



To: **Members of the Planning & Regulation Committee**

***Notice of a Meeting of the Planning & Regulation
Committee***

Monday, 23 June 2014 at 2.00 pm

County Hall, New Road, Oxford

Peter G. Clark.

Peter G. Clark
County Solicitor

June 2014

Contact Officer: **Graham Warrington**
Tel: (01865) 815321; E-Mail:
graham.warrington@oxfordshire.gov.uk

Members are asked to contact the case officers in advance of the committee meeting if they have any issues/questions of a technical nature on any agenda item. This will enable officers to carry out any necessary research and provide members with an informed response.

Membership

Chairman – Councillor Mrs Catherine Fulljames
Deputy Chairman - Councillor Neil Owen

Councillors

David Bartholomew
Mark Cherry
Patrick Greene
Pete Handley

Bob Johnston
Stewart Lilly
Glynis Phillips
Anne Purse

G.A. Reynolds
John Tanner

Notes:

- ***A site visit is required for Item 6 (Frank Wise School). Members are asked to meet on site at 10.30 am on Monday 23 June 2014.***
- ***Date of next meeting: 28 July 2014***

Declarations of Interest

The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?.

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *“You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself”* or *“You must not place yourself in situations where your honesty and integrity may be questioned.....”*.

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

List of Disclosable Pecuniary Interests:

Employment (includes *“any employment, office, trade, profession or vocation carried on for profit or gain”*.), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members’ conduct guidelines. <http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/> or contact Rachel Dunn on (01865) 815279 or Rachel.dunn@oxfordshire.gov.uk for a hard copy of the document.

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

AGENDA

1. **Apologies for Absence and Temporary Appointments**
2. **Declarations of Interest - see guidance note opposite**
3. **Minutes** (Pages 1 - 6)

To approve the minutes of the meeting held on 12 May 2014 (PN3) and to receive information arising from them.

4. **Petitions and Public Address**
5. **Chairman's Updates**
6. **New two storey building for the 16-19 age group (6th form) to replace the existing temporary accommodation. The proposals include minor car parking improvements with the creation of 7 additional parking spaces in the main school parking area and also 4 spaces for use in association with the 16-19 building on the site of the temporary buildings at the Frank Wise School, Hornbeam Close, Banbury - Application No R3.0031/14 (Pages 7 - 16)**

Report by the Interim Deputy Director for Environment & Economy (Growth & Infrastructure) (PN6).

This is a planning application for a new two storey building to provide 6th Form accommodation on an existing special needs site. The report is being put before committee because of an objection raised by Cherwell District Council on the design of the proposed building and the effect on the Banbury Conservation Area.

The report also assesses other policy and material considerations, such as the transport implication of the development.

It is RECOMMENDED that planning permission be approved for Application R3.0031/14 subject to conditions to be determined by the Interim Deputy Director (Strategy & Infrastructure Planning) but to include the following:

1. ***Development to be commenced within 3 years of the date of permission.***
2. ***Development to be built in accordance with the plans and details of the development.***
3. ***A school travel plan to be submitted and approved prior to first occupation of the building.***

4. ***A construction Management Plan to be submitted and approved prior to the development taking place.***
5. ***Details of drainage scheme to be submitted and approved prior to the development taking place.***
6. ***That within 6 months of the first occupation of the proposed building the temporary classroom units permitted under R3.0144/11 be removed.***
7. ***Trees numbered T08, T09, T10, T11, T12, T13, T14, T15 and T16 on plan G100 003 shall be retained.***
8. ***Trees to be retained on the site shall be protected in accordance with BS 5837: 2005.***
9. ***Details of directional signage and car parking designation signage shall be submitted and approved prior to first occupation of the development.***
10. ***Details of vehicle parking and manoeuvring areas shall be submitted and approved prior to first occupation of the development.***
11. ***Details of cycle parking shall be submitted and approved prior to first occupation of the development.***

7. Relevant Development Plan and other Policies (Pages 17 - 20)

Paper by the Interim Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) (PN7).

The paper sets out policies referred to in Item 6 and should be regarded as an Annex to that report.

Pre-Meeting Briefing

There will be a pre-meeting briefing at County Hall on Monday 23 June 2014 at 12.30 pm for the Chairman, Deputy Chairman and Opposition Group Spokesman.

