updated to reflect Constitution changes agreed at Council in April 2017.

Agenda Item 3

PLANNING REVIEW COMMITTEE ADDENDUM REPORT

15 October 2018

Application number:	18/01173/FUL		
Decision due by	10 August 2018		
Extension of time	To be agreed		
Proposal	Demolition of existing buildings on the site and their replacement with a new two-storey education facility, associated parking and external play areas for Meadowbrook College. Erection of a new secondary school in the form mix of one and three-storey buildings together with provision of a new access from Marston Ferry Road, associated car and cycle parking along with formal and informal play and sport provision. Erection of a multi-use games area (MUGA) and eco-shelter for St Nicholas Primary School. (Amended description) (Amended plans and additional information) (Further amendments received 25.09.2018)		
Site address	The Harlow Centre (site of Meadowbrook College), Raymund Road		
Ward	Marston Ward		
Case officer	Nadia Robinson		
Agent:	JPPC	Applicant:	Galliford Try Ltd
Reason at Committee	The application has been called in to the Planning Review Committee by Councillors Tanner, Simm, Turner, Linda Smith, Azad, McManners, Pressel, Chapman, Howlett, Kennedy, Henwood and Cook.		

1. RECOMMENDATION

1.1. Planning Review Committee is recommended to:

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

- the satisfactory completion of a legal agreement(s) and/or unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report;
- the required planning conditions set out in section 8 of this report; and
- confirmation from the Secretary of State that the application is not

required to be ‘called in’ in accordance with The Town and Country Planning (Consultation) (England) Direction 2009

and grant planning permission;

1.1.2. **agree to delegate authority** to the Acting Head of Planning to:

- consider and deal with any new material planning considerations that may be raised through public consultation up to 18 October 2018 including deciding whether it is necessary to refer the application back to the committee prior to issuing the permission;
- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning considers reasonably necessary; and
- finalise the recommended legal agreement or unilateral undertaking under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatics to be attached to the planning permission) as the Acting Head of Planning considers reasonably necessary; and
- issue the planning permission.

2. EXECUTIVE SUMMARY

2.1. At the East Area Planning Committee on 5 September 2018 members resolved to refuse planning permission for this application, with the precise wording for the reasons for refusal being delegated to the Head of Planning, Sustainable Development and Regulatory Services to determine. The following reasons for refusal were therefore drafted by officers:

2.1.1. Due to the removal of the bund and vegetation separating the cycleway from the Marston Ferry Road, the development would have an urbanising effect and result in harm to the Green Belt. This harm is not outweighed by other material planning considerations and therefore very special circumstances do not exist to allow this development in the Green Belt. The development would therefore be contrary to policy CS4 of the Oxford Core Strategy 2026 and paragraphs 143 and 144 of the National Planning Policy Framework.

2.1.2. Due to the site access from the Marston Ferry Road resulting in vehicles crossing the cycleway, the development would interrupt the free flow of cyclists and fail to prioritise cyclists and would therefore be contrary to policy CP10 of the Oxford Local Plan 2001-2016 and paragraph 110 of the National Planning Policy Framework.

2.2. The minutes of the East Area Planning Committee on 5 September 2018 are included in **appendix 2** of this report.

- 2.3. The decision of the East Area Planning Committee has been called in to the Planning Review Committee by Councillors Tanner, Simm, Turner, Linda Smith, Azad, McManners, Pressel, Chapman, Howlett, Kennedy, Henwood and Cook for the following reasons:
- The first application was refused by 4 votes to 3, with 2 abstentions. The second application was refused because the first had fallen. It would be sensible to reconsider both given the closeness of the first vote.
 - The need for another secondary school in Oxford is urgent and no other options are available. Considerable mitigation steps were proposed to limit the quite small intrusion into the Green Belt and to preserve the priority and safety of the cycle track on the Marston Ferry Road.
- 2.4. A copy of the officer's committee report to the East Area Planning Committee is included in **appendix 1** of this cover report. The report provided a full assessment of how the proposal would accord with policies of the development plan when considered as a whole, and that the range of material considerations supported the grant of planning permission. The report also includes a full assessment of how the scheme would also accord with the aims and objectives of the National Planning Policy Framework (NPPF), in particular the assessment of the impact on Green Belt and the detailed balancing exercise that concluded that very special circumstances that would justify development in the Green Belt manifestly exist. The report also sets out the range of measures proposed to deal with the site access and transport issues, in particular the retention of cycle and pedestrian priority along the Marston Ferry Road cycleway.
- 2.5. Given conformity with the development plan as a whole, in accordance with paragraph 11 of the revised NPPF the proposal should be approved without delay. It also sets out that there are not any material considerations that would outweigh the compliance with these national and local plan policies.
- 2.6. Since the application was considered by the East Area Planning Committee, the applicants have sought to clarify a number of matters and have made some minor amendments to the application, which were received on 25 September 2018. These followed discussion with officers and with officers from the Highways Authority. They seek to address concerns raised by members at committee which led to a resolution to refuse the application. These points of clarification and amendments can be summarised as follows:
- The removal of 10 car parking spaces within the proposed Swan School site;
 - Clarification that the artificial landscape bund will not be removed for the entire length of the visibility splays for the access; in places it will be reduced in height and there will be some planting at a lower level than the existing hedging;
 - An addendum to the Landscape and Visual Impact Assessment that looks at the landscape impact of the proposed access;

- A proposal to reduce the amount of bund and planting to be removed if and when the 30 mph speed limit is implemented outside the site (subject to separate Traffic Regulation Order amendment process) and for this to be secured via Section 106 legal agreement;
 - Additional drawings to clarify access arrangements and landscape impact;
 - Clarification of the number of cycle movements and vehicle movements that are forecast during periods when the school gates are open and vehicle access is in operation;
 - Clarification of the role of the wardens monitoring the access at the start and end of the school day.
- 2.7. The points above are discussed in more detail in section 6 below.
- 2.8. Officers would point out that, while a large number of revised plans were submitted, this is because many of the submitted plans are site-wide plans and so the reduction in the number of car parking spaces had to be updated on these site-wide plans.
- 2.9. In terms of the reasons listed within the call-in, officers would confirm that the fact that the decision of the East Area Planning Committee was a close vote is not a material planning consideration for the determination of the application.

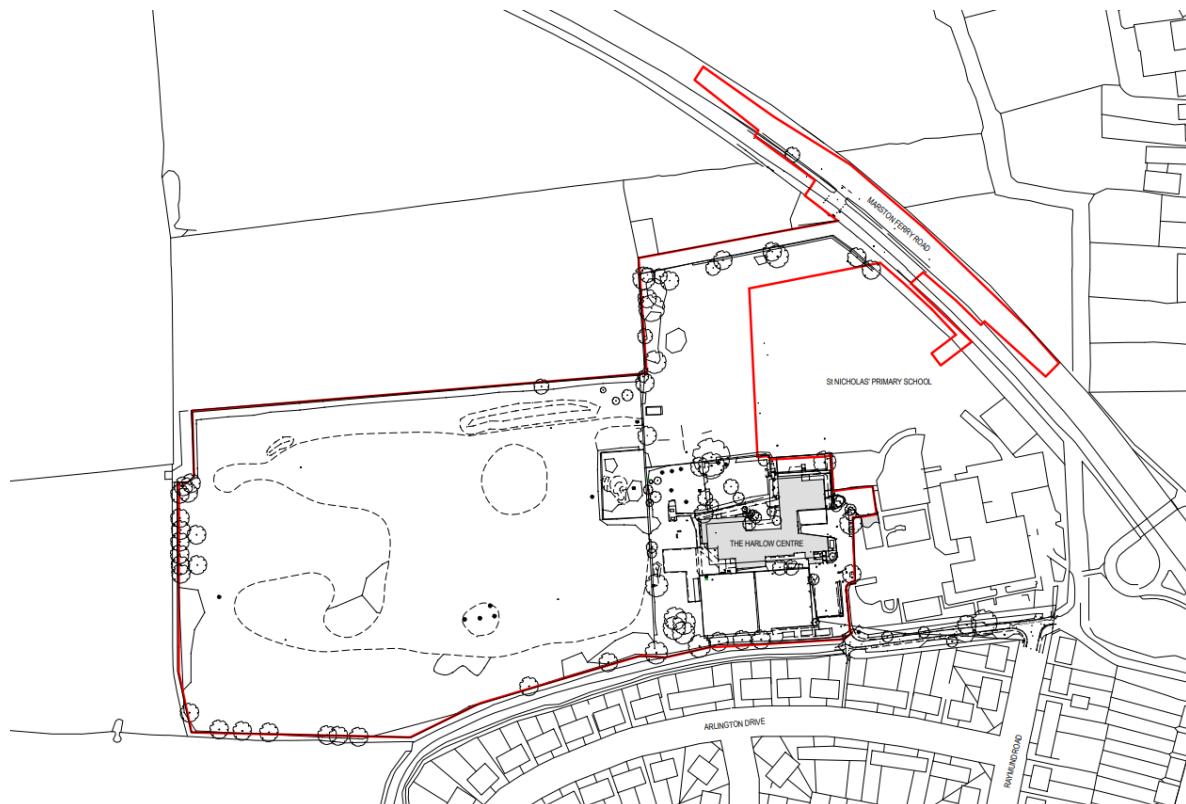
3. LEGAL AGREEMENT

- 3.1. A Section 106 agreement(s) and/ or unilateral undertaking is required to secure:
- the full implementation, monitoring and review of the Swan School Travel Plan over a period to academic year beginning September 2027;
 - a requirement to enter into a further period of Travel Plan monitoring should its targets not be met by 2027;
 - financial contributions for Travel Plan monitoring fees for both Swan School and Meadowbrook College;
 - a requirement for the secondary school to use best endeavours to ensure staff parking is limited to on-site parking and does not overspill onto local streets;
 - a requirement for the secondary school to use best endeavours to ensure that student drop-offs by car are limited to those granted permits and do not occur off-site in the immediate area around the school;
 - a requirement, if the 30mph speed limit change is implemented (subject of a separate process), for narrower visibility splays and reduced bund removal, lesser bund height reduction, and reinstatement of vegetation to be implemented to minimise the visual impact of the new entrance. Please note that this item is an additional item that was not included in the report to East Area Planning Committee;

- a requirement for a Section 278 agreement in relation to the new access on Marston Ferry Road to have been entered into prior to commencement of development (the details to be included are set out in paragraph 3.3 of this report).
- 3.2. Although the County Council has requested financial contributions in relation to a change in speed limit from 40mph to 30mph (amending the traffic regulation order and highway works), this is separate from the planning process; the contributions are to be made to the County Council directly via unilateral undertaking. These financial contributions are not something that should be taken into account in the determination of this application. The County Council's request for financial contributions towards travel plan monitoring would be secured via the Section 106 agreement, not via a unilateral undertaking; this item is listed in paragraph 3.1 above.
- 3.3. A Section 278 agreement is required for the construction of the site access. The site access comprises a priority junction with dedicated right and left turn lanes on Marston Ferry Road, a raised table across the site and road markings requiring vehicles to give way to cycles on the cycle lane. As noted in paragraph 3.1 above, this requirement would be secured via Section 106.

4. SITE PLAN

- 4.1. See site plan below:



5. CONSULTATION RESPONSES

- 5.1. The officers' report (appendix 1) provides details of the public consultation that was undertaken with respect to the application, and summarises all the responses received in relation to the application within section 8 of the report.
- 5.2. Full copies of the consultation responses listed within this section are available to view on the public access website and have been taken into consideration within the officers' report.
- 5.3. Although the amendments to the application are minor and constitute a reduction in impact, the additional information and amendments to the application received on 25 September 2018 were nonetheless advertised as follows:
 - Site notices were displayed around the application site on 27 September 2018;
 - An email notification was sent on 27 September 2018 to all members and to amenity groups who previously commented on the planning application;
 - Oxfordshire County Council as Highways Authority was reconsulted;
 - An advertisement was published in The Oxford Times newspaper on 04 October 2018.
- 5.4. The closing date for consultation responses falls after the publication of this committee report. Officers will therefore provide a verbal update to committee of any consultation responses received after the publication of the report.
- 5.5. The additional consultation responses received in relation to the application are summarised below.

Statutory and non-statutory consultees

Oxfordshire County Council (Letter from Assistant Director Growth & Place and Deputy Director for Education)

- 5.6. In 2019 there will be over 200 more Year 6 pupils in Oxford schools needing a secondary school place than there were 10 years previously. Current school capacity serving the city will be insufficient from 2019 onwards to meet the need for places for pupils already in our primary schools. That deficiency will be exacerbated with any future housing growth in the city.
- 5.7. An extensive site search carried out by the ESFA confirmed that the Harlow Centre site is the only site which could be identified as both suitable for a new secondary school in Oxford, and available in time to meet the growing population.
- 5.8. Should the Swan School not open, there is an obvious impact on the pupils who will need secondary school places in future years. In the absence of an

alternative site within the city which might be considered more acceptable, there could be no new secondary school for Oxford unless and until there are large-scale developments surrounding Oxford, which have been discussed in the context of SODC and Cherwell Local Plans, but the timescales for these are unknown.

- 5.9. Without the Swan School, there will be insufficient secondary school capacity for the existing population of Oxford; it therefore follows that there would be insufficient capacity to meet the needs of housing growth.
- 5.10. Without the additional places to be provided by the Swan School, the County Council could now only support the new Oxford Local Plan if there is a suitable site, planning permission and guaranteed timely delivery (including funding) of a new secondary school to meet the needs of Oxford's growing population. The emerging Local Plan needs to demonstrate that the infrastructure needed to support housing growth is deliverable; it would be the county council's view that secondary education capacity is not currently deliverable.

