

## PLANNING & REGULATION COMMITTEE

**MINUTES** of the meeting held on Monday, 26 March 2018 commencing at 2.00 pm and finishing at 3.20 pm

**Present:**

**Voting Members:** Councillor Les Sibley – in the Chair

Councillor Jeannette Matelot (Deputy Chairman)  
Councillor Mike Fox-Davies  
Councillor Stefan Gawrysiak  
Councillor Bob Johnston  
Councillor Mark Lygo  
Councillor Glynis Phillips  
Councillor G.A. Reynolds  
Councillor Judy Roberts  
Councillor Dan Sames  
Councillor Alan Thompson  
Councillor Richard Webber

**Officers:**

Whole of meeting: G. Warrington and J. Crouch (Law & Governance); C. Kenneford and K. Broughton (Planning & Place)

*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 and decided as set out below. Except as insofar as otherwise specified, the reasons for the decisions are contained in the agenda, reports and schedule, copies of which are attached to the signed Minutes.*

### 16/18 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

<i>Apology for Absence</i>	<i>Temporary Appointment</i>
Councillor Anda Fitzgerald-O'Connor	No temporary appointment

**17/18 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE OPPOSITE**  
(Agenda No. 2)

<i>Councillor</i>	<i>Nature of Interest</i>
<p>Councillor George Reynolds</p> <p><i>Item 6. – New Secondary School (Alchester Academy) with associated hard and soft landscaping, car parking, playing fields and infrastructure on land in the Kingsmere Development in South west Bicester – Application No. R£.0003/18</i></p>	<p>He advised that as the provision of recreation at Alchester Academy could be the subject of further discussion at district level he would leave the meeting at the start of this item taking no part in the discussion or voting so as not to compromise his position as Lead Member for Recreation on Cherwell District Council.</p>
<p>Councillor Les Sibley</p> <p><i>Item 6. – New Secondary School (Alchester Academy) with associated hard and soft landscaping, car parking, playing fields and infrastructure on land in the Kingsmere Development in South west Bicester – Application No. R£.0003/18</i></p>	<p>County Councillor for Bicester West. Advising that he had not expressed a view on this application in his capacity as the local county councillor for this division he therefore intended to take part in the discussion and voting on that item.</p>
<p>Councillor Dan Sames</p> <p><i>Item 6. – New Secondary School (Alchester Academy) with associated hard and soft landscaping, car parking, playing fields and infrastructure on land in the Kingsmere Development in South west Bicester – Application No. R£.0003/18</i></p>	<p>District Councillor for Bicester South and Ambrosden. Advising that he had not expressed a view on this application in his capacity as the district councillor for this ward he therefore intended to take part in the discussion and voting on that item.</p>

**18/18 MINUTES**  
(Agenda No. 3)

The minutes of the meeting held on 19 February 2018 were approved and signed.

**19/18 NEW SECONDARY SCHOOL (ALCHESTER ACADEMY) WITH ASSOCIATED HARD AND SOFT LANDSCAPING, CAR PARKING, PLAYING FIELDS AND INFRASTRUCTURE ON LAND IN THE KINGSMERE DEVELOPMENT IN SOUTH WEST BICESTER - APPLICATION NO. R3.0003/18**  
(Agenda No. 6)

The Committee considered (PN6) a planning application to provide a new Secondary School on the Kingsmere development in South West Bicester. The application which provided for a three-storey building, MUGA, playing fields and car parking was within an area granted planning permission in outline by Cherwell District Council.

Presenting the report Mr Broughton also referred to an addenda sheet deleting Condition VII as set out in the printed report, advised of an amendment to the site plan on page 23 of the published report insofar as the proposed MUGA had been incorrectly marked, confirmed that outline planning permission for the Kingsmere development included as part of that master plan the proposed secondary school provision, which was the subject of this report and finally referred to a telephone conversation he had had that morning with Mr Charles Toh a local resident regarding issues of access, parking provision and air pollution.

He then responded to questions from:

Councillor Sames – he could only confirm that the application referred to a grass surface for the hockey pitch area.

Councillor Lygo – he confirmed that as lighting proposals were to be submitted the 10 pm switch off time was, at this stage, only a suggestion and members could if they so wished suggest a change. Regarding cycle markings that was a matter for the highway authority and outside the scope of this application. However, a request could be made to increase cycle parking provision.

Councillor Phillips – it would be reasonable to expect that visiting teams to the sports facilities would normally arrive by minibus or shared cars and so be expected to use the existing parking area but ultimately it would be up to the academy to agree levels of use,

Councillor Thompson – the development had outline consent granted by Cherwell District Council suggesting that the coach turning/drop off area was fit for purpose.

He advised members that DCLG had stipulated that permissions for school builds should be granted unless there were overriding reasons not to do so.

Councillor Sames – he confirmed that although noise levels from the A41 had not been specifically raised by Cherwell District Council’s environmental health officer in their response that might have been different if the school had been situated closer to that road.