PLANNING & REGULATION COMMITTEE

MINUTES of the meeting held on Monday, 12 May 2014 commencing at 2.00 pm and finishing at 2.55 pm

Present:

Voting Members: Councillor Mrs Catherine Fulljames – in the Chair

Councillor Neil Owen (Deputy Chairman)
Councillor David Bartholomew
Councillor Mark Cherry
Councillor Pete Handley
Councillor Bob Johnston
Councillor Glynis Phillips
Councillor Anne Purse
Councillor G.A. Reynolds
Councillor John Tanner
Councillor Ian Hudspeth (In place of Councillor Stewart Lilly)
Councillor David Wilmshurst (In place of Councillor Patrick Greene)

Other Members in Attendance: Councillor (for Agenda Item)

By Invitation:

Officers:

Whole of meeting

Part of meeting

Agenda Item Officer Attending

The Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with [a schedule of addenda tabled at the meeting][the following additional documents:] and decided as set out below. Except as insofar as otherwise specified, the reasons for the decisions are contained in the agenda and reports [agenda, reports and schedule/additional documents], copies of which are attached to the signed Minutes.

15/14 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

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<i>Apology</i>	<i>Temporary Appointment</i>
Councillor Stewart Lilly Councillor Patrick Greene	Councillor Ian Hudspeth Councillor David Wilmshurst

16/14 MINUTES

(Agenda No. 3)

The minutes of the meeting held on 7 April 2014 were approved and signed.

17/14 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 4)

<i>Speaker</i>	<i>Item</i>
Grant Scott (Viridor)	6. Details pursuant to Condition 31 (external lighting scheme) of Planning Permission 08/02472/CM (MW.0044/08)
Ron Wyatt	7. Progress report on Minerals and Waste site Monitoring and Enforcement

18/14 DETAILS PURSUANT TO CONDITION 31 (EXTERNAL LIGHTING SCHEME) OF PLANNING PERMISSION 08/02472/CM (MW.0044/08)

(Agenda No. 6)

Councillor Owen took the chair for the duration of this item.

The Committee considered (PN6) a details pursuant application required by condition 31 on an existing planning condition which required details of external lighting for the energy from waste facility at Ardley to be approved by the Waste Planning Authority. This matter had been previously deferred by Committee on 13 January and 7 April 2014.

Councillor Hudspeth advised that although he had been a member of the Cabinet which had approved various decisions regarding this facility he still had an open mind in relation to this matter and would consider the issues in the light of the officers report and other information presented at the meeting.

Following a presentation of the report Ms Thompson and Anthony Potts addressed questions from:

Councillor Purse – Mr Potts confirmed that Viridor's proposal complied fully with British standards.

Councillor Mrs Fulljames – Mr Potts advised that details regarding lighting in the ash area particularly whether or not they would be wall or column mounted and if the latter then the height of those columns had not been part of his brief and were matter better directed to Viridor who were responsible for the design element. He had been asked to comment only on degrees of sky glow.

Councillor Purse – Mr Potts explained differences in the photomontage images where in one the lighting was more controlled. Other images showed the temporary construction lighting which created more reflected light from surfaces around the site.

Councillor Hudspeth – officers advised that it seemed that the lighting to be provided in the ash ponds area would be wall mounted and therefore lower than the wall surround itself.

Councillor ? – Mr Potts advised that following the review to be undertaken in November 2014 (paragraph 21 of the report) if there were any issues of light spillage from the site they would be addressed by reducing output of lamps or switching down to two or one third(s) to reduce light trespass.

Councillor Handley – Mr Potts confirmed he was happy with compliance on light emission and sky glow.

Mr Scott thanked members of the Committee for visiting the site which he hoped had demonstrated that the operational lighting would be more sympathetic and less intrusive for residents. There were other operating sites in the area such as the motorway service area which had operational lighting and reminded the Committee a right to a view was not a planning consideration. Regarding the November 2014 review Viridor would be having discussions with county planning officers but also taking the opportunity to raise these issues at the Liaison Committee.

Mr Scott then responded to questions from:

Councillor Cherry – he had not had any personal interaction with local residents but issues were discussed at the quarterly Liaison meetings.