Oxfordshire County Council (Highways)

- 5.11. No objection subject to conditions. This response has been prepared in response to the additional information submitted in relation the above planning application following the decision to refuse the planning application at East Oxford Planning Committee on 5 September 2018.
- 5.12. The proposal has been modified to reduce the number of car parking spaces provided on site by ten spaces to provide a total of 56 spaces.
- 5.13. The county council supports the planning application and considers the application to provide safe access for pedestrians and cyclists across the proposed access on Marston Ferry Road.
- 5.14. A Section 278 agreement is required for the construction of the site access (as per drawing no. 4479/008/T/SK-211/P9 submitted with the planning application). The site access comprises a priority junction with dedicated right and left turn lanes on Marston Ferry Road, a raised table across the site and stop markings requiring vehicles give way to cycles on the cycle lane.
- 5.15. Contributions towards travel plan monitoring, traffic regulation order and highway works should be secured via a Unilateral Undertaking between the applicant and Oxfordshire County Council.

Public representations

- 5.16. Since the publication of the 5 September 2018 East Area Planning Committee report, further representations were received and reported to committee; these are included in the minutes of the meeting and can be found in appendix 2. Since 5 September 2018 and following receipt of additional information on 25 September 2018, one further representation was received objecting to the proposal.

- 5.17. In summary, the main points of objection were:
- Removal of ten car parking spaces from Swan School will lead to overspill parking on the Carter Estate
 - Lack of clarity on the decision making process and why the East Area Planning Committee is not determining the application.

6. MATERIAL PLANNING CONSIDERATIONS

- 6.1. The committee report for East Area Planning Committee considers the material planning considerations and sets out why planning permission should be granted for the proposal. A copy of the report is included within appendix 1 of this addendum report.
- 6.2. The call-in request highlighted the following material planning considerations:
- The urgent need for another secondary school in Oxford;
 - The mitigation that has been proposed to limit the quite small intrusion into the Green Belt;
 - The application's proposal to preserve the priority and safety of the cycle track on the Marston Ferry Road.
- 6.3. These issues have been addressed by the applicant via the additional and amended information submitted on 25 September 2018.
- 6.4. In light of the additional and amended information, and the call-in reasons, the following issues are discussed in this report:
- a. Need for the secondary school
 - b. Landscape impact of the access and impact on the Green Belt
 - c. Impact on cycleway and car parking
- 6.5. Officers have sought appropriate legal advice with regard to the committee resolution taken by the East Area Planning Committee on 5 September 2018 and members will be advised accordingly at the meeting.
- a. **Need for the secondary school**
- 6.6. As noted above, Oxfordshire County Council made a representation following East Area Planning Committee and the committee's resolution to refuse planning permission. The representation sets out that the refusal would lead to insufficient secondary school capacity for the city's existing population and predicted growth. This echoes the detailed case made as part of the planning application to explain the need for the development. Officers' assessment of this case, i.e. the need for the secondary school, is set out in paragraphs 10.2 to 10.8 of the committee report to East Area Planning Committee (appendix 1) on page 24.

6.7. Officers note that the letter also refers to how the County Council may respond to future applications for housing and to the Local Plan consultation in light of the shortfall in secondary school places that they foresee should this application be refused. Members will be aware that speculation on responses to future planning applications is not a material consideration for this application and that they must keep their focus on the application before them. The need for a secondary school is, of course, a material planning consideration and members must have regard to this in the overall planning balance. As is made clear in the committee report (appendix 1), the National Planning Policy Framework in paragraph 94, states that local planning authorities should take a proactive, positive and collaborative approach to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and that great weight must be given to the need to create, expand or alter schools. In the context of paragraph 94 of the NPPF and the emerging Oxford Local Plan, the development before members must be viewed as important infrastructure that would support the delivery of housing through the Local Plan and therefore weight must be given to this consideration.

b. Landscape impact of the access and impact on the Green Belt

- 6.8. Paragraph 143 of the NPPF states that such development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF continues in paragraph 144, “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”
- 6.9. Paragraphs 10.20 to 10.41 of the East Area Committee report (appendix 1) on pages 26-30 set out the balancing exercise undertaken which establishes that very special circumstances exist to allow development in the Green Belt. This is because the harm to the Green Belt is mitigated and is low-level and localised. The substantial weight attributed to this low-level harm is outweighed by the great weight given to other material planning considerations, i.e. the urgent provision of school places, the lack of other suitable sites, and the high-quality APU provision.
- 6.10. In paragraph 10.29 on page 28 of the East Area Committee report (appendix 1), the landscape impact and harm to the Green Belt of the proposed access is assessed. This is found to be a limited and localised impact.
- 6.11. The applicants have submitted an addendum to the Landscape and Visual Impact Assessment (LVIA) as additional information. This states that the submitted LVIA report considered the loss of 237 linear metres of the artificial screening bund due to the visibility splays required by the junction, and deemed the impact to be Moderate. The following is an extract from the addendum:

- 6.12. *The current proposals indicate the loss of approximately 180 linear metres of hedge, along with a reduction in height of the existing bund north and south of the proposed new junction (to approximately 1.0m high), with new hedge planting being proposed on this mount up to a combined maximum height of 1.5m. This would leave a final gap in the bund of 50m. This gap is considerably less than the original 237m when the LVIA assessed the impact. The mature vegetation on the north side of [Marston Ferry Road] is retained and there is also a substantial back drop of mature trees retained either side of the new entrance, thus maintaining the overall perception of a 'green' road corridor. The impact on the landscape is reduced by virtue of the current proposals due to the fact the perception of the loss of the planted bund will be less and the perception of the gap for the new access will be reduced to a very localised impact. The loss of this landscape feature and the widening out of the road to accommodate the junction will initially represent a Moderate impact, but once the new hedging is established this is likely to be reduced to Moderate-Minor.*
- 6.13. It should be noted that the LVIA assessment is in relation to landscape and visual impact, which is a broader assessment than the impact on the Green Belt. Officers consider that the loss or reduction of part of the bund and vegetation that separates the Marston Ferry Road from the cycleway has a very negligible impact on the openness of the Green Belt. This is due to the mature vegetation and trees either side of the road and cycleway, and the fact that the Marston Ferry Road itself and the surfaced cycleway are both urban elements that cut through the Green Belt landscape. When considering the overall application under consideration, very little weight can be given to this element and officers consider the impact to be acceptable and appropriately mitigated.
- 6.14. Visualisations of the landscape changes – both in plan form and elevation – have been submitted as additional information by the applicants. These demonstrate the localised and limited nature of the landscape and visual impact of the new access.
- 6.15. Details of the extent of the removal or height reduction of the bund, the extent of hedge removal and planting of new vegetation will be finalised through the Section 278 process. The extent can be reduced if the speed limit is reduced from 40mph to 30mph along the stretch of road that takes in the school access, extending the existing 30mph limit area. This is because the visibility splay requirements for 30mph are lower than for 40mph. The change in speed limit is subject to a separate process, a variation to the Traffic Regulation Order, which the applicants have commenced with the Highways Authority. It therefore cannot be secured via this planning application. However, officers recommend that, should permission be granted for this application, a Section 106 legal agreement or unilateral undertaking should include provision for the extent of alterations to be reduced as far as possible in line with requirements for 30mph visibility splays if and when the 30mph speed limit is implemented. The applicants have indicated they would be willing to enter into such an agreement or unilateral undertaking.

6.16. The applicants have sought to reduce the extent of the loss of the artificial landscape bund and vegetation and have therefore mitigated the impact of this part of the development, which is nonetheless considered to be low impact. In the planning balance, the urgent need for secondary school places, the lack of other suitable sites, and the erection of a high-quality Alternative Provision Unit (APU) (Meadowbrook College) have great weight as required by the NPPF. The very limited and localised landscape impact of the proposed access falls far short of sufficient weight to tip the balance against granting planning permission.

c. Impact on cycleway and car parking

- 6.17. Paragraphs 10.82 to 10.139 of the East Area Committee report on pages 36-47 cover highways and transport matters.
- 6.18. To reduce the number of car movements across the cycleway and to reduce overall traffic generation, the applicants have proposed to remove ten car parking spaces from the Swan School car park, giving a total of 56 car parking spaces. Alongside this, more ambitious targets have been set for staff car use in the revised Swan School Travel Plan and Car Parking Management Plan which ensure that no more than 56 spaces will be needed for staff parking.
- 6.19. This reduction in parking places below the maximum standards, coupled with more ambitious sustainable travel targets is welcomed and consistent with the objectives of the local plan policies. It will also reduce the number of vehicles crossing the cycleway. Overspill parking on surrounding roads would be controlled via the Section 106 agreement – both through the frequent and close monitoring of the Travel Plan and the rigorous legal requirement that the school make best endeavours to ensure staff parking on surrounding streets does not happen. While the process for introducing parking controls on surrounding streets is understood to be commencing soon, and the comment from the County Council gives detail of the process, this is beyond the control of this planning application.
- 6.20. The applicant has submitted points of clarification regarding the number of vehicle and cycle movements that are forecast during periods when the school gates are open and vehicle access is in operation. The school gates would be open for 20 minutes from 8:30-8:50 when students with drop-off permits would be dropped off by car. Cherwell School will have started the school day at 8:30. There will be an average of 21 cars in and 21 cars out, while 65 cycles are predicted to pass in this period. This equates to 2 cars crossing the cycle path per minute. In the same period, the frequency of cyclists is 3 cyclists passing the entrance every minute. This contrasts with Cherwell School's peak 20 minute period (8:10 to 8:30) when 121 car movements cross the cycleway and 277 cycles pass.
- 6.21. At the East Area Planning Committee, a timetable for proposed Swan School access was circulated to members. This is appended to this report in **appendix 3**. It sets out the times when the access would be closed to vehicles, when staff would arrive, when students with permits can be

dropped off, and when the entrance would be manned by wardens. This also highlights the staggered start times for Cherwell School and Swan School. The table demonstrates the low impact that the access would have on the cycleway at peak times and the careful planning and management that has gone into this aspect of the development.

- 6.22. There were some queries raised regarding the role of and funding for the wardens who are proposed to be stationed at the school access at the start and end of the school day. Wardens would be school staff members and there is likely to also be presence from senior staff to observe behaviour and have a visible presence for students and parents/carers. This is in line with normal operations for a school.
- 6.23. The Highways Authority notes that the design of the access to Swan School gives priority to cyclists on the cycle lane by requiring vehicles to give way to the cycle lane. This is reinforced by the coloured surfacing that will be used to highlight the presence of the cycle lane across the proposed access. The access is designed in accordance with Design Manual for Roads and Bridges standards and a Stage One Road Safety Audit has been undertaken. Conditions and a legal agreement are recommended to ensure that the applicant is obligated to operate the access as proposed and the Highways Authority will have opportunities when the school is operational to influence the operation of the access if it is not satisfied.
- 6.24. The Marston Ferry Road cycleway is classified as a 'Cycle Super Route' in the Oxford Transport Strategy. The proposed access across the cycleway will not change the status of route as a 'Cycle Super Route'. The design of the access to Swan School allows the cycle lane to continue through the proposed junction uninterrupted whilst ensuring that the presence of the cycle lane is highlighted to vehicle users. The road markings and the raised table give cars a clear indication that they do not have priority over the footway and cycleway and they need to give way. Cyclists on the cycleway and would still have priority over vehicles. Cycle priority is not lost.
- 6.25. As noted in paragraph 10.138 on page 47 of the East Area Planning Committee report, the development's transport proposals do not contravene any standards and have been deemed acceptable in highway safety terms by the Highways Authority as statutory consultee. The scheme ensures priority for cyclists and pedestrians is retained and includes a variety of measures to minimise conflicts between pedestrians, cyclists and vehicles. No unacceptable impact on highway safety has been identified, nor have the residual cumulative impacts on the road network been found to be severe. In accordance with the NPPF, therefore, the development should not be refused on highway grounds.

7. CONCLUSION

- 7.1. Having regards to the matters discussed in this report and committee report to 5 September 2018 East Area Planning Committee (appendix 1), officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and

Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.

- 7.2. The NPPF recognises the need to take decisions in accordance with Section 38(6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver Sustainable Development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF despite being adopted prior to the publication of the framework.
- 7.3. In reaching a decision, the Planning Review Committee will need to carry out a planning balancing exercise in weighing the proposed development, having regard to the urgent need for secondary school places, the lack of other suitable sites, and the opportunity for a fit-for-purpose replacement for the sub-standard accommodation for the staff and vulnerable young people attending Meadowbrook College, against any harm that may be identified. Any refusal would need to demonstrate that the City Council does not consider that the need for the development outweighs that harm.

Compliance with Development Plan Policies

- 7.4. Therefore in conclusion it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which is inconsistent with the development plan as a whole.
- 7.5. The application site has been selected following an extensive site search with the need to provide secondary school places within a tight timeframe being an inescapable reality of site selection. The design, massing and layout has been carefully adjusted after a long period of pre-application consultation and reviews by the Oxford Design Review Panel, which particularly considered the impact on the openness of the Green Belt. The scheme retains priority for cyclists and pedestrians on the Marston Ferry Road cycle lane and includes a variety of measures to minimise conflicts between pedestrians, cyclists and vehicles. No unacceptable impact on highway safety has been identified, nor have the residual cumulative impacts on the road network been found to be severe. In accordance with the NPPF, therefore, the development should not be refused on highway grounds. An underpass for the cycleway beneath the traffic access is not proposed and is not necessary to mitigate the impact of the development. Robust Travel Plans are proposed, with the Swan School Travel Plan to be secured by legal agreement. All other aspects of the development, subject to appropriate conditions, are found to be in accordance with the NPPF and local development policies. The development would bring forward much needed purpose-built, contemporary accommodation for Meadowbrook College and secure community uses of sports and other school facilities.

