

PLANNING & REGULATION COMMITTEE

MINUTES of the meeting held on Monday, 12 April 2010 commencing at 2.00 pm and finishing at 4.25 pm

Present:

Voting Members: Councillor Steve Hayward – in the Chair

Councillor Mrs Catherine Fulljames (Deputy Chairman)
Councillor Alan Armitage
Councillor Tony Crabbe
Councillor Mrs Anda Fitzgerald-O'Connor
Councillor Jenny Hannaby
Councillor Ray Jelf
Councillor Peter Jones
Councillor Lorraine Lindsay-Gale
Councillor David Nimmo-Smith
Councillor Neil Owen
Councillor G.A. Reynolds
Councillor John Sanders
Councillor Don Seale
Councillor John Tanner

Other Members in Attendance: Councillor Melinda Tilley (for Agenda Item 6)

Officers:

Whole of meeting G. Warrington and Robert Hanson (Corporate Core)
R. Dance (Environment & Economy)

Part of meeting

Agenda Item

Officer Attending

5 A. Divall and P. Smith (Environment & Economy)
6 & 7 J. Hamilton (Environment & Economy)
6 F. Hamid (Environment & Economy)
7 G. Arnold (Environment & Economy)

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.

110/09 ELECTION OF CHAIRMAN

(Agenda No.)

Nominations for election of Chairman for the Council year 2010/11 were as follows:

Councillor Steve Hayward (nominated by Councillor John Tanner and seconded by Councillor David Nimmo-Smith)

Councillor Alan Armitage (nominated by Councillor John Sanders and seconded by Councillor Jenny Hannaby).

10 votes were cast in favour of Councillor Hayward and 3 in favour of Councillor Armitage.

111/09 ELECTION OF DEPUTY CHAIRMAN

(Agenda No.)

Councillor Mrs Fulljames (nominated by Councillor Peter Jones, seconded by Councillor Mrs Fitzgerald-O'Connor). There were no other nominations and Councillor Mrs Fulljames was duly elected Deputy Chairman for the Council year 2010/11.

112/09 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE OPPOSITE

(Agenda No. 2)

Councillor	Item	Nature of Interest
Mrs Fulljames	The Grange Community Primary School – Application R3.0009/10	Personal. Member of Cherwell District Council’s Planning Committee. She advised that she had not participated in any discussion or taken any decision on the application in that capacity and intended to take part in the discussion and voting thereon.
Reynolds	The Grange Community Primary School – Application R3.0009/10	Personal. Member of Cherwell District Council’s Planning Committee. He advised that he had not participated in any discussion or taken any decision on the application in that capacity and intended to

		take part in the discussion and voting thereon.
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113/09 MINUTES

(Agenda No. 3)

The minutes of the meeting held on 15 February 2010 were approved and signed.

Minute 80/09 (Minute 75/09 – Wallingford Youth Centre)

Mr Dance advised that a full daylight study commissioned by the applicants had concluded that the proposed development would cause no material harm to the neighbouring property. The results of that study had been copied to the neighbouring resident for comment.

Minute 80/09 (Minute 77/09 – Monitoring & Enforcement Update - Gosford Silo Waste Recovery)

Mr Dance advised that planning consent had been issued.

Minute 82/09 – Public Right of Way Diversion – Objected to Order (Bodicote Footpath No 8 and Bloxham Footpath No 2)

Officers undertook to let members of the Committee have a written response setting out the timeline for this to go forward to the Secretary of State and process for members to submit comments if they so wished.

114/09 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 4)

The following requests to address the meeting had been agreed:

Speaker	Item
Ruth George Mike Parkinson) Bayards Hill Primary School –) Application R3.0206/09
Jonathan Hunt Emma Willoughby Amanda Powell County Councillor Melinda Tilley)) John Blandy Primary School –) Application R3.0011/10)
Kevin Presland	The Grange Community Primary School – Application R3.0009/10