Councillor Purse – with regard to her comments regarding the constant glowing nature and the possibility of reducing reflected light he advised that the construction lighting was more reflective and that was not helped by the large temporary office area which was glazed and white in colour. Tree planting was to be extended over a wider area including the car park area. There was also the potential for more bunding and planting between the entrance and the facility itself but that would be largely for amenity value with benefits mainly for passing traffic.

Councillor Fulljames – there would be no lighting columns in the ash area and confirmed that internal lighting would be wall mounted and therefore below wall level and no external work after 7pm. There would be road lights outside that area.

Councillor Fulljames thanked those members who had been able to visit the site. She had hoped that that could have gone ahead in January when tree cover would have been minimal. She reiterated the wording in Condition 31 that lighting should be designed in such a way as to minimise potential light spillage on properties and the highway. This was a rural area and therefore dark and yet this large industrial unit had been placed there. There had been an acceptance locally that this had to be but everything should be done to mitigate its effects.

Councillor Bartholomew stated that the facility was nearly operational and had to be lit. The critical element therefore was to secure the review to address any issues. He moved the officer recommendation with that explicit proviso for a review in November 2014.

Councillor Purse advised that she had driven past the site on the M40 and had thought that it looked bigger and brighter than when she had been on the site visit. She still had concerns regarding the glowing nature in a rural area which was very intrusive and a distraction for motorists and agreed that it looked completely out of place.

Seconding the proposal by Councillor Bartholomew Councillor Hudspeth that members needed to try and remove the construction lighting from the equation and stressed that a review was a vital component for the peace of mind of local residents.

Councillor Handley felt there were now enough guarantees in place to offer protection for local residents.

The motion was put to the Committee and –

RESOLVED: (unanimously) that Application MW.0067/13 be approved subject to a review of lighting on the site to be carried out in November 2014.

19/14 PROGRESS REPORT ON MINERALS AND WASTE SITE MONITORING AND ENFORCEMENT

(Agenda No. 7)

Councillor Mrs Fulljames resumed the Chair for the remainder of the meeting.

The Committee considered (PN7) a report updating the regular monitoring of minerals and waste planning permissions and progress of enforcement cases for the period 1 October 2013 to 31 March 2014.

Mr Wyatt spoke to Annex 2 (Waterstock Golf Course). He questioned the accuracy of the statement that any of the alleged deposited waste remained on site and pointed out that an 8 month monitoring period had failed its location. He concurred with an earlier view that little or no waste remained on site other than what had been legitimately allowed and had been denied access to a report written by county officers which he alleged supported that view but which he had been told had not existed. He had wanted to secure a retrospective planning application but had been denied that and it was grossly unfair that the sequestration process could result in the loss of 2 family homes.

The Committee noted :

Annex 1

Gosford Silo Waste Recovery no longer existed.

LC Hughes scrap yard was situated on Blackthorn and not Bicester.

Shenington ROMP – Mr Hodgkinson explained the discrepancy between targeted visits and visits completed. There had been 2 visits as the ROMP had been subject to review and had been served a prohibition order. However it was not an active ROMP.

Woodeaton Quarry – there was a legal problem regarding access which needed to be resolved before restoration work could start. The County Council was not party to those discussions.

Annex 2

Ferris Hill Farm – Mr Hodgkinson explained the rationale behind the delay insofar as care was need before an enforcement notice in order to make sure that everything had been included. Failure to do that could inadvertently allow something.

The Committee commended Mr Hodgkinson and his team for a thorough report and the improvement in the monitoring and enforcement position over the last few years.

RESOLVED: that the Schedule of Compliance Monitoring Visits in Annex 1 and the Schedule of Enforcement Cases in Annex 2 to the report PN7 be noted.

..... in the Chair

Date of signing

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For: PLANNING AND REGULATION COMMITTEE – 23 June 2014

**By: INTERIM DEPUTY DIRECTOR (STRATEGY AND
INFRASTRUCTURE PLANNING)**

Development Proposed:

A new 2 storey building for the 16-19 age group (6th form) at the Frank Wise School in Banbury to replace the existing temporary accommodation. The proposals include minor car parking improvements with the creation of 7 additional parking spaces in the main school parking area and also 4 spaces for use in association with the 16-19 building on the site of the temporary buildings

Division Affected: Banbury Calthorpe

Contact Officer: Kevin Broughton **Tel:** 01865 815272

Location: Frank Wise School, Hornbeam Close, Banbury, Oxfordshire, OX16 9RL

Applicant: Oxfordshire County Council

Application No: R3.0031/14 District Ref No: 14/00538/OCC

Application Received: 11 November 2013 but subsequently changed 24 March 2014

Consultation period: 3 April - 28 April (2nd Consultation)

District Council Area: Cherwell

CONTENTS

- Part 1 - Facts and background
- Part 2 - Other viewpoints
- Part 3 - Relevant planning documents
- Part 4 - Analysis and Conclusions.

