

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:

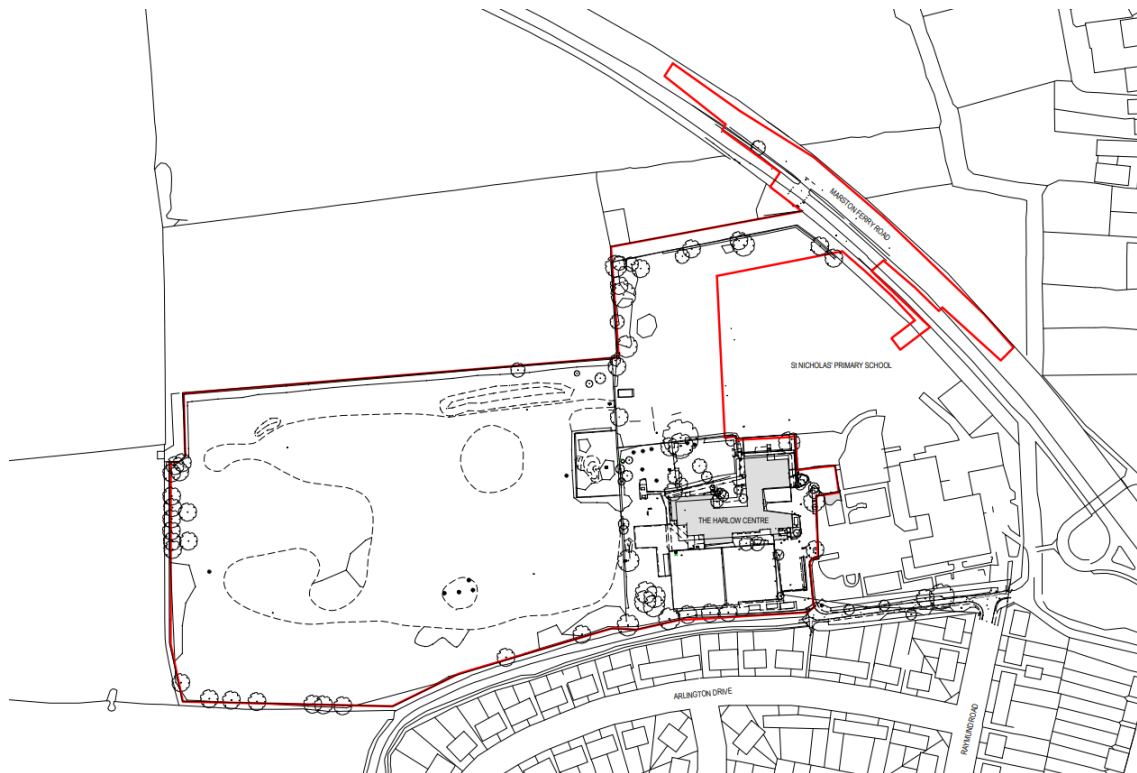
- No short-term need has been demonstrated for the proposed temporary buildings because planning application 18/01173/FUL which was is the justification for the development was refused. The proposal therefore fails to comply with policy CP25 of the Oxford Local Plan 2001-2016.
- 2.2. The minutes of the 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 Raymond 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.