Councillor Lygo – as there had been no loss of playing space Sport England had not been required to comment. However, having spoken to them about the application on the telephone, he understood they had no concerns.

Councillor Roberts – it was not currently an option to restrict the coach turning area with a clearway order as it hadn’t yet been adopted.

Responding to Councillor Webber Mr Broughton advised that a change could be made to the informative regarding the coach turning area advising the applicant that they approach the highway authority rather than suggesting that they might wish to but it would still remain an informative. He understood that the applicant had wanted to amend the plan to widen the turning area but doing so would have moved it closer to houses and it had been considered that to do that would have required a new application.

The Committee agreed unanimously to amend the informative as follows:

“Concerns have been raised by the County as Highway Authority as to the possible problems for coaches turning in the area provided for in the outline planning permission if residents park their vehicles in the turning area. The applicant is advised to approach the Highway Authority about parking restrictions once the road has been adopted.”

Councillor Sames opposed the application. He did not consider it to be a sustainable location and bearing in mind the scale of development in Bicester it seemed counter-productive to put a new school on one side of the town as pupils would not just be drawn from the Kingsmere development but from a variety of locations. The three storey building would be visually intrusive and have a large impact on the amenity of residents. He felt it contrary to Policy C31 of the CLP 1996 in that it was not compatible with the residential character of the area and would cause an unacceptable level of nuisance or visual intrusion. There had been no agreement with Cherwell District Council regarding community use and a travel plan needed to be in place immediately to cope with the influx of pupils from a wide area. Local roads had not been adopted and some indication of when that might happen was needed. He felt there were more than enough schools on that side of Bicester to cover pupil numbers from the Kingsmere development and that a more sustainable location was needed.

Mrs Crouch confirmed that should the secondary school not be built on this site then the site and any money to build the secondary school secured by the agreed S106 would need to be returned to the developer. The County Council would then have to acquire an alternative site to provide any additional secondary school places needed in Bicester.

Mr Broughton confirmed that the Committee could refuse the current application and suggest that the school be resited within the area with outline consent. However, those options were limited as it could not be moved further south as there was a covenant preventing development and moving it further to the A41 could draw an objection on environmental health grounds.

Councillor Gawrysiak was minded to support the application and moved that the officer recommendation be approved but with the following amendments:

Community use time amended to read as follows:

Between the following hours 07.00 – 23.00 Mondays to Saturdays and 07.00 – 18.00 on Sundays

No lighting of sports facilities shall take place beyond 21.00 Mondays to Saturdays, or beyond 18.00 on Sundays.

Cycle rack provision to be increased to 300.

Travel Plan introduced before the first occupancy.

The motion seconded by Councillor Johnston was put to the Committee and carried by 9 votes to 1 (with one abstention).

**RESOLVED:** that subject to a Unilateral Undertaking to pay £2,040 for travel plan monitoring that planning permission for application no. R3.0003/18 be approved subject to conditions to be determined by the Director of Planning and Place to include the following:

- I. Detailed compliance.
- II. Permission to be implemented within 3 years.
- III. Prior to the first occupation of the school buildings, a school travel plan shall be submitted to and approved by the County Planning Authority.
- IV. The approved travel plan to be implemented within three months of the school's opening.
- V. The community use of the school premises shall be only between the following hours:  
07.00 – 23.00 Mondays to Saturdays and  
07.00 – 18.00 on Sundays
- VI. No lighting of sports facilities shall take place beyond 21.00 Mondays to Saturdays, or beyond 18.00 on Sundays.
- VII. No external lighting shall be erected and used until a scheme of lighting has been submitted to and approved by the County Planning Authority
- VIII. Prior to the construction of the car park, a detailed layout shall be submitted to and approved by the County Planning Authority. The revised parking scheme to include 300 cycle parking spaces.
- IX. Prior to first occupation of the school, the location and design of the bin store shall be submitted and approved. The agreed scheme shall be implemented.
- X. No development shall take place within 10m of the existing public footpath, until details of how the footpath will be protected has been submitted to and approved by the County Planning Authority.

Informatives

European Protected Species

The habitat on and around the proposed development site indicate that European Protected Species are unlikely to be present. Therefore no further consideration of the Conservation of Species & Habitats Regulations is necessary.

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, which the applicant took advantage of in this case updating applicants and agents of any issues that may arise in the processing of their application and where possible suggesting solutions. The applicant has been advised of concerns raised by the Environment Agency, Cherwell District Council and local residents. This has given them the opportunity to provide additional information, particularly on concerns initially raised by the Environment Agency with regard to contaminated land which led to that objection being removed.

Coach Circulation Space

Concerns have been raised by the County as Highway Authority as to the possible problems for coaches turning in the area provided for in the outline planning permission if residents park their vehicles in the turning area. The applicant is advised to approach the Highway Authority about parking restrictions once the road has been adopted.

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..... in the Chair

Date of signing .....