Recommendation: Approval subject to conditions.

Part 1 - Facts and background

Site and Setting (see plan 1)

1. The school site is set within the western built up area of Banbury at the end of Hornbeam Close, a cul-de-sac. The site is bordered by an allotment to the north east, by housing to the north and west, and by Hornbeam Close to the south and south east. Apart from providing access to the school, Hornbeam Close has housing and access to parking for flats on Broughton Road. The nearest housing to the proposed new building is 60m away on Hornbeam Close.
2. The part of the school site in which the proposed extension would sit, is a currently underused area of hardstanding and garden, within the Banbury Conservation Area. The existing Victorian school building, called Wood Green Villa, is not a listed building but has been designated by Cherwell District Council as a locally listed heritage asset.
3. There is a substantial row of beech trees along the north eastern edge of the proposed site between the proposed extension and the allotments. As these trees are in the conservation area, they have the same protection as would be provided by a tree preservation order.
4. The school playing field, just south of the proposed extension rises up about a metre and a half. It has a Multi User Games Area on it although this is currently covered by two temporary classrooms.

Details of the Development

5. Frank Wise School is a Special Education Needs school that caters for children and young adults. The proposed new 2 storey building would house the age group 16 - 19, who are at present using the two temporary classroom units located on the school playing field.
6. The proposal is a new 16-19 building to replace the existing temporary accommodation. The proposed location of the new building has been selected to minimise the impact on the conservation area and on the setting of Wood Green Villa.
7. There would be changes to the hard and soft landscaping and a new parking and drop off area to serve the new building. Initially this was to be served by a new access on to Hornbeam Close, but following consultation responses the second access was omitted.
8. Other changes to car parking at the main car park to provide new spaces and manage the existing spaces.
9. Some trees are proposed to be removed and replaced with new trees as described in the Arboricultural Method Statement. The most notable of the trees are mature beech trees along the boundary with the allotments.

The trees have included unions which could make them susceptible to splitting.

10. The proposed building is 2,549m² and would be 9.06m to the ridge of the building.
11. The principal material for the proposed building off white render, however the south elevation would be brick to match Wood Green Villa.

Part 2 - Other Viewpoints

Representations

12. There have been representations from the occupiers of four local properties. Some of those comments were related to the proposed new access that has since been removed from the proposal. Other comments were:
 - (i) Future compliance with the travel plan must be ensured.
 - (ii) Easing traffic on Hornbeam Close can only be achieved by more hardstanding on the school site.
 - (iii) The building would be a much needed improvement over the temporary units.
 - (iv) No objection to the proposed building.
 - (v) No objection to the additional parking which will help the major parking problems.
 - (vi) Residents are affected by the numbers of cars, minibuses and taxis.

Consultations

13. Cherwell District Council - object to the development on the following grounds that the proposed building would, by reason of its siting scale and design, fail to conserve or enhance a non-designated heritage asset, Wood Green Villa, and its setting, resulting in harm to its significance, contrary to saved policy C28 of the Cherwell Local Plan and Government guidance contained in within the National Planning Policy Framework.

Environment Agency - Did not want to make any response to the application.

Highway Authority (includes drainage response) - No objection subject to the following conditions:

- Details of directional signage and car parking designation signage to be approved prior to occupation of the development.
- Details of the vehicle parking and manoeuvring areas before occupation of the development.
- Details of covered cycle parking to be submitted and agreed prior to commencement of the development.

- School Travel Plan to be completed and submitted prior to occupation of the development.
- A Construction Traffic Management Plan to be submitted and approved prior to commencement of the development.
- Drainage details to be approved prior to the development taking place..

Archaeology - No objection.

Arboricultural Officer - No objection.

Cllr Cherry - Still ongoing traffic issues on Hornbeam Close. Condition should be attached to control removal of subsoils to the school holidays in order to minimise disruption.