- 7.6. The main policy where there could be considered a departure from development plan policy would be with regard to Core Strategy Policy CS4 which states that permission will not be granted for inappropriate development in the Green Belt, in accordance with national policy. The report sets out the balancing exercise which concludes that the proposal does give rise to very special circumstances that would allow development to be approved in the Green Belt, in accordance with national policy and therefore with policy CS4.
- 7.7. Therefore officers consider that the proposal would accord with the development plan as a whole.

Material considerations

- 7.8. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.
- 7.9. National Planning Policy: The NPPF has a presumption in favour of sustainable development at its heart.
- 7.10. NPPF paragraph 11 states that proposals that accord with an up-to-date development plan should be approved without delay, or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
- 7.11. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.
- 7.12. Officers would advise members that having considered the application carefully including all representations made and especially counsel's advice with respect to the application, that the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016 and Sites and Housing Plan 2013, when considered as a whole. There are no material considerations that would outweigh these policies.
- 7.13. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the recommended conditions and satisfactory completion (under authority delegated to the Acting Head of Planning) of a legal agreement(s) and/or unilateral undertaking under section 106 of the Town and Country Planning Act 1990, and confirmation from the Secretary of State that the application is not required to be 'called

in' in accordance with The Town and Country Planning (Consultation) (England) Direction 2009.

8. CONDITIONS

1. Time limit

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

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

2. Approved plans

Subject to condition 5, the development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

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

3. Material samples

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

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

4. No felling or tree surgery

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

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

5. Landscaping details

Notwithstanding the submitted landscaping details, landscaping details shall be submitted to, and approved in writing by, the local planning authority before first occupation of the site (excluding construction). The details shall include scale plans that indicate trees to be removed and shall

show the locations of the existing retained trees including accurate representations of their crown spreads. The approved details shall show in detail all proposed tree and shrub planting (including nursery stock type, sizes, numbers of plants and planting densities where applicable), treatment of paved areas, and areas to be grassed or finished in a similar manner. The details shall include details of the green roofs which shall incorporate native wildflowers.

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

6. Landscape management plan

A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas including green roofs shall be submitted to and be approved in writing by the local planning authority prior to the occupation of the development. The approved landscape management plan shall be carried out as approved.

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

7. Completion of landscaping

The landscaping proposals as approved by the local planning authority shall be carried out upon substantial completion of the development and be completed not later than the first planting season after substantial completion. All planting which fails to establish, dies or is damaged within three years shall be replaced.

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

8. Hard Surfaces

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

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

9. Tree Protection Plan

Detailed measures for the protection of trees to be retained during the development shall be submitted to, and be approved in writing by, the local

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

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

10. Arboricultural method statement

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

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

11. Landscape underground services

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

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

12. Ecological Mitigation and Management Plan

The development shall be undertaken in strict accordance with the provisions of the Ecological Mitigation and Management Plan (EMMP) produced by Thomson Ecology in April 2018 (report VGAL 105/012 001). The EMMP provides details of required measures for the avoidance of harm to protected species including, but not limited to, bats, great crested

newts, reptiles and badgers. Site enhancements shall be undertaken in accordance with the details and timings in the EMMP, or within a year of commencement of development where timings are not specified, including provision and maintenance of landscape planting and artificial bat and bird roost features. The EMMP shall not be altered without the prior consent in writing of the local planning authority.

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

13. Vegetation Clearance: Nesting Birds

Removal of vegetation and demolition of buildings shall be undertaken outside of the bird nesting season. This is weather dependent but generally extends between March and August inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation or buildings shall not be removed until the fledglings have left the nest, as determined by the ecologist.

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

14. Lighting

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

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

15. Electric vehicle charging points

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

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

16. Energy sustainability

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

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

17. Sports Hall

The Sports Hall hereby permitted shall not be constructed other than substantially in accordance with Sport England Technical Design Guidance Note: Sports Halls Design and Layouts

2012 <https://www.sportengland.org/facilities-planning/design-and-costguidance/sports-halls/>

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

18. MUGAs

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

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

19. Sports pitches

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

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

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

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

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

20. Community use

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

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

21. Waste water

The development shall not be occupied until written confirmation has been provided to the Local Planning Authority that either:

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

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

22. Water network

The development shall not be occupied until written confirmation has been provided to the Local Planning Authority that either:

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

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

23. Road Safety Audit

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

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

24. Car Park and Access Management Plans

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

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

25. Cycle Parking

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

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

26. Travel Plan – Swan School

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

1. Appoint a Travel Plan Coordinator;
2. Provide survey results;
3. Set targets to reduce car travel to and from the site;
4. Set out robust measures to encourage sustainable travel;
5. Be linked to the car park and access management plan;

6. Specify the frequency of stakeholder meetings;
7. Identify new measures if targets are not met; and
8. Provide monitoring yearly.

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

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

27. Travel Plan – Meadowbrook College

Within three months of first occupation of the replacement Meadowbrook College building hereby approved, a full Meadowbrook College Travel Plan shall be submitted to and be approved in writing by the local planning authority. The approved Travel Plan shall be implemented in full and adhered to during the lifetime of the development unless otherwise agreed in writing by the local planning authority.

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

28. Site Visits

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

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

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

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

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

30. Construction Traffic Management Plan (CTMP)

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

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

31. Visibility Splays

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

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

32. Showers and changing facilities – staff cycling to work

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

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

33. Unexpected contamination

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

Reason- To ensure that any soil and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in

accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

34. Drainage

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

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

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

35. Archaeology

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

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

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

36. Foundation condition

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

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

37. Outdoor sports facilities – hours of use

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

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

9. INFORMATIVES

1. The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Oxford City Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Oxford City Council prior to commencement of development. For more information see: www.oxford.gov.uk/CIL
2. In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.
3. If topsoil material is imported to the site the developer should obtain certification from the topsoil provider to ensure that the material is appropriate for the proposed end use. Please note that the responsibility to properly address contaminated land issues, irrespective of any involvement by this Authority, lies with the owner/developer of the site.

4. This development may require an Environmental Permit from the Environment Agency under the terms of the Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2016 for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of designated 'main rivers'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. An environmental permit is in addition to and a separate process from obtaining planning permission. Further details and guidance are available on the GOV.UK website: www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits.
5. The applicant is advised that the design and layout of the Multi Use Games Areas should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England. Particular attention is drawn to: Artificial Surfaces for Outdoor Sports: <https://www.sportengland.org/facilitiesplanning/design-and-cost-guidance/artificial-sports-surfaces/> The applicant is advised that the scheme should comply with the relevant industry Technical Guidance, including guidance published by Sport England. Particular attention is drawn to 'Natural Turf for Sport', (Sport England, 2011). <https://www.sportengland.org/facilities-planning/design-and-costguidance/natural-turf-for-sport/>
6. Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications>
7. As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. Thames Water will need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services it provides in any other way. The applicant is advised to read the guide to working near or diverting Thames Water pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>
8. Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. It further recommends, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.
9. The presence of European Protected Species, such as bats and great crested newt, is a material consideration in the planning process and the potential impacts that a proposed development may have on them should be considered at all stages of the process. In the event that any protected species is encountered in the absence of a suitably qualified ecologist, it is advised that the developer stops work immediately and seeks the advice of

the local planning authority Ecology Officer and/or relevant statutory nature conservation organisation (e.g. Natural England).

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

10. APPENDICES

- **Appendix 1 – East Area Planning Committee 05.09.18 officers' report**
- **Appendix 2 – Extract from East Area Planning Committee 05.09.18 minutes**
- **Appendix 3 – Timetable for proposed Swan School access**

11. HUMAN RIGHTS ACT 1998

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

12. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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EAST AREA PLANNING COMMITTEE **5 September 2018**

Application number:	18/01173/FUL		
Decision due by	10 August 2018		
Extension of time	12 September 2018		
Proposal	Demolition of existing buildings on the site and their replacement with a new two-storey education facility, associated parking and external play areas for Meadowbrook College. Erection of a new secondary school in the form mix of one and three-storey buildings together with provision of a new access from Marston Ferry Road, associated car and cycle parking along with formal and informal play and sport provision. Erection of a multi-use games area (MUGA) and eco-shelter for St Nicholas Primary School. (Amended description) (Amended plans and additional information)		
Site address	The Harlow Centre (site of Meadowbrook College), Raymund Road – see paragraph 5.5 for site plan		
Ward	Marston Ward		
Case officer	Nadia Robinson		
Agent:	JPPC	Applicant:	Galliford Try Ltd
Reason at Committee	Major development		

1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

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

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

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

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

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

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

2. EXECUTIVE SUMMARY

- 2.1. This report considers a proposal to demolish the existing Harlow Centre building in Marston and replace it with a new three-storey secondary school and two-storey alternative provision unit. See **appendix 1** for the proposed site plan.
- 2.2. The key matters for assessment set out in this report include the following:
- Principle of development
 - Green Belt
 - Impact on designated heritage assets
 - Site layout, form and massing
 - Landscape and open space
 - Highways and transport
 - Neighbouring impact
 - Archaeology
 - Flooding and drainage
 - Biodiversity
 - Energy and sustainability
 - Air quality
 - Land quality
- 2.3. Officers consider that the proposal would accord with the policies of the development plan when considered as a whole and the range of material considerations, on balance, support the grant of planning permission.

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

3. LEGAL AGREEMENT

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

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

5. SITE AND SURROUNDINGS

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

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

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



6. PROPOSAL

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

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

7. RELEVANT PLANNING HISTORY

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

54/00344/M_H - Erection of secondary modern school – Approved 30.03.1955
56/00160/M_H - Erection of a secondary modern school – Approved 06.03.1956
56/00280/M_H - Erection of Secondary Modern School. – Approved 08.05.1956
71/00190/M_H - New art and pottery room. – Approved 15.03.1971
75/00050/SON_H - Extensions, alterations and erection of additional new building by the County Council – Approved 02.05.1975
83/00596/SON - Construction of new car park and paved areas on existing hard play area – Approved 01.03.1984
93/00266/DF - Erection of a double prefabricated classroom building for a temporary period – Deemed consent 12.07.1993
96/00168/DF - Construction of 5 class extension, external works and landscaping Temporary access to Marston Ferry Road for construction traffic for the period of the building contract (Amended plans) – Raise no objection 15.04.1996
97/00960/DF - Erection of a prefabricated classroom building for a temporary period. – Raise no objection 12.08.1997
02/00155/CC3 - Erection of prefabricated single classroom building for temporary period until August 2003 – No objection 04.04.2002 – Approved by County
02/01157/CC3 - Retention of prefabricated classroom building for a temporary period (renewal of temporary consent 97/00960/DF) – No objection 29.07.2002 – Approved by County
03/01655/CC3 - Renewal of temporary consent under planning permission 02/1157/CC3 for continued use of double prefabricated unit (E111). Erection of single prefabricated unit (E243), for use by the visually impaired service, for a temporary period of one year – No objection 25.09.2003 – Approved by County

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

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

9. CONSULTATION RESPONSES

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

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

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

Response dated 22 June 2018

- 9.3. No objection subject to conditions.

- 9.4. Comments relating to Swan School:

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

- 9.5. Comments relating to Meadowbrook College:

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

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

Response dated 15 August 2018

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

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

Oxfordshire County Council (Drainage)

- 9.12. No objection subject to condition.

Oxfordshire County Council (Education)

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

Thames Water

Waste Comments

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

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

Water Comments

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

Natural England

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

Environment Agency

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

Historic England

- 9.29. Do not wish to offer any comments.

Sport England

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

Old Marston Parish Council (1st representation)

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

Old Marston Parish Council (2nd representation)

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

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

Meadowbrook College

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

Oxford Preservation Trust

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

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

Cyclo

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

- On the current design there will be congestion and conflict around the end of the Marston Ferry cycle route which is already coping with St Nicholas School and Cherwell School students. Appropriate segregated provision for cycles and pedestrians need to be provided.
- The pelican crossing at the end of Oxford Road Marston needs to become a toucan.
- Access to the school by cycle and foot from the estates within 3 miles of the school needs to be given more priority or there will inevitably be increased use of the car to transport students to the school.
- There needs to be cycle & pedestrian crossing facilities across Oxford Road (South) linking with the proposed cycle route on Cherwell Drive/Headley Way.
- It is essential that there is a safe quiet route from Barton Park. This could include a properly signed route coming in at Foxwell Drive going through Northway, crossing Marsh Lane with a Toucan crossing, and then a cycle route going through Horseman Close to Boult Lane.
- A route from Old Marston Village from the Marston Ferry Road cycle tracks, via the Victoria Arms pub could be created.

9.68. Every opportunity needs to be taken to reduce vehicular access to the school and encourage more cycling, walking and public transport. There should be no on street parking in the residential areas around the school. These areas should have controlled parking zones. Use of the Park and Rides needs to be encouraged, with access to bike hire and a dedicated bus route down Cherwell Drive. We propose that there should be exclusion of any motorised vehicles in the vicinity of the school for two hours at the beginning and end of the school day.

9.69. We think that there should be more student cycle parking to encourage the highest possible rate of cycle use. Cycle parking needs to be convenient & adjacent to the main school building entrance, overlooked, and located to deter organised theft.

Oxford Civic Society

9.70. Objection due to:

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

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

Protect Old Marston & Elsfield

9.71. Objection due to:

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

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

9.72. Objection due to:

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

Cherwell Travel Action Group (1st representation)

9.73. Objection due to:

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

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

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

Cherwell Travel Action Group (2nd representation)

- 9.74. In response to Highways Authority formal comment in relation to creating a tunnel or underpass, we ask:
- What are "extensive ramps"?
 - What are the required standards for a subway or underpass?
 - What is undesirable: the required standards or extensive ramps, and why?
 - What is the minimum headroom for a subway / underpass?
- 9.75. I think the developers are trying to confuse the planning authority: its officers and members. Cycle user groups are seeking a straight-through underpass, (not a pedestrian subway with characteristic hairpin bends), along the cycle track. It is very important that everyone clearly distinguishes between a car free / traffic-free cycle TRACK, from an on-road cycle LANE.

Oxfordshire Cycling network

- 9.76. We object to the proposals for motor vehicle access crossing the Marston Ferry Road cycleway to enter the proposed Swan School.
- 9.77. The Marston Ferry Road cycleway is a heavily used route, by adults and children alike. It is used particularly by pupils and teachers at the nearby Cherwell School, which has one of the highest cycle-to-school rates in the country, and which gains multiple benefits from this. The cycleway is highly used because of its safety and convenience, and this comes in no small part from having few roads crossing it, and having priority over those that do.
- 9.78. This proposal threatens to undo this public benefit, by allowing large number of vehicles to cross the cycleway at its busiest times, using a marshal to stop the people on cycles while the vehicles pass. This will make cycling less convenient and less safe, and inevitably fewer people will choose this more sustainable, less congesting and healthier transport option. Thus the proposal works against the County Council's transport policy.
- 9.79. We urge the designers and the County and City Councils to reconsider the access to this new landmark school. A solution can be found that does not have these problems and is fit for today and the future. We should be promoting active travel, not putting marshals in to block it.

Public representations

- 9.80. A total of 218 representations were received with 156 representations objecting to the application, 43 in support and 15 general comments neither in support nor objecting. An objection was received from Oxfordshire County Councillor Dr Suzanne Bartington. Four further objections were received following re-advertisement of the application.
- 9.81. In summary, the main points of objection were:
- Overdevelopment of the site and in the area; site too small for a secondary school
 - Increase in traffic and pollution in the immediate, already congested, area, including cumulative impact from other developments such as Barton Park
 - Increase in traffic would impact access to the John Radcliffe Hospital
 - Use of Cherwell School travel statistics is unsound due to wider catchment area and fewer bus services to the site
 - Insufficient staff car parking leading to parking on adjacent streets
 - Long dark corridors in Swan School building
 - Value of homes in area decreasing
 - Concerns over vandalism and anti-social behaviour
 - Concerns over construction traffic
 - Unofficial wardens controlling car movements across the cycle/footway is inadequate
 - Use of permits and timings for drop-offs inadequate and hard to control
 - Pupil drop offs likely to happen in front of the gates
 - Chaos will result from vehicles being turned away at the gates and having to manoeuvre
 - Need in this location not demonstrated
 - Cycle routes from catchment area are not safe or suitable
 - Cars likely to cut through Old Marston, and pupils being dropping off
 - Congestion around Oxford Road junction with pupils being dropped off by car to St Nicholas Primary as well as the proposed secondary
 - Cycle and car conflicts at the Oxford Road junction with Marston Ferry Road
 - Cherwell School should expand its south site
 - Danger and inconvenience for cyclists of vehicles cutting across busy and well-used cycle track with insufficient mitigation
 - Impact the cycle route crossover would have on cycling behaviour – reducing cycling

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

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

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

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

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

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

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

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

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

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

a. Principle of development

Education use

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

Site selection

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

Green Belt

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

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

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

Loss of open-air sports facilities

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

b. Green Belt

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

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

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

Purpose of Green Belt in this location

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

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

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

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

Harm to Green Belt

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

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

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

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

Mitigation of harm

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

Material planning considerations

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

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

Balancing exercise

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

c. Impact on designated heritage assets

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

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

d. Site layout, form and massing

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

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

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

e. Landscape and open space

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

Arboricultural implications

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

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

Landscape mitigation proposals

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

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

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

f. Highways and transport

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

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

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

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

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

Meadowbrook College

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

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

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

Access and highways – Swan School

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

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

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

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

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

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

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

Sustainable travel to site – Swan School

- 10.101. The new secondary school can be accessed by foot and cycle along Marston Ferry Road. The ‘Access to Headington’ scheme currently being implemented by the County Council will provide further improvements in the vicinity of the school, including a new Toucan crossing on Cherwell Drive (north of its junction with Oxford Road) and cycle lanes in either direction on Cherwell Drive which will provide better access for both pedestrians and cyclists.
- 10.102. As most of the pupils to the new school are expected to live in the eastern part of Oxford, most cyclists and pedestrians are likely to route along Oxford Road, Headley Way and Cherwell Drive which provide facilities for

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

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

Car parking – Swan School

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

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

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

Drop off arrangements – Swan School

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

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

Cycle parking – Swan School

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

Trip generation and traffic impact – Swan School

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

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

Travel Plan – Swan School and Meadowbrook College

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

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

Delivery and servicing – Swan School and Meadowbrook College

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

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

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

Conclusion – highways and transport

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

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

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

g. Neighbouring impact

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

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

h. Archaeology

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

i. Flooding and drainage

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

j. Biodiversity

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

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

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

k. Energy and sustainability

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

I. Air quality

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

m. Land quality

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

11. CONCLUSION

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

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

Compliance with Development Plan Policies

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

Material considerations

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

12. CONDITIONS

1. Time limit

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

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

2. Approved plans

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

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

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

3. Material samples

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

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

4. No felling or tree surgery

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

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

5. Landscaping details

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

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

6. Landscape management plan

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

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

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

7. Completion of landscaping

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

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

8. Hard Surfaces

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

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

9. Tree Protection Plan

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

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

10. Arboricultural method statement

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

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

11. Landscape underground services

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

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

12. Ecological Mitigation and Management Plan

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

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

13. Vegetation Clearance: Nesting Birds

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

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

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

14. Lighting

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

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

15. Electric vehicle charging points

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

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

16. Energy sustainability

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

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

17. Sports Hall

The Sports Hall hereby permitted shall not be constructed other than substantially in accordance with Sport England Technical Design Guidance Note: Sports Halls Design and Layouts

2012 <https://www.sportengland.org/facilities-planning/design-and-costguidance/sports-halls/>

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

18. MUGAs

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

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

19. Sports pitches

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

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

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

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

20. Community use

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

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

21. Waste water

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

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

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

22. Water network

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

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

23. Road Safety Audit

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

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

24. Car Park and Access Management Plans

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

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

25. Cycle Parking

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

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

26. Travel Plan – Swan School

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

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

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

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

27. Travel Plan – Meadowbrook College

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

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

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

28. Site Visits

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

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

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

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

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

30. Construction Traffic Management Plan (CTMP)

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

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

31. Visibility Splays

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

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

32. Showers and changing facilities – staff cycling to work

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

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

33. Unexpected contamination

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

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

34. Drainage

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

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

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

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

35. Archaeology

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

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

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

36. Foundation condition

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

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

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

37. Outdoor sports facilities – hours of use

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

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

13. INFORMATIVES

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

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

14. APPENDICES

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

15. HUMAN RIGHTS ACT 1998

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

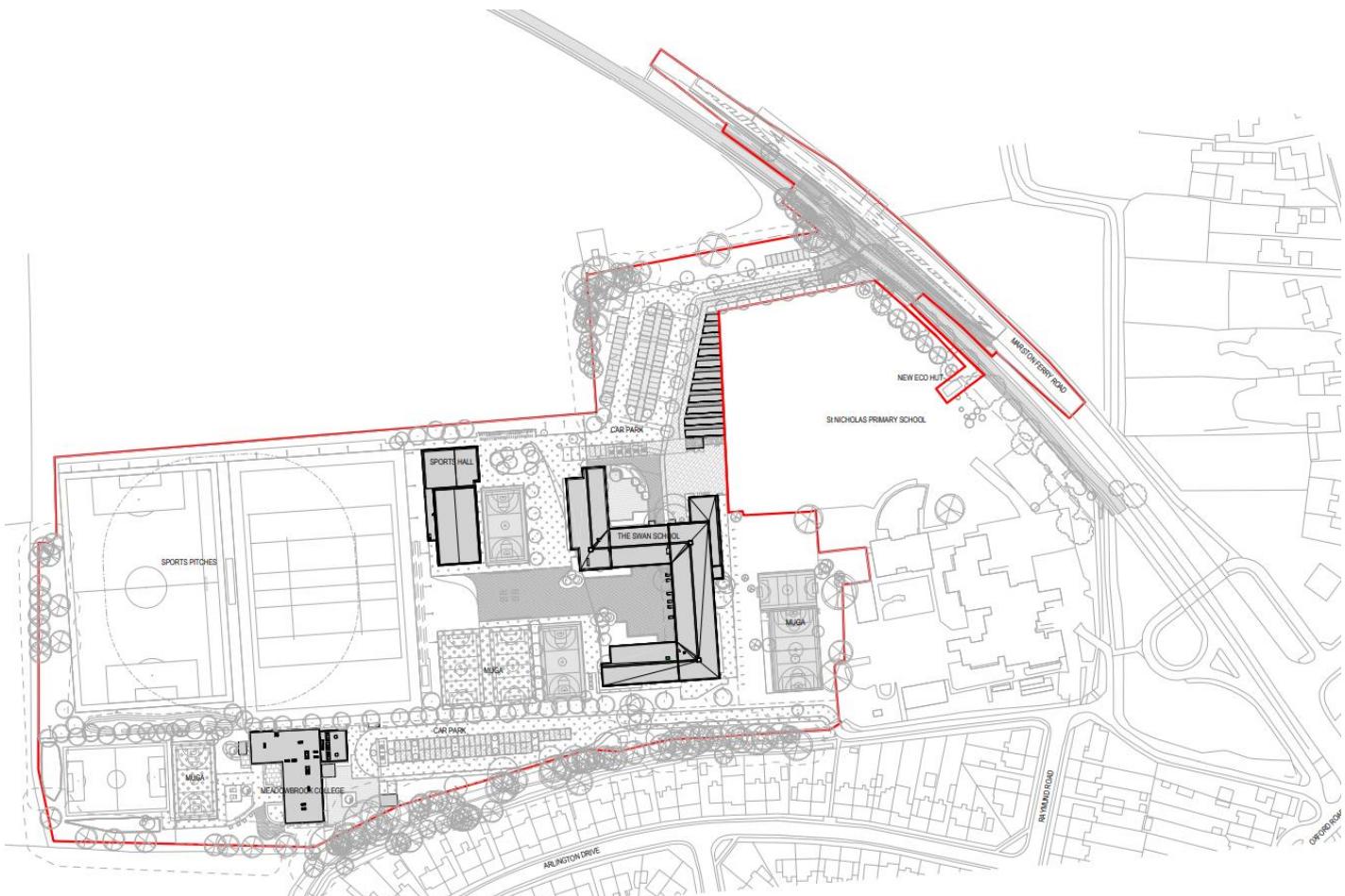
16. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

Appendix 1

18/01173/FUL – The Harlow Centre

Proposed block plan



Appendix 2

18/01173/FUL – The Harlow Centre

Oxford Design Review Panel letters:

- 1. 14 September 2017**
- 2. 30 November 2017**

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Swan School Design Workshop

Notes from 14 September 2017

Thank you for inviting the Oxford Design Review Panel (ODRP) to engage in a Design Workshop for the Swan School site. We thank the design team for their presentation at this early stage in design development. We appreciate the considered approach taken to the design process.

Summary

We acknowledge there are challenging constraints in developing this site, in particular the green belt allocation on parts of the site which require 'very special circumstances' to approve new development. However, we think the current approach to master planning has focused on constraints rather than opportunities and fails to make effective use of the land.

In order for a case to be made for intrusion into green belt, the scheme should provide three high class educational institutions of equal quality. The site benefits from a valuable landscape setting and the scheme could better capitalise on these opportunities and be much more ambitious. We recommend looking at noteworthy precedents to create a new campus for the next generation.

We recommend adopting a campus-approach and re-thinking the positioning of the buildings to resolve some of the site planning issues. Further evidence should be presented to justify that the site is suitable and can successfully accommodate the three schools proposed. Further conversations are required with all three institutions to identify opportunities for shared facilities and access, alleviating pressure for land on the site.

A follow up review is highly recommended, once a clear concept has been developed, and there is a site wide masterplan.

Masterplanning and context

We are not yet convinced by the evidence and rationale for positioning of the three schools on the site. We acknowledge the effort of the design team to address the significant constraints in developing this land, specifically the movement of people and cars for the three different schools and proximity of the green belt. However, this generates a number of avoidable issues and we would therefore encourage the team to fully assess the merits of developing on other sites and define more clearly the particular merits of this site for the proposed facilities, given that the Meadow Brook school is serving an Oxford-wide need and could be in an alternative location. We felt that, as proposed, the site appeared to be overdeveloped.

- We recommend greater consideration of the needs of the end user and the wider community - for example how parents with children of different ages attending different schools would carry out drop-offs and pick-ups in a coherent manner, and where teaching staff could interact with each other.
- We think the avoidance of building on the green belt is hindering the site layout and we would recommend a positive landscape-led approach that rationalises the site layout,

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supported by a landscape visual impact assessment. This may require consideration of 'land-swaps' and the sharing of facilities across the site and the separate institutions.

Landscape and site layout

We think a more holistic approach to site planning is required. The current approach to the site layout generates a number of issues that can be avoided, including a lack of distinction between public and private spaces, limited space for outdoor play (particularly for the new Meadow Brook facility), overshadowing of the Meadow Brook School by the perimeter trees and poor integration with the wider context. We seriously question the siting of Meadowbrook School. In addition, the site appears overly car-dominated with a significant proportion being taken up by car routes and large parking areas, creating an environment that appears unwelcoming to non-vehicle users and where there may be conflicts between vehicular, pedestrian and bicycle movements.