Part 3 - Relevant planning policies

Relevant planning policies (see Policy Annex to the committee papers)

The Development Plan

The development plan in this case consists only of the saved policies of the 1996 Cherwell Local Plan

Cherwell District Local Plan Adopted 1996 (Saved Policy): C28.

Other Material Considerations

Cherwell Local Plan 2006 – 2031 Proposed Submission Document : Policies PSD1, BSC7, ESD7 and ESD16.

National Planning Policy Framework

The CLG letter to the Chief Planning Officers dated 15th August 2011 set out the Government's commitment to support the development of state funded schools and their delivery through the planning system. The policy statement states:

“It is the Government's view that the creation and development of state funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations.” State funded schools include Academies and free schools as well as local authority maintained schools.

It further states that the following principles should apply with immediate effect:

- There should be a presumption in favour of the development of state-funded schools;

- Local Authorities should give full and thorough consideration to the importance of enabling the development of state funded schools in their planning decisions;
- Local Authorities should make full use of their planning powers to support state-funded schools applications;
- Local Authorities should only impose conditions that clearly and demonstrably meet the tests as set out in Circular 11/95;
- Local Authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible;
- A refusal of any application for a state-funded school or the imposition of conditions, will have to be clearly justified by the Local Planning Authority.

This has been endorsed in paragraph 72 of the National Planning Policy Framework.

Part 4 - Analysis and Conclusions

Comments of the Interim Deputy Director (Strategy and Infrastructure Planning)

14. The main issues related to this application are: the design of the building/effect on the Conservation Area and transport issues.

Design of the Building/Effect on the Conservation Area

15. Saved policy C28 of the Cherwell Local Plan 1996 states that control will be exercised over development to ensure that it is sympathetic to the character of its context. Policy ESD 16 of the Cherwell Local Plan 2006 - 2031 submission states that, among other things, that design should conserve, sustain and enhance designated and non designated heritage assets.
16. The proposed building would be within the conservation area and alongside Wood Green Villa which is a non designated heritage asset.
17. The proposed building has good regard for the site on which it is located, and it incorporates the shape of the site in its design rather than simply placing a square box onto the site. The roof pitch is shallower than the existing building which reduces the massing of the new building, and allows the Victorian building to remain dominant.
18. The principal elevation is the south elevation where the building will have public views from within the conservation area. This would be of a brick to match the existing Victorian building. This brick type would also be similar to the block of flats on Hornbeam Close whose design appears to reflect the Wood Green Villa.

19. The South Elevation also picks up design principles from the Victorian building although it is a very different building. The fenestration details in the centre of the elevation are similar in scale and dimension to those on the Victorian building.
20. The site constraints, and modern educational needs of the building would not allow a copying of the Victorian style. In addition, the difference between the two buildings helps to separate them in terms of their historic context. Given the constraints of the site and the needs of the school, the building is an acceptable addition to the school.
21. The proposed building will replace the existing temporary units, and their removal will enhance the appearance of the Conservation Area in accordance with policy C28. A condition ensuring their removal within 6 months of the occupation of the proposed building should be included with any planning permission given.
22. Saved policy C23 of the Cherwell Local Plan states that there will be a presumption in favour of retaining trees that make a positive contribution to a conservation area. The proposed development includes the removal of the beech trees on the boundary of the site with the allotments. This followed pre application advice from the County Arboricultural Officer who was concerned that the placing of a building beneath trees with included unions would be an increased risk. This advice was agreed with the Cherwell District Council Tree Officer. Notwithstanding that technical advice I do consider that the loss of the trees would adversely affect the conservation area. The applicant has indicated that the proposed building could be accommodated with or without the loss of the trees. Given that the trees have a level of protection, that they are an attractive feature in the conservation area, and that the building could be constructed without their loss I consider that a condition should be included that the beech trees be retained and that all retained trees be protected in accordance with BS 5837: 2005.

Transport Issues

23. There are no specific relevant transport policies in the saved policies of the Cherwell Local Plan 1996, or in the Cherwell Local Plan 2006 – 2031 Proposed Submission Document. Paragraph 36 of the NPPF states that all developments which generate significant amounts of traffic should be required to produce a travel plan. In this case the proposed development would provide a permanent facility for those children currently housed in temporary accommodation, and so the number of vehicles visiting the site would be unchanged.
24. Nevertheless the school have been looking at ways to accommodate improvements into the proposal. The school has a higher number of taxis and minibuses than most schools, but fewer private cars. This has caused its own unique set of problems as the minibuses and taxis arrive during the school run. To help bring some of that traffic into the site and

off Hornbeam Close the school is providing extra parking spaces for disabled pick up and drop off.

25. There would in addition be a new parking and drop off point near the building itself. This was initially to be served by a separate access but following objections and discussions with local residents the second access has been omitted from the proposal.
26. With a properly managed travel plan, the production of which is well underway, the proposal should help alleviate the current traffic situation. The Highways Authority have recommended the addition of a Travel plan.
27. The Highway Authority have also requested the addition of a Construction Traffic Management Plan, which would in my view be necessary for this physically constrained site. This could include the issue of timing for removal of soils as well as the delivery of construction materials.
28. The highway authority has requested additional details be approved. These are details of directional signage, details of covered cycle parking, and details of the vehicle parking and manoeuvring areas. Of these the cycle parking and signage is requested prior to commencement of the development and the other details prior to occupation of the building. In my view the cycle parking and signage should be integrated into the travel plan and the parking layout so all such conditions should be approved prior to occupation of the development.

Other Issues

29. Policy PSD1 of Cherwell Local Plan 2006 - 2031 submission states that there will be a general presumption in favour of development and policy BSC7 seeks to meet education needs. Together with the general presumption in favour of sustainable development as set out in the NPPF and the specific guidance set out in paragraph 72 of the NPPF and the DCLG letter dated 15th August 2011, it is my view that this application must be looked on favourably and in the absence of any strong objections should be granted permission.
30. Policy ESD7 of the Cherwell Local Plan 2006 - 2031 submission states that all development will require Sustainable Drainage Systems. A condition should therefore be attached requiring a detailed drainage scheme be approved.

Conclusions

31. The proposal would provide permanent accommodation for children currently using temporary buildings. The design is acceptable given the constraints of the site, and the proposed onsite parking changes would be of benefit to the users of Hornbeam close.

32. Subject to conditions, there is in my view no overriding objection to the scheme and it should there be granted planning permission in accordance with the presumption in favour of sustainable development.

Recommendation

33. **It is RECOMMENDED that planning permission be approved for Application R3.0031/14 subject to conditions to be determined by the Interim Deputy Director (Strategy & Infrastructure Planning) but to include the following:**
1. **Development to be commenced within 3 years of the date of permission.**
 2. **Development to be built in accordance with the plans and details of the development.**
 3. **A school travel plan to be submitted and approved prior to first occupation of the building.**
 4. **A construction Management Plan to be submitted and approved prior to the development taking place.**
 5. **Details of drainage scheme to be submitted and approved prior to the development taking place.**
 6. **That within 6 months of the first occupation of the proposed building the temporary classroom units permitted under R3.0144/11 be removed.**
 7. **Trees numbered T08, T09, T10, T11, T12, T13, T14, T15 and T16 on plan G100 003 shall be retained.**
 8. **Trees to be retained on the site shall be protected in accordance with BS 5837: 2005.**
 9. **Details of directional signage and car parking designation signage shall be submitted and approved prior to first occupation of the development.**
 10. **Details of vehicle parking and manoeuvring areas shall be submitted and approved prior to first occupation of the development.**
 11. **Details of cycle parking shall be submitted and approved prior to first occupation of the development.**

Reasons for Approval:

The proposed development would provide a valuable community facility. Subject to conditions, the application would accord with the principle of the NPPF.