- We think it is essential that light and shadowing studies are carried out better to understand the site. Alternative footprints, positioning and configuration of buildings should be explored in order to find the optimum the layout for the whole site, and for the landscape.
- The vehicle routes and parking could be rationalised by creating a single access point and/or amalgamating the parking spaces and relocating the parking to a less prominent position within the site, as staff for each school could share a single car park. Driving habits and parking capacity requirements may change in the long term and we recommend that thought is given to the future car parking requirements.
- The separation of vehicle and pedestrian routes could also be explored to remove opportunities for conflict. Pedestrian and cycle access to certain areas of the site for those living to the south should be considered to simplify access to surrounding communities. During the site visit, it was evident that an informal access has been created into the site from outside and this clearly demonstrates that this space is already used by the local community. It would be better if this use were formalised.
- The open space provision for the Meadow Brook school is limited, and the new site could have a much stronger connection to its natural landscape setting to provide a calming environment for students.
- More thought should be given to the role and function of landscaped areas adjacent to the schools. We think this should include opportunities for informal play, quiet interaction and relaxation in addition to the proposed formal play areas. Careful planning and timetabling might enable the open space and sports pitches to be shared by the three different schools.
- The development should capitalise on the biodiversity, landscape and setting which are valuable assets and facilitate engagement with nature, as an example a garden for students could be provided within the Meadow Brook school site to provide respite from the internal school environment.
- We support the aim to provide publicly accessible community facilities but query the viability and desirability of a community hall in each school. For example, there may be challenges in opening up the Meadow Brook school hall to members of the public. A mapping exercise of community facilities within the wider area is required to understand need and demand and it may be worth exploring if these facilities could be shared between schools.

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Sustainability

The panel welcomed the design team's approach to sustainability, especially with respect to the design of classrooms and control of internal climate conditions. However, it was felt that in order to justify development on green belt, significant targets should be set for the use of renewable energy. The proposed amount of flat roof space presents significant opportunities for green roofs and solar energy which should be further explored.

Review process

Following a site visit, and discussions with the design team and local authority and a pre-application review, the scheme was reviewed on 14th September 2017. These comments supersede any views we may have expressed previously.

Confidentiality

Since the scheme is not yet the subject of a planning application, the advice contained in this letter is offered in confidence, on condition that we are kept informed of the progress of the project, including when it becomes the subject of a planning application. We reserve the right to make our views known should the views contained in this letter be made public in whole or in part (either accurately or inaccurately). If you do not require our views to be kept confidential, please write to cabe@designcouncil.org.uk.

Attendees

Wayne Dobbins ADP
Melanie Nixon ADP
Claire Hunt ADP/Landscape
Paul James RLT
Natasha Ireland JPPC
Anne Marie Shiven Robert West
Nadia Robinson Oxford City Council

Panel Members

Jo van Heyningen (Chair)
Wendy Shillam
Sophia De Sousa
Dan Jones

Cabe Staff

Annabel Osborne Design Council Cabe
Tom Perry Design Council Cabe



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Natasha Ireland
JPPC Chartered Town Planners
Bagley Croft
Hinksey Hill
Oxford OX1 5BS

30 November 2017

Design Review: The Swan School, Meadowbrook College & St Nicholas Primary School
Our reference: DCC/0885

Dear Natasha,

Summary

In our previous letter we stated that a more holistic approach to site planning was required, to reduce the amount of space being taken up by car routes and parking, which risk creating an unwelcoming environment where there may be conflicts between vehicular, pedestrian and bicycle movements. We also questioned the siting of Meadowbrook School in the south west corner of the site. Given that there have been no fundamental changes to the site layout since the previous review our concerns regarding the siting of the Meadowbrook facility and the site layout remain. Furthermore, we think the narrative and rationale for the proposal has not developed sufficiently and would advise the design team to continue exploring other options to address these concerns, taking advantage of opportunities for collaboration between institutions where possible.

We think the site layout has been overly led by avoidance of building on the green belt and are not yet convinced that the three institutions (St Nicholas Primary School, Meadowbrook School and Swan School) sit comfortably on this site together. The scheme urgently needs to be set in the context of a more robust masterplan that facilitates a more strategic approach to landscaping, movement routes and future development opportunities and sets a clear rationale for positioning of the three schools across the site.

We think the project could be much more ambitious and go beyond meeting the current operational requirements of the two institutions (Swan School and Meadowbrook). Currently the scheme is not responding well to its surrounding context in terms of its landscaping and architecture, with the impression that the scheme is not bespoke nor informed by its unique context. We are also concerned by the lack of inspiration/identity in the elevational design. The site benefits from a valuable landscape setting and the architectural design could be more specific to this setting. We think that the schools could

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be differentiated from each other in their façade design and articulation to forge a distinct identity for each facility and create more variety in architecture.

Our comments relate to maximising the quality of the design in terms of how the project will contribute positively to the surrounding context as well as provide a quality learning environment for pupils. The purpose of this Design Review is to comment on the merits of the design of the scheme. The panel is not making an assessment of the case for development in the Green Belt; it is for the local planning authority to make this assessment.

Landscape and site layout

The overall site layout is not performing to its best ability and there are missed opportunities for collaboration, such as shared vehicle entrances and car parking for the schools as well as a lack of anticipation of how St Nicholas primary school will develop in the future.

We have ongoing concerns since the last review regarding the overall site layout, the positioning of the Meadowbrook School and a significant proportion of the site being taken up by car routes and large parking areas. It would appear that the requirements of each school facility have been viewed in isolation, creating a layout that feels disjointed. Whilst we understand the operational requirements of each facility may differ, we think a more holistic approach to site planning is required. Alternative footprints, positioning and configuration of buildings should be explored in order to find the optimum the layout for the whole site and for the landscape. Future proofing of the three facilities and scope for rebuilding of the existing primary school in the future should be taken into account, including an assessment of any alternative positions for this facility and buildings on the site that may be nearing the end of their useable lifetime. As an example, the relocation of St Nicholas primary school facility to the north in the future might enable the vehicle routes and parking to be rationalised by creating a single access point, which might facilitate the amalgamation of some of the parking areas, this should be allowed for as far as possible in the design.

It is positive that a landscape visual impact assessment is being carried out, this study should also consider the view cones within Oxford. However, we think some more work is required to progress the landscaping for the site and more thought should be given to the role and function of landscaped areas adjacent to the schools and the proposed buildings could engage more positively with the landscape setting. We think opportunities for informal play, quiet interaction and relaxation should be incorporated in addition to the proposed formal play areas. The biodiversity, landscape and setting are valuable assets that could provide opportunities for outdoor education, as an example by including swales to teach students about sustainable drainage and ecology.

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The open space provision for the Meadow Brook school is limited, and the new site could have a stronger connection to its natural landscape setting to provide a calming environment for students. We understand that students at this facility require more controlled environmental conditions to learn effectively and there are concerns that views from outside might be distracting in a classroom environment. However, creating views of less distracting parts of the landscape and greenery from classrooms could help create a calming environment for learning. If high security fencing is required for the Meadowbrook School then climbing plants could help soften this feature and integrate it carefully within its context.

More thought should be given to the longevity and resilience of green infrastructure and plants, particularly to climate change in the long term, and how any spaces and green walls/roofs will be maintained. Incorporating climbing plants within the elevations could also help to create a more inviting and inspiring environment for young people and is a more affordable option than a full green wall. The west facing courtyard within the new Swan School facility might receive quite limited sunlight during winter months which should inform the choice of plant species for this space. The orientation of this area is not making the most of this space and a north-south orientation could be reconsidered.

The scheme would particularly benefit from an analysis of the condition of the existing on-site trees to inform a wider tree assessment strategy, some of the on-site trees may be in poor health and could be removed to rationalise the site layout.

Building design

Both school buildings lack a strong sense of identity or inspiration and do not yet integrate well with their context. More work is needed on the articulation of each building and thought should be given to the sense of character and identity being created. It is not yet clear how the architecture responds to the landscape setting. The landscape in the corner of the site where the new Meadowbrook facility will be located is different in nature and character to the proposed site for the new Swan School. The design should be informed by a narrative which could be used to express/celebrate each individual context.

We would encourage you to adopt a different expression for each of the new facilities to create a distinct identity for each school rather than adopting a uniform approach to the design which runs the risk of creating an environment that could feel monolithic and lacklustre. We are not convinced that the non-standard colour for the cladding is special enough to create a high quality piece of architecture. We think the buildings would benefit from more architectural diversity and a bespoke façade treatment. Features such as the timber box/school sign for the Swan School facility would benefit from more expression/detailing and the architecture could do more to create an identity for this facility.



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Internally, we would advise more work is carried out to improve flexibility in the design. Positioning the stairwells at the end of each block could constrict their adaptability in the future. The buildings appear dominated by tight and unrelenting corridors and the dining hall is also very long and narrow. We think there is potential to improve the quality of the student experience by revisiting the internal layout and including roof lights to provide more sunlight in north facing classrooms or even a roof terrace area, which could provide a reward for sixth formers and somewhere for younger pupils to aspire to as they move up the school.

We hope you have found the review process and the content of this letter useful. Should you have any other queries please do hesitate to contact us.

Yours sincerely

Annabel Osborne

Review process

Following a site visit, and discussions with the design team and local authority and a pre-application review, the scheme was reviewed by Gillian Horn (Chair), Ruth Butler, Jessica Byrne Daniel, Jon Rowland, Dan Jones and Kathryn Davies on November 2017. These comments supersede any views we may have expressed previously.

Confidentiality

Since the scheme is not yet the subject of a planning application, the advice contained in this letter is offered in confidence, on condition that we are kept informed of the progress of the project, including when it becomes the subject of a planning application. We reserve the right to make our views known should the views contained in this letter be made public in whole or in part (either accurately or inaccurately). If you do not require our views to be kept confidential, please write to cabe@designcouncil.org.uk.

Attendees

Charles Greenall ADP
Melanie Nixon ADP
Claire Hunt ADP - Landscape
Natasha Ireland JPPC
Anne Marie Shivnen Robert West
Nadia Robinson Oxford City Council
Louise Waite Oxford City Council

Cabe Staff

Annabel Osborne Design Council Cabe
James Harris Design Council Cabe

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APPENDIX 2

Extract from the Minutes of a meeting of the EAST AREA PLANNING COMMITTEE on Wednesday 5 September 2018

Committee members:

Councillor Henwood (Vice-Chair, in the Chair)	Councillor Aziz
Councillor Chapman	Councillor Clarkson
Councillor Garden	Councillor Hollingsworth (for Councillor Taylor)
Councillor Lygo	Councillor Tanner
Councillor Roz Smith	

Officers:

Adrian Arnold, Development Management Service Manager
Sally Fleming, Lawyer
Andrew Murdoch, Planning Team Leader
Nadia Robinson, Principal Planning Officer
Jennifer Thompson, Committee and Members Services Officer

Apologies:

5 September: Councillor Taylor sent apologies and Councillor Hollingsworth substituted for her.

In the absence of the Chair, the Vice Chair Councillor Henwood chaired both parts of the meeting.

37. Declarations of interest

Minute 38: 18/01173/FUL Swan School

Councillor Chapman declared he was a governor of Marston Primary School, part of the River Learning Trust, but that he approached the application with an unbiased open mind and would listen to the arguments and weigh the evidence before making a decision.

Councillor Clarkson declared that she has been involved in discussions on the location and design in her capacity as ward councillor for the area, but that she approached the application with an unbiased open mind and would listen to the arguments and weigh the evidence before making a decision.

Councillor Lygo declared that in his capacity as a county councillor he had attended meetings about this school, but that he approached the application with an unbiased

open mind and would listen to the arguments and weigh the evidence before making a decision.

Councillor Hollingsworth declared he had a child attending the nearby Cherwell School, but that he approached the application with an unbiased open mind and would listen to the arguments and weigh the evidence before making a decision.

Councillor Roz Smith declared that part of her ward was in the catchment area for the proposed school and she had recently attended a public meeting about the school, but that she approached the application with an unbiased open mind and would listen to the arguments and weigh the evidence before making a decision.

All councillors took part in the debate and voting on these applications.

38. 18/01173/FUL: "Swan School", The Harlow Centre, Raymund Road, Oxford, OX3 0PG

The Committee considered an application for planning permission for the demolition of existing buildings on the site and their replacement with a new two-storey education facility, associated parking and external play areas for Meadowbrook College; erection of a new secondary school in the form mix of one and three-storey buildings together with provision of a new access from Marston Ferry Road, associated car and cycle parking along with formal and informal play and sport provision; and erection of a multi-use games area (MUGA) and eco-shelter for St Nicholas Primary School (amended description, amended plans and additional information) at the Harlow Centre (site of Meadowbrook College), Raymund Road, Oxford OX3 0PG.

Chanika Farmer (Oxfordshire County Council Principal Transport Planner) and Anthony Kirkwood (Oxfordshire County Council Highways road safety expert) accompanied officers at the table.

The Planning Officer:

- reported receipt of 3 representations after publication of the agenda, two of which were circulated separately to the committee and one reiterated public comments reported in the agenda;
- confirmed CIL was payable as the land would not be owned by a charitable institution when the development took place;
- reported corrections to paragraph 10.47 to correct references to S16 to S66;
- recommended adding a further condition that no development could take place until a S278 agreement with Oxfordshire County Council Highways was in place; and
- explained the proposals for staggered access times to the Swan and Cherwell Schools and the measures to ensure safe crossing for cyclists, pedestrians and cars including a reduced speed limit and wider than standard visibility splays on that stretch of Marston Ferry Road
- circulated a table showing the times the access across the Marston Ferry Road cycle path is open and closed.

The Chair extended the time for public speaking to 10 minutes for those speaking against, and an equal time for those speaking in support of, the application.

Speaking against the application:

- Simon Banks, Cherwell School Travel Action Group
- Michael Chambers, local resident
- Anuj Bhatt, local resident
- Councillor Dr Peter Williams, representing Old Marston Parish Council
- Simon Banks then read a statement from Simon Hunt, Chair of Cyclox who had registered but had left early
- Oxford City Councillor Mick Haines, local ward councillor

Amongst other points, in summary they raised concerns about the location being inappropriate; safety of cyclists on the cycle path at peak times; destruction of the continuity of the cycle path; congestion on surrounding roads and in the wider area; the inadequacy of the construction management travel plan and the school travel plan; inadequate sewer capacity and possible foul and surface water flooding into the nearby brook and gardens; damage to the amenity of the Green Belt.

Speaking in support of the application:

- Barbara Chillman, Oxfordshire County Council
- Natasha Ireland, agent, JPPC consultants
- Paul James, Chief Executive of the River Learning Trust
- Kay Wood, prospective Headteacher for Swan School

Amongst other points, in summary they set out the need for a new secondary school in the city and the local education authority's support for this school; the existing covenant permitting the right to drain surface water into the brook; the educational vision for the school; the focus on a safe environment and on a detailed and deliverable travel plan; and the positive impact the new school would have on the looming shortfall in school places.

Registered as available to answer questions/ points of clarification in support of the application:

- Graham Wilson, Galliford Try construction company
- Simon Beaumont-Orr, ADP Architects
- David Hurren – Robert West civil engineering and transport planning
- Nicola Partridge, Meadowbrook College

Members asked questions of officers and the speakers.

These focussed on but were not confined to:

- adequacy, implementation and enforcement of the travel plan;
- the physical character of the access from Marston Ferry Road across the cycle path;
- the management and safety of that access at peak (manned) and off-peak (unmanned) times;
- whether the number of car parking spaces and access arrangements for staff were appropriate given the proposals for reducing car travel and the need for parking for part-time, casual, and peripatetic staff;
- confirmation that this was the most suitable site from those available;

- confirmation that an underpass was considered an unreasonable requirement for mitigation as this could be addressed by other means.

Decision

The Committee considered all the evidence before it, including the officer's report and presentation, statements from the speakers, answers to questions and advice from officers.

The Committee noted the need for school places and discussed the positive benefits of the new school.

The Committee discussed concerns around access across the cycle path; whether the travel plan would operate as intended; safety and convenience for all users of the path including times when wardens were not present; the visual and effect of the new road junction on the immediate area, design and use of the site, and the impact on the area of Green Belt immediately in the vicinity of this stretch of Marston Ferry Road. The Committee noted that it may be possible to change the design of the access to reduce this impact but they had to determine the application before them.

They noted that the travel plan included measures to reduce the proportion of journeys made by car as the school grew..

A motion, proposed and seconded, to approve the application with an additional condition that no development could take place until a S278 agreement with Oxfordshire County Council Highways was in place, and a requirement in the travel plan condition to reduce the number of parking spaces over the first 6 years, was not agreed on being put to the vote.

The Committee debated reasons for refusal of the application. Councillors discussed:

- The removal of the bund separating the cycle path and road, which created a more urban setting for the path and road by merging the school, path and now 4-lane road, and large visibility splays, was a result of the decision to create 66 car parking spaces on this part of the site. Notwithstanding the overall benefits of the scheme, the Committee considered these did not outweigh the overall harm to the Green Belt in this local area. It was not clear that this way of mitigating the impact of on-road parking was cost-effective or reasonable.
- The impact of the access and the danger and inconvenience created by car movements across this, whether warden controlled or not, when the gates were opened and the car park accessible, created an impractical entrance which compromised the free flow of cyclists and pedestrians and so was contrary to the aim of policy CP10 (planning permission will only be granted where proposed developments are sited to ensure that access to the site is practicable, with priority given to pedestrians and cyclists).

Notwithstanding the officer's recommendation of approval, a motion, proposed and seconded, to refuse the application because of visual harm to the Green Belt and because access to the site is not practicable while still maintaining priority for cyclists

and pedestrians, with reasons as set out in full below, was agreed on being put to the vote.

The East Area Planning Committee resolved to REFUSE planning permission for application 18/01173/FUL on the following grounds, with the precise wording for the reasons for refusal being delegated to the Head of Planning, Sustainable Development and Regulatory Services to determine:

1. The harm to the stretch of Green Belt along Marston Ferry Road caused by the urbanisation of the area around the new access (including removal of the bund, visibility splays, turning lanes and creation of a paved link between the road and the cycle path) when considered with the lesser harms caused by the development as a whole to the amenity of this stretch of Green Belt, was not outweighed by the overall benefits of the scheme.
2. The access from Marston Ferry Road created an impractical, dangerous and inconvenient entrance, whether warden controlled and restricted or not, which compromised the free flow of cyclists and pedestrians and so was contrary to the aim of policy CP10 (planning permission will only be granted where proposed developments are sited to ensure that access to the site is practicable, with priority given to pedestrians and cyclists).

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Appendix 3: 18/01173/FUL – The Harlow Centre

Proposed Swan School gate operation

1. Monday to Thursday operation

	Gate Closed	Gate Open	Wardens W-1 Warden WW-2 Wardens	
Staff Arrivals			0700	
			0715	
			0730	
			0745	
Cherwell School starts at 0830			W	0800
			W	0815
Swan School Drop Off			WW	0830
Swan School start at 0915 - ped / cycle volumes high			WW	0850
			WW	0900
				0915
<hr/>				
Cherwell School finishes at 1500			W	1500
			W	1515
Gate Open during school day			W	1530
				1545
				1600
				1615
			WW	1630
Swan School finishes at 1645 on Mon - Thurs			WW	1645
Swan School pick up			WW	1700
Staff departures				1715
				1730
				1745
				1800

2. Friday operation

	Gate Closed	Gate Open	Wardens W-1 Warden WW-2 Wardens	
Staff Arrivals				0700
				0715
				0730
				0745
Cherwell School starts at 0830	Red		W	0800
	Red		W	0815
Swan School Drop Off			WW	0830
Swan School start at 0915 - ped / cycle volumes high	Red		WW	0850
	Red		WW	0900
				0915
<hr/>				
Cherwell School finishes at 1500	Red		W	1500
	Red		W	1515
Gate Open during school day			W	1530
			WW	1545
Swan School finishes at 1600 on Friday	Red		WW	1600
School Pick up			WW	1615
			WW	1630
				1645
				1700
Staff departures				1715
				1730
				1745
				1800

Agenda Item 4

PLANNING REVIEW COMMITTEE ADDENDUM REPORT

15 October 2018

Application number:	18/01697/FUL		
Decision due by	24 August 2018		
Extension of time	To be agreed		
Proposal	Partial demolition of the existing Meadowbrook College buildings and erection of modular units to provide a temporary education facility for Meadowbrook College, including the provision of an external play area to the south of the modular units to be enclosed by a 3.0 metre high rebound fence for a period of no more than two years and other associated works.		
Site address	The Harlow Centre (site of Meadowbrook College), Raymund Road		
Ward	Marston Ward		
Case officer	Nadia Robinson		
Agent:	JPPC	Applicant:	Galliford Try Ltd
Reason at Committee	The application has been called in to the Planning Review Committee by Councillors Tanner, Simm, Turner, Linda Smith, Azad, McManners, Pressel, Chapman, Howlett, Kennedy, Henwood and Cook.		

1. RECOMMENDATION

- 1.1. Planning Review Committee is recommended to:
 - 1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 8 of this report; and grant planning permission;
 - 1.1.2. **agree to delegate authority** to the Acting Head of Planning to finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning considers reasonably necessary and issue the planning permission.

2. EXECUTIVE SUMMARY

- 2.1. At the East Area Planning Committee on 5 September 2018 members resolved to refuse planning permission for this application, with the precise

wording for the reasons for refusal being delegated to the Head of Planning, Sustainable Development and Regulatory Services to determine. The following reason for refusal was therefore drafted by officers:

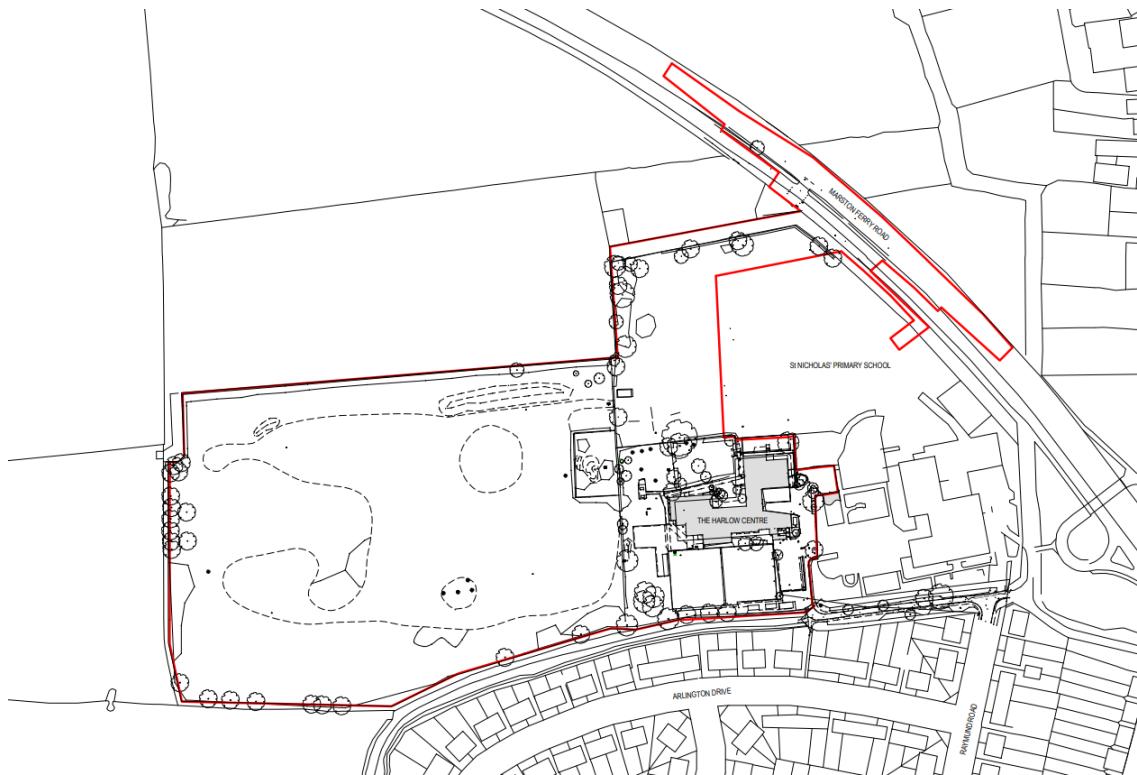
- No short-term need has been demonstrated for the proposed temporary buildings because planning application 18/01173/FUL which was is the justification for the development was refused. The proposal therefore fails to comply with policy CP25 of the Oxford Local Plan 2001-2016.
- 2.2. The minutes of the East Area Planning Committee on 5 September 2018 are included in **appendix 2** of this report.
- 2.3. The decision of the East Area Planning Committee has been called in to the Planning Review Committee by Councillors Tanner, Simm, Turner, Linda Smith, Azad, McManners, Pressel, Chapman, Howlett, Kennedy, Henwood and Cook for the following reasons:
- The first application was refused by 4 votes to 3, with 2 abstentions. The second application was refused because the first had fallen. It would be sensible to reconsider both given the closeness of the first vote.
 - The need for another secondary school in Oxford is urgent and no other options are available. Considerable mitigation steps were proposed to limit the quite small intrusion into the Green Belt and to preserve the priority and safety of the cycle track on the Marston Ferry Road.
- 2.4. A copy of the officer's committee report to the East Area Planning Committee is included in **appendix 1** of this addendum report. The report provided a full assessment of how the proposal would accord with policies of the development plan when considered as a whole, and that the range of material considerations supported the grant of planning permission. Officers recommend approval of application 18/01173/FUL; its approval would provide adequate justification for the temporary buildings.
- 2.5. In terms of the reasons listed within the call-in, officers would confirm that the fact that the decision of the East Area Planning Committee was a close vote is not a material planning consideration for the determination of the application.

3. LEGAL AGREEMENT

- 3.1. A Section 278 agreement is required for the construction of the site access. The site access comprises a priority junction with dedicated right and left turn lanes on Marston Ferry Road, a raised table across the site and stop markings requiring vehicles give way to cycles on the cycle lane.
- 3.2. This agreement would be the same as that required to implement planning application 18/01173/FUL should permission be granted. A condition is recommended to ensure the Section 278 agreement is entered into prior to commencement of this temporary development.

4. SITE PLAN

- 4.1. See site plan below:



5. CONSULTATION RESPONSES

- 5.1. The officers' report (appendix 1) provides details of the public consultation that was undertaken with respect to the application, and summarises all the responses received in relation to the application.
- 5.2. Full copies of the consultation responses listed within this section are available to view on the public access website and have been taken into consideration within the officers' report.
- 5.3. One additional consultation response was received in relation to the application and is summarised below.

Statutory consultees

Oxfordshire County Council (Highways)

- 5.4. No objection subject to condition.
- 5.5. The temporary development will seek to use the temporary access off Marston Ferry Road (which will be used for the construction of Swan School) for delivery of the temporary accommodation. The operational access of the Meadowbrook College will remain off Raymund Road. A Construction Traffic Management Plan has been submitted which is acceptable.

- 5.6. The access arrangements for Meadowbrook College from Raymund Road are not proposed to change. However, to deliver the temporary accommodation units to site, it is proposed to use the temporary access proposed for the construction of the Swan School site. This access is subject to a S278 agreement with the county council and will therefore be subject to Technical Approval.
- 5.7. The construction traffic management plan submitted sets out the proposed management of the cycle lane with the use of banksmen walking deliveries into site and barriers if required, which is welcomed given the presence of the cycle lane. It also seeks to restrict vehicular access to the site during periods when the cycle lane is in heavy use. On this basis, the plan is considered appropriate.