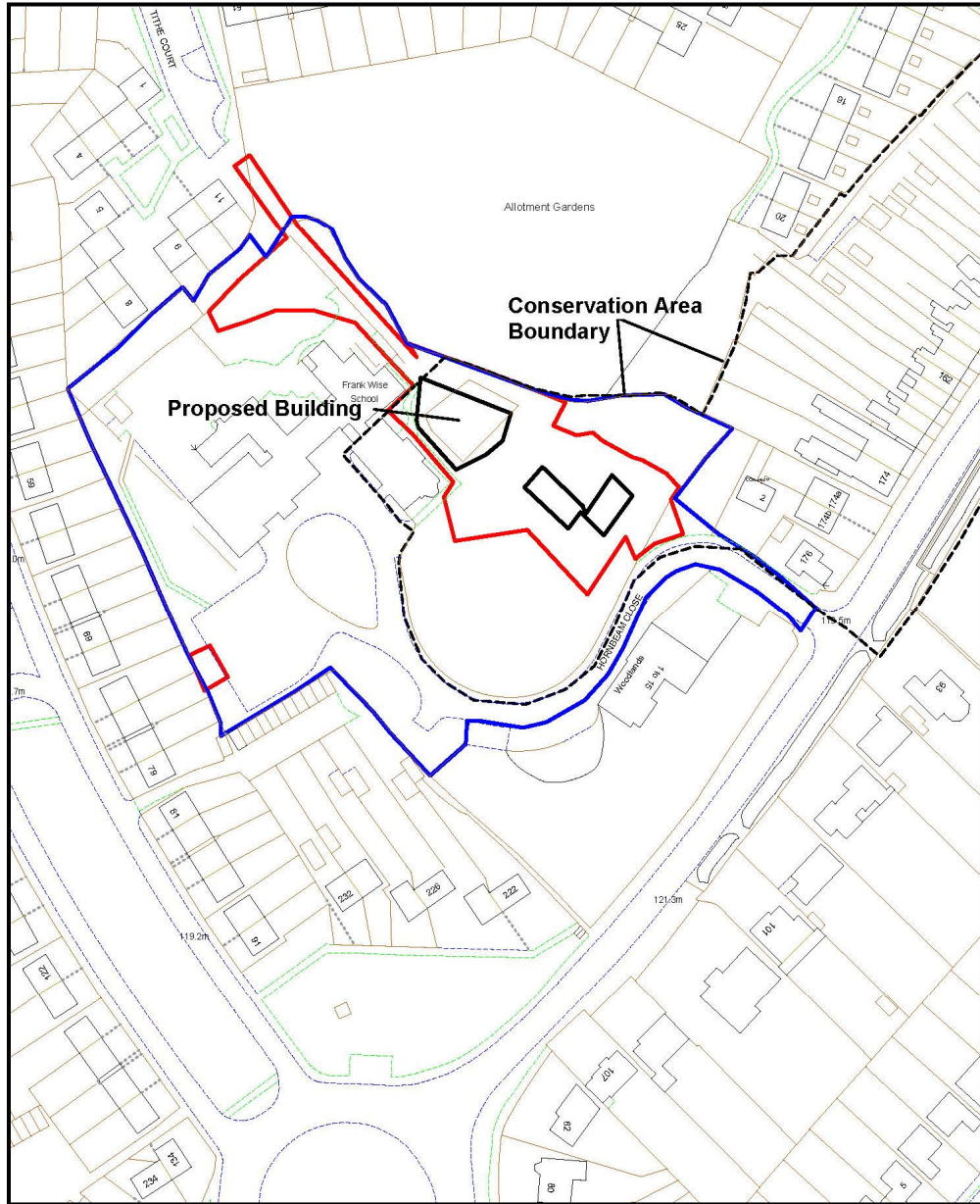
Compliance with National Planning Policy Framework:

In accordance with paragraphs 186 and 187 of the NPPF Oxfordshire County Council take a positive and proactive approach to decision making focused on solutions and fostering the delivery of sustainable

development. We work with applicants in a positive and proactive manner by;

- offering a pre-application advice service, as in this case updating applicants and agents of any issues that may arise in the processing of their application and where possible suggesting solutions, as was the case with this application.

**Frank Wise School
R3.0031/14**



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Plot Date:10/6/2014



PLANNING & REGULATION COMMITTEE – 23 JUNE 2014

Policy Annex (Relevant Development Plan and other Policies)

Cherwell Local Plan Adopted 1996 (Saved Policy)

POLICY C28: DESIGN CONSIDERATIONS

Control will be exercised over all new development, including conversions and extensions, to ensure that the standards of layout, design and external appearance, including the choice of external-finish materials, are sympathetic to the character of the urban or rural context of that development. In sensitive areas such as Conservation Areas, the Area of Outstanding Natural Beauty and Areas of High Landscape Value, development will be required to be of a high standard and the use of traditional local building materials will normally be required.

Cherwell Local Plan 2006-2031 Proposed Submission Document

POLICY PSD1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

When considering development proposals the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will always work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (or other part of the statutory Development Plan) will be approved without delay unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- specific policies in the Framework indicate that development should be restricted.

POLICY BS7: MEETING EDUCATION NEEDS

The Council will work with partners to ensure the provision of pre-school, school, community learning and other facilities which provide for education and the development of skills. New school buildings should be located in sustainable locations. The co-location of other services and facilities with schools should be considered to create community hubs.

POLICY ESD7: SUSTAINABLE DRAINAGE SYSTEMS (SuDS)

All development will be required to use sustainable drainage systems (SuDS) for the management of surface water run-off.

Where site specific Food Risk Assessments are required in association with development proposals, they should be used to determine how SuDS can be used on particular sites and to design appropriate systems.

POLICY ESD16: THE CHARACTER OF THE BUILT AND HISTORIC ENVIRONMENT

Successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards. Where development is in the vicinity of any of the district's distinctive natural or historic assets, delivering high quality design that complements the asset will be essential.

New development proposals should:

- Be designed to deliver high quality safe, attractive, durable and healthy places to live and work in. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions.
- Deliver buildings, places and spaces that can adapt to changing social, technological, economic and environmental conditions.
- Support the efficient use of land and infrastructure, through appropriate land uses, mix and density/development intensity.
- Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views, in particular within designated landscapes, within the Cherwell Valley and within consideration areas and their setting.
- Conserve, sustain and enhance designated and non designated 'heritage assets' (as defined in the NPPF) including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated in accordance with advice in the NPPF. Proposals for development that affect non-designated heritage assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset as set out in the NPPF. Regeneration proposals that make sensitive use of heritage assets, particularly where these bring redundant or under used buildings or areas, especially any on English Heritage's At Risk Register, into appropriate use will be encouraged.
- Include information on heritage assets sufficient to assess the potential impact of the proposal on their significance. Where archaeological potential is identified this should include an appropriate desk based assessment and, where necessary, a field evaluation.

- Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. Development should be designed to integrate with existing streets and public spaces, and buildings configured to create clearly defined active public frontages.
- Reflect or, in a contemporary design response, re-interpret local distinctiveness, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass scale and colour palette.
- Promote permeable, accessible and easily understandable places by creating spaces that connect with each other, are easy to move through and have recognisable landmark features.
- Demonstrate a holistic approach to the design of the public realm to create high quality and multi-functional streets and places that promotes pedestrian movement and integrates different modes of transport, parking and servicing. The principles set out in The Manual for Streets should be followed.
- Consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space.
- Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
- Be compatible with up to date urban design principles, including Building for Life and achieve Secured by Design accreditation.
- Consider sustainable design and layout at the masterplanning stage of design, where building orientation and the impact of microclimate can be considered within the layout.
- Incorporate energy efficient design and sustainable construction techniques, whilst ensuring that the aesthetic implications of green technology are appropriate to the context (also see Policies ESD 1-5 on climate change and renewable energy).
- Integrate and enhance green infrastructure and incorporate biodiversity enhancement features where possible (see Policy ESD10: Protection and Enhancement of Biodiversity and the Natural Environment and Policy ESD 18 Green Infrastructure). Well designed landscape schemes should be an integral part of development proposals to support improvements to biodiversity, the micro climate and air pollution and provide attractive places that improve people's health and sense of vitality.
- Use locally sourced sustainable materials where possible.

The Council will provide more detailed design and historic environment policies in the Development Management DPD.

The design of all new development will need to be informed by an analysis of the context, together with an explanation and justification of the principles that have informed the design rationale. This should be demonstrated in the Design and Access Statement that accompanies the planning application. The Council expects all the issues within this policy to be positively addressed through the explanation and justification in the Design & Access Statement. CLG Circular 01/06 sets out the matters to be covered and further guidance can be found on the Council's website.

The Council will require design to be addressed in the pre-application process on major developments and in connection with all heritage sites. For major

sites/strategic sites and complex developments, Design Codes will need to be prepared in conjunction with the Council and local stakeholders to ensure appropriate character and high quality design is delivered throughout. Design Codes will usually be prepared between outline and reserved matters stage to set out design principles for the development of the site. The level of prescription will vary according to the nature of the site.