6. MATERIAL PLANNING CONSIDERATIONS

- 6.1. The committee report for East Area Planning Committee considers the material planning considerations and sets out why planning permission should be granted for the proposal. A copy of the report is included within appendix 1 of this addendum report.
- 6.2. The call-in request highlighted the following material planning considerations:
- The urgent need for another secondary school in Oxford;
 - The mitigation that has been proposed to limit the quite small intrusion into the Green Belt;
 - The application's proposal to preserve the priority and safety of the cycle track on the Marston Ferry Road.

- 6.3. These issues have been addressed in the Planning Review Committee addendum report to the East Area Planning Committee report for application 18/01173/FUL. No new material planning considerations have been raised since the East Area Planning Committee meeting on 5 September 2018 therefore the report to that committee covers all the issues.

7. CONCLUSION

- 7.1. Having regards to the committee report to 5 September 2018 East Area Planning Committee (appendix 1), officers recommend that the Committee resolve to grant planning permission for the development proposed subject to conditions.

8. CONDITIONS

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

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

2. The development hereby approved shall be for a limited period of 2 years from the date of this permission. After this date the buildings consented under this permission shall be removed.

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

3. The materials to be used in the new development shall be as shown on the approved plans and as detailed within the submitted Design and Access Statement. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

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

4. The development to which this permission relates must not be begun until or unless planning application 18/01173/FUL is granted permission.

Reason: To accord with the provisions of Policy CP25 of the Oxford Local, as the temporary need for the building is justified on the basis of an operational need arising from the redevelopment of the site as proposed within planning application 18/01173/FUL.

5. The Construction Method and Logistics Statement (doc. dated June 2018 Rev. A) submitted must be implemented in full for the period of the site construction.

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

6. The development including demolition shall be carried out in strict accordance with the approved methods of working and tree protection measures contained within the planning application details, unless as otherwise agreed in writing by the Local Planning Authority.

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

7. No development shall take place until an agreement with Oxfordshire County Council under section 278 of the Highways Act 1980 has been entered into to secure construction of the site access.

Reason: In the interests of highway safety in accordance with policy CP1 and CP10 of the Oxford Local Plan 2001-2016.

9. APPENDICES

- **Appendix 1 –** East Area Planning Committee 05.09.18 officers' report
- **Appendix 2 –** Extract from East Area Planning Committee 05.09.18 minutes

10. HUMAN RIGHTS ACT 1998

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

11. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

EAST AREA PLANNING COMMITTEE

5th September 2018

Application Number: 18/01697/FUL

Decision Due by: 24th August 2018

Extension of Time: 12th September 2018

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

Site Address: The Harlow Centre , Raymund Road, Oxford, OX3 0PG

Ward: Marston Ward

Case Officer Nadia Robinson

Agent: Natasha Ireland **Applicant:** Galliford Try Ltd

Reason at Committee: Major Development

1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission subject to:

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary;

2. EXECUTIVE SUMMARY

2.1. This report considers a proposal for the partial demolition of existing building associated with the Meadowbank School and the erection of a two storey modular building, which is sought for a temporary period of two years.

2.2. The key matters for assessment set out in this report include the following
• Principle of development;

- Design;
- Amenity Impacts
- Highways and Access
- Flood Risk

3. LEGAL AGREEMENT

3.1. A Section 278 agreement is required for the construction of the site access. The site access comprises a priority junction with dedicated right and left turn lanes on Marston Ferry Road, a raised table across the site and stop markings requiring vehicles give way to cycles on the cycle lane.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is for a temporary structure and would not therefore be liable for a CIL charge.

5. SITE AND SURROUNDINGS

5.1. The site is located on the edge of Marston and comprises of The Harlow Centre, a range of buildings used by Meadowbank College Alternative Provision Unit (APU) a school for students outside of mainstream education.

5.2. The site lies to the north of Raymund Road, from where it is currently accessed, with the south west of the site bounded by a tree belt, public bridleway, Marston brook, and the rear of properties on Arlington Drive beyond. To the north-east of the site is the Marston Ferry Road (B4459) and its cycle/footway that is segregated from traffic by a hedgerow. Fields lie to the north and west of the application site with the River Cherwell beyond, to the west. A public footpath runs along much of the western and northern boundary of the site.

5.3. Land designated as Green Belt lies to the north and west of the site, though the majority of the site and proposed temporary buildings would be located on land outside of the Green Belt. A temporary means of access serving the school would lie within the Green Belt.

5.4. The conservation area of Old Marston lies to the east of the site. The majority of the Conservation Area is on the other side of the Marston Ferry Road from the site; it does, however include the triangle of green space east of St Nicholas School. No part of the site lies within the conservation area.

5.5. The site plan is below:



6. PROPOSAL

- 6.1. The proposal is seeking permission for the partial demolition of the Harlow Centre, the provision of new temporary modular buildings and the provision of an external play area, which would be surrounded by a 3 metre high rebound fence. It is proposed that Meadowbrook College would continue to operate out of the new temporary buildings alongside a number of retained buildings on the site, until such time as the new Meadowbrook College buildings have been constructed.
- 6.2. The proposed partial demolition of The Harlow Centre would facilitate the development of the adjacent site for the new secondary school (Swan School) and Meadowbrook College as proposed within the linked planning application 18/01173/FUL. The replacement Meadowbrook College building would be sited in the south west corner of the proposed site plan associated with planning application 18/01173/FUL. Once the replacement school building has been constructed The Harlow Centre will be fully demolished.
- 6.3. Meadowbrook College is an Alternative Provision Unit (APU) for approximately 60 primary and secondary aged pupils outside mainstream education. The existing building is a former middle school and so was not purpose built and is now in poor condition.
- 6.4. Temporary planning permission is sought for a maximum period of two years.

1. RELEVANT PLANNING HISTORY

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

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

2. RELEVANT PLANNING POLICY

2.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	124-132	CP1, CP6, CP8, CP9, CP10,	CS18_,	HP14_,	
Conservation/ Heritage	184-202	HE2, HE7, HE10,	CS18_,		
Natural Environment	133-147 148-169 170-183		CS4_, CS12_,		
Social and community	91-101	CP13, CP19, CP21, SR2,	CS16_,		
Transport	102-111	TR1, TR2, TR3, TR4,	CS13_,		Parking Standards SPD
Environmental	117-121	CP11, NE15, CP17, CP18, CP22,	CS9_, CS10_, CS11_, CS12_,		

		CP23, NE14,			
Misc	7-12	CP.13, CP.24, CP.25		MP1	

3. CONSULTATION RESPONSES

- 3.1. Site notices were displayed around the application site on 27th July 2018 and an advertisement was published in The Oxford Times newspaper on 2nd August 2018.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

- 3.2. No objection. The temporary access would need a s278 agreement which could be secured by planning condition or s106 agreement

Oxford Civic Society

- 3.3. This application relates to the building process for the school proposed for the same site in application 18/01173/FUL. As this application is still being considered and has yet to be approved, the Oxford Civic Society considers that this application is premature and should not be considered until the initial application to build the school has been approved.

Old Marston Parish Council

- 3.4. Raised objections in relation to parking, access and drainage.

Public representations

- 3.5. 5 local public representations have been received in relation to this planning application. The main points of objection can be summarised as follows:

- The application is premature as it is dependent on the approval of the linked application for the Swan School.
- The application should be considered in conjunction with the Swan School application rather than determined on its own merits.
- Objections are raised to the creation of a new access from Marston Ferry Road for the purposes of construction vehicles accessing the site. Concerns relate to the resulting impact on ecology through the removal of the hedgerow, the safety of cyclists and pedestrians and the impact on the condition of the pavement and cycle path and adjacent grass bank.
- Concerns regarding the intended routing of construction vehicles .
- Concerns regarding drainage into Marston Brook.
- Concerns regarding the accuracy of details and statements made in relation to

trees as listed within the applicants planning statement and supporting arboricultural report.

4. PLANNING MATERIAL CONSIDERATIONS

4.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Green Belt
- iii. Impact on Designated Heritage Assets
- iv. Site layout, form and massing
- v. Highways
- vi. Neighbouring Amenity
- vii. Archaeology
- viii. Flooding and Drainage

a) Principle of Development

Education Use

- 4.2. The National Planning Policy Framework, in paragraph 72, states that local planning authorities should take a proactive, positive and collaborative approach to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and that great weight must be given to the need to create, expand or alter schools.
- 4.3. Policy CS16 of the Oxford Core Strategy seeks to improve access to all levels of education, through new or improved facilities, throughout Oxford, but particularly in areas of population growth. It states that planning permission will only be granted for new education facilities in locations accessible by walking, cycling and public transport. Provision for community as well as educational use will be sought.
- 4.4. The proposed development will assist in facilitating the development of the adjacent Swan Secondary School, which will meet an identified requirement for additional secondary school places, as well as providing a replacement building for Meadowbrook College, replacing the present poor quality facilities and buildings. The provision of the temporary building would ensure that the operational needs of the college are met and are not disrupted during the ongoing construction process. Overall it is considered that the proposals are considered acceptable and are consistent with the aims of local and national policy relevant to education provision.

Provision of Temporary Buildings

- 4.5. Temporary permission is sought for a maximum period of two years. Policy CP25 of the Oxford Local Plan specifies that Planning permission will only be granted for temporary or portable buildings where short-term need has been clearly demonstrated, such as on sites already allocated for permanent development, buildings to house short-term or trial projects, to meet seasonal or peak

demands, for urgent operational requirements, or in connection with major site development work.

- 4.6. In relation to the above criteria officers consider that a short term need has clearly been demonstrated. The partial demolition of The Harlow Centre in connection with the development of The Swan School and replacement Meadowbrook College building on the adjacent site will result in the loss of facilities and education space at Meadowbrook College, which will need to be re-provided on a temporary basis, until such time as the permanent replacement school buildings have been constructed. The most practical and logical approach is re-providing these facilities on site.
- 4.7. On this basis officers consider that the applicant has demonstrated a short term urgent operational requirement for this space, whilst the proposals are also in connection with major site development work on the adjacent Swan School site. The proposals are therefore considered to comply with the requirements of Policy CP25 of the Oxford Local Plan.
- 4.8. Approval would be subject to a planning condition ensuring the removal of the temporary buildings after a maximum period of two years has elapsed.

b) Green Belt

- 4.9. The main development site lies outside the Green Belt, which extends up to the edge of the school playing fields. The temporary structure and existing Harlow Centre buildings are outside of the Green Belt. The only element of the proposals which would be located within the designated Green Belt would be the temporary construction access from Marston Ferry Road.
- 4.10. Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 continues that: "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations"
- 4.11. Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, unless development is in line with specified exceptions; this includes replacement buildings and extensions to existing buildings.
- 4.12. Policy CS4 of the Oxford Core Strategy supports this position, stating that, in accordance with national policy, planning permission will not be granted for inappropriate development.
- 4.13. The proposed temporary building would be outside of the designated Green Belt land and there would be no statutory need to consider the proposals in relation to the provisions of Policy CS4 of the Oxford Core Strategy and Paragraph 143 and

144 of the NPPF in terms of whether the proposals represent appropriate development in the Green Belt. Notwithstanding this, it is considered that the proposals would comply with the exceptions specified under Paragraph 145 of the NPPF as the proposals would fall under the definition of a replacement building or an extension of a proportionate scale, which would not substantially exceed the floor area of the section of the building proposed for demolition. Furthermore the proposals would read as a secondary addition to the building and is surrounded by existing development and are not considered to impact detrimentally on the open character of the Green Belt.

- 4.14. The construction access from Marston Ferry Road is also proposed to serve as a permanent means of access to the Swan School. Paragraph 146 of the NPPF lists forms of development which are not considered inappropriate within the Green Belt, this includes engineering operations, which would include the formation of an access road or temporary construction access. For this reason it is considered that the principle of the proposed formation of the access would not constitute inappropriate development in the Green Belt.
- 4.15. The proposed new entrance from Marston Ferry Road will necessitate removal of hedging and bund between the cycle route and the carriageway. The road itself makes an urban intrusion into the green wedge between Summertown and Marston, although cyclists and pedestrians using the route experience leaving the urban settlements behind and moving through a landscaped rural corridor.
- 4.16. It should be noted that the overall impact would be partly dependent on the permanence of the access. As a temporary access for construction traffic the visual impact and impact on the open character of the Green Belt would be limited given that this would be for a short period of time. This application only considers the access as being for construction vehicles and the principle of a permanent access is considered within linked planning application 18/01173/FUL.
- 4.17. Taking the above factors into account it is considered that the proposals would not constitute inappropriate development within the Green Belt and adequately preserve the open character of the Green Belt. The proposals are considered to accord with the provisions of Policy CS4 of the Oxford Core Strategy and the relevant provisions of paragraphs 133-147 of the NPPF.

c) Impact on Designated Heritage Assets

- 4.18. The conservation area of Old Marston lies to the east of the site, mostly on the other side of the Marston Ferry Road from the site but includes the triangle of green space east of St Nicholas School. There are several listed buildings located within Old Marston along Oxford Road and the nearest of these is approximately 200 metres away, but is screened by mature planting along the east boundary of the site and by St Nicholas School and planting to the southwest of Marston Ferry Road.
- 4.19. The proposed building would be contained within the existing school site and would read as a functional extension to the existing school buildings which are of

pre-fabricated buildings of no significant architectural quality. The temporary buildings are unlikely to be seen in views into and out of the Conservation Area. Officers consider that the development would have no impact on the setting of the Conservation Area and consequently would not result in harm.

- 4.20. Special attention has been paid to the statutory test of preserving listed buildings or their setting or any features of special architectural or historic interest which it possesses under sections 16 of the Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty. It has been concluded that the development would preserve the setting of the nearby listed buildings and so the proposal accords with sections 16 of the Act.

d) Design, layout, form and massing

- 4.21. The proposed building would be of a functional utilitarian appearance commonly associated with modular pre-fabricated buildings. It is proposed that the building would be painted white to match the existing school buildings on the site which are predominantly pre-fabricated 1960's buildings. The temporary building would read as a secondary attached extension to the main building. It is considered that within the context of the existing built form that the temporary building would not appear unduly incongruous.
- 4.22. A three metre high fence is proposed, which would enclose an external play space. This is confined within the site and is unlikely to appear visually prominent in external views into the site and is considered acceptable in visual terms.
- 4.23. As such the proposal for both schools is considered to be compliant with local plan policies on design and would meet the design requirements set out in section 12 of the NPPF.

e) Highways

- 4.24. Meadowbrook College will continue to be served by the existing means of access to the site from Raymund Road, whilst it is proposed that The Swan School would be served by a new means of access from Marston Ferry Road. Construction traffic to the Meadowbrook College site, in connection with the works to construct the temporary building would also use the Marston Ferry Road access.
- 4.25. Re-arrangement of parking provision on the site will be required, which will include the removal of an existing hedge which lies to the east of the main buildings. Overall parking provision will be unaltered and will remain at 41 spaces. The proposals are for the replacement of existing buildings it is and would not result in additional traffic generation.
- 4.26. In summary it is considered that the proposals are acceptable and would compromise highway safety and amenity. The proposals are therefore considered to comply with the provisions of Policies TR3 and TR4 of the Oxford Local Plan; Policy CS13 of the Core Strategy and the relevant provisions outlined within chapter 9 of the NPPF.

f) Residential Amenity

- 4.27. Policy HP14 of the Sites and Housing Plan states that development should provide reasonable privacy and daylight for the occupants of both existing and new dwellings and guards against overbearing development. Policy CP10 of the Oxford Local Plan 2001-2016 requires development proposals to be sited in a manner which meets functional need, but also in a manner that safeguards the amenities of other properties.
- 4.28. The nearest residential dwellings in Arlington Drive would be sited in excess of 35 metres from the rear elevation of the proposed temporary building, which is considered to be a substantial separation distance. It is therefore considered that the siting of the proposed building would not result in undue harm to the residential amenity of existing occupiers by reason of overlooking or by reason of overbearingness.
- 4.29. The proposals are therefore considered to comply with the requirements of Policy HP14 of the Sites and Housing Plan and Policy CP10 of the Oxford Local Plan.

g) Drainage

- 4.30. The NPPF states that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere (paragraph 163), supported where appropriate by a site-specific flood-risk assessment. Oxford Core Strategy Policy CS11 states that development will not be permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.
- 4.31. The site is located in flood zone 1 and is considered to be at a low risk of flooding. No objections have been raised by the Environment Agency to the proposals. The area which would be developed currently comprises of impermeable hardstanding and consequently the proposals would not result in an increase in the extent of impermeable surfacing on the site.
- 4.32. The Council's flood mitigation officer has advised that he has no significant concerns regarding the proposals and that a condition requiring further details in respect of surface water drainage would not be required.
- 4.33. The proposals are considered to accord with Oxford Core Strategy Policy CS11.

5. CONCLUSION

- 5.1. The application proposes the partial demolition of existing buildings at The Harlow Centre to, in part to facilitate the proposed development of the adjacent site to construct a new secondary school and replacement school buildings for Meadowbrook College.

- 5.2. Temporary consent is sought for a period of two years, officers consider that the applicants have adequately demonstrated a short term operational need for the temporary building and the proposals fully accord with the requirements of Policy CP25 of the Oxford Local Plan.
- 5.3. Accounting for the appearance of the adjacent buildings on the site and the limited visibility of the development site, the proposed design is considered acceptable. It is considered that the siting of the proposed building would not result in harm to the Green Belt, the residential amenity of any neighbouring properties, highway amenity and is considered acceptable in all other aspects.
- 5.4. The development is considered to comply with the relevant requirements of the Oxford Local Plan; Core Strategy and NPPF.
- 5.5. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Head of Development Management) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

6. CONDITIONS

1. The development referred to shall be constructed strictly in complete accordance with the specifications in the application and the approved plans listed below.

Reason: To avoid doubt as no objection is raised only in respect of the deemed consent application as submitted and to ensure an acceptable development as indicated on the submitted drawings.

2. The development hereby approved shall be for a limited period of 2 years from the date of this permission. After this date the building consented under this permission shall be removed.

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

3. The materials to be used in the new development shall be as shown on the approved plans and as detailed within the submitted Design and Access Statement. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

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

4. The development to which this permission relates must not be begun until or unless planning application 18/01173/FUL is granted permission.

Reason: To accord with the provisions of Policy CP25 of the Oxford Local, as the temporary need for the building is justified on the basis of an operational need arising from the redevelopment of the site as proposed within planning application 18/01173/FUL.

5. A Construction Traffic Management Plan for the whole site should be submitted to the Local Planning Authority and agreed prior to commencement of works. The CTMP should follow Oxfordshire County Council's template if possible. This should identify;
 - The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
 - Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
 - Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
 - Contact details for the Site Supervisor responsible for on-site works,
 - Travel initiatives for site related worker vehicles,
 - Parking provision for site related worker vehicles,
 - Details of times for construction traffic and delivery vehicles, which must be outside - network peak and school peak hours,
 - Engagement with local residents.

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

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding road network.

6. A demolition method statement specifying the means of demolition, dust mitigation measures and measures for the protection of existing trees shall be provided and approved in writing prior to the commencement of development. The development shall be carried out in complete accordance with the approved demolition method statement.

Reason: In the interests of public safety and to protect the residential amenity of existing occupiers and existing trees in accordance with Policy CP1, CP19, CP21 and NE15 of the Oxford Local Plan.

7. APPENDICES

Appendix 1 – Site Location Plan

8. HUMAN RIGHTS ACT 1998

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

9. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

- 9.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider

that the proposal will not undermine crime prevention or the promotion of community.

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APPENDIX 2

Extract from the Minutes of a meeting of the EAST AREA PLANNING COMMITTEE on Wednesday 5 September 2018

Committee members:

Councillor Henwood (Vice-Chair, in the Chair)	Councillor Aziz
Councillor Chapman	Councillor Clarkson
Councillor Garden	Councillor Hollingsworth (for Councillor Taylor)
Councillor Lygo	Councillor Tanner
Councillor Roz Smith	

Officers:

Adrian Arnold, Development Management Service Manager
Sally Fleming, Lawyer
Andrew Murdoch, Planning Team Leader
Nadia Robinson, Principal Planning Officer
Jennifer Thompson, Committee and Members Services Officer

Apologies:

5 September: Councillor Taylor sent apologies and Councillor Hollingsworth substituted for her.

In the absence of the Chair, the Vice Chair Councillor Henwood chaired both parts of the meeting.

37. Declarations of interest

Minute 38: 18/01173/FUL Swan School

Councillor Chapman declared he was a governor of Marston Primary School, part of the River Learning Trust, but that he approached the application with an unbiased open mind and would listen to the arguments and weigh the evidence before making a decision.

Councillor Clarkson declared that she has been involved in discussions on the location and design in her capacity as ward councillor for the area, but that she approached the application with an unbiased open mind and would listen to the arguments and weigh the evidence before making a decision.

Councillor Lygo declared that in his capacity as a county councillor he had attended meetings about this school, but that he approached the application with an unbiased

open mind and would listen to the arguments and weigh the evidence before making a decision.

Councillor Hollingsworth declared he had a child attending the nearby Cherwell School, but that he approached the application with an unbiased open mind and would listen to the arguments and weigh the evidence before making a decision.

Councillor Roz Smith declared that part of her ward was in the catchment area for the proposed school and she had recently attended a public meeting about the school, but that she approached the application with an unbiased open mind and would listen to the arguments and weigh the evidence before making a decision.

All councillors took part in the debate and voting on these applications.

39. 18/01697/FUL: Temporary buildings at The Harlow Centre, Raymund Road, Oxford OX3 0PG

The Committee considered an application for planning permission for the partial demolition of the existing Meadowbrook College buildings and erection of modular units to provide a temporary education facility for Meadowbrook College, including the provision of an external play area to the south of the modular units to be enclosed by a 3.0 metre high rebound fence for a period of no more than two years and other associated works at The Harlow Centre, Raymund Road, Oxford, OX3 0PG

The Planning Officer noted that the application was recommended for approval but as application 18/01173/FUL had been refused there was now no justification to for this proposal. There was no reason to provide temporary buildings on this site in the absence of permission for a new Meadowbrook School building.

On being proposed, seconded and put to the vote, the Committee agreed to refuse planning permission as the need for these was dependant on the implementation of the proposals in application 18/01173/FUL, which had been refused. Providing temporary buildings where there was no need was contrary to policy CS25.

The East Area Planning Committee resolved to REFUSE planning permission for application 18/01697/FUL on the following grounds with the precise wording for the reasons for refusal being delegated to the Head of Planning, Sustainable Development and Regulatory Services to determine:

following refusal of application 18/01173/FUL there was no requirement to provide temporary buildings during the construction phase of that application and the proposed development was therefore contrary to policy CS25.

Minutes of a meeting of the PLANNING REVIEW COMMITTEE on Monday 20 August 2018



Committee members:

Councillor Fry (Chair)	Councillor Munkonge (Vice-Chair)
Councillor Altaf-Khan	Councillor Gotch (for Councillor Goddard)
Councillor Henwood (for Councillor McManners)	Councillor Howlett (for Councillor Linda Smith)
Councillor Malik	Councillor Simm (for Councillor Azad)
Councillor Taylor (for Councillor Djafari-Marbini)	

Officers:

Adrian Arnold, Development Management Service Manager
Anita Bradley, Monitoring Officer
Gill Butter, Conservation and Urban Design Officer
Sally Fleming, Lawyer
Andrew Murdoch, Planning Team Leader
Jennifer Thompson, Committee and Members Services Officer

Apologies:

Councillors Azad, Djafari-Marbini, Goddard, McManners and Linda Smith sent apologies.

1. Election of Chair for the Council year 2018-2019

Councillor Fry, being proposed and seconded, was elected Chair of the Committee for the 2018/19 Council year.

2. Election of Vice Chair for the Council year 2018-2019

Councillor Munkonge, being proposed and seconded, was elected Vice-Chair of the Committee for the 2018/19 Council year.

3. Declarations of Interest

Councillors Altaf Khan, Gotch, Henwood and Taylor separately stated that while they were a signatory to the call-in of application 18/00258/FUL to this committee they were coming to the committee meeting with an open mind and would listen to all the arguments and weigh up all the relevant facts before coming to a decision.

There were no declarations of interest.

4. 18/00258/FUL: Northgate House, 13 - 20 Cornmarket Street, Oxford, OX1 3HE

The Committee considered an application for planning permission for the demolition of the existing building to ground level and the erection of a replacement building to provide replacement commercial units on the basement, ground and first floors, and new teaching facilities, ancillary accommodation and student fellows rooms on the upper floors for Jesus College (amended plans) at Northgate House, 13 - 20 Cornmarket Street, Oxford, OX1 3HE.

This application had been called in to the Planning Review Committee for reconsideration following the decision at West Area Planning Committee on 10 July 2018.

The Planning Officer introduced the report to the committee including the recommendations and conditions and the report to the West Area Planning Committee. He reported one additional representation repeating earlier points.

He presented an additional slide showing the heights of towers and high buildings in the city centre compared to the proposed 21.3m high gatehouse element of the application.

He recommended and the Committee agreed an additional condition (as recommended by West Area Planning Committee) to seek active retail frontages onto Market Street.

Professor Sir Nigel Shadbolt (Principal, Jesus College), Stuart Cade (Architect), spoke in favour of the application. David Stevenson (Jesus College) and Neil Warner (JPPC) attended to respond to questions.

The Committee discussion included, but was not limited to the following points:

- There was general support for all elements of the scheme in particular the improvements to the entrance to Market Street, the change to the relationship with Jesus College, and the improvements to the public realm.
- Some Members of the Committee expressed concern about the height and bulkiness of the gatehouse tower and its impact on both the street scene and views from high vantage points. There was a view that the tower element should be reduced in height.
- There was concern about the breach of current policy relating to a maximum building height of 18.2m apart from minor elements. The planning officer explained that this was not an absolute maximum as some elements of a development could exceed this if it was appropriate, and the emerging Local Plan was considering how to allow for taller elements of buildings where this positively enhanced the skyline without diminishing the existing views.
- The Committee noted the buildings in the city centre which exceeded the 18.2m height and in some cases exceeded the gatehouse tower height. The removal of the

gatehouse tower could not be done in isolation as it would fundamentally change the overall design of the building and its function as a focal point linking the college and the new building and as a partially public space and viewing point. The tower broke up the bulk of the building and provided a suitable focal point.

In reaching a decision the Committee considered all the information put before it including the officer's original and supplementary reports and presentation, the representations made by speakers, and the answers to questions.

On being put to a vote a majority of the Committee agreed with the officer recommendation as set out in the report, with the addition of a condition to seek active retail frontages onto Market Street.

The Planning Review Committee resolved to:

- (a) approve the application for the reasons given in the report and subject to the 27 required planning conditions set out in section 7 of the officer's report and an additional condition to seek active retail frontages onto Market Street, and grant planning permission;
- (b) delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to
 - finalise the recommended conditions as set out in this report and the additional condition including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

5. Minutes

The Committee agreed to approve the minutes of the meeting held on 10 January 2018 as a true and accurate record subject to correcting the Apologies section by deleting the words 'No apologies were received'.

6. Date of Future Meetings

The Committee noted the dates and times of future meetings.

The meeting started at 6.00 pm and ended at 7.15 pm

Chair

Date:

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