115/09 DEMOLITION OF EXISTING SINGLE STOREY EAST WING OF THE SCHOOL AND EXISTING SINGLE STOREY FOUNDATION STAGE BLOCKS AND CONSTRUCTION OF NEW 2 FORM ENTRY PRIMARY SCHOOL AND CHILDREN'S CENTRE. EXTERNAL RE-FENESTRATION AND RE-CLAD OF EXISTING TWO STOREY CLASSROOM BLOCK AND REMAINING EXISTING ACCOMMODATION. ALTERATIONS TO DEMOLISH EXISTING BOUNDARY WALL AND FENCING TO SITE FRONTAGES TO BAYSWATER ROAD AND WAYNFLETE ROAD WITH REPLACEMENT 2M HIGH BOWTOP FENCING; SITE RECONFIGURATION TO RE-ACCOMMODATE PARK

(Agenda No. 5)

The Committee considered an application (PN5) for the redevelopment of Bayards Hill Primary School to provide a two form entry primary school, children's centre and accommodation for Oxfordshire Music Services.

Mr Parkinson emphasised the importance of this proposal to the school and community. A great deal of effort had gone into the design which was both innovative and exciting. The school had originally been designed as a middle school and therefore had ample playing field space and would continue to have even after the development and there had been great disappointment over the objection lodged by Sport England. He urged the Committee to support the application.

Ms George explained that the Roundabout Centre currently had a good reach to families in the community but this development would improve that. The proposal would provide a smooth transition in a child's education from birth through to 11, support families in Barton and provide wrap around care. A great deal of effort had gone into progressing this scheme and she urged the Committee to support the application.

Responding to questions from:

Councillor Tanner – Ms George advised that it was not expected that numbers at the centre would increase dramatically if at all.

Councillor Crabbe – Mr Parkinson advised that the new building would provide better secured access for the school and the music service facility.

Councillor Seale – Mr Parkinson advised that if the application were refused the site could continue to function. However, in order to get the best out of the site for staff and pupils it was vital to adapt the old middle school and create a new fit for purpose primary school, as opposed to the old middle school and a stimulating environment.

Councillor Hannaby – Mr Parkinson reiterated that the site currently enjoyed a large area of playing field space which had been provided for the old middle school. The new design would still allow for at least the minimum playing field space required for a primary school whilst providing for a more rounded experience of outdoor life.

The County Archaeologist set out the position regarding the old Roman Road which crossed the site and which formed part of a 30 kilometre stretch of the Roman road

connecting Silchester to Watling Street, although most of the route had been destroyed by development. However, trials had confirmed that about 80 metres of the road had been well preserved on this site under the playing fields. The remains could have been scheduled but in his view the community value of this particular development outweighed the benefits of scheduling and refusing the application on archaeological grounds, particularly as the remains would be excavated and preserved and provide an opportunity during that preservation work to involve the children at the school.

Responding to questions from:

Councillor Crabbe – there were no significant remains under the buildings and that the preserved remains were to the west of the line of the proposed new build i.e. mainly under the playing fields. It was noted therefore that the site plan accompanying the report was not accurate in that respect.

Councillor Crabbe had some concerns regarding the loss of playing field space. Councillor Sanders shared those concerns and also referred to pressures on schools to forfeit playing field space for housing development.

Councillor Tanner referred to the benefits of this development to the whole community and the 'Very Good' BREEAM rating.

Mr Divall confirmed that the new school hall would provide gym facilities.

Mr Dance confirmed that the County Council as Strategic Planning Authority worked closely with the City Council on the Local Development Framework Core Strategy which proposed more housing and looked at the issue of school capacities.

Councillor Lindsey-Gale endorsed the comments made by the County Archaeologist which represented the most pragmatic approach.

RESOLVED: (on a motion by Councillor Lindsey-Gale, seconded by Councillor Owen and carried 12 votes to 1) that subject to the application not being called in by the Secretary of State Application Number R3.0206/09 be approved subject to conditions to be determined by the Head of Sustainable Development to include the following matters:

- (1) That the development must be carried out strictly in accordance with the particulars contained in the application and the plans accompanying (as amended) subject to conditions covering matters below.
- (2) That the development should commence within 3 years of the date of the permission.
- (3) That samples of the external materials of the proposed building (including the sedum roof) should be submitted and approved prior to the commencement of the development.
- (4) That no development should take place until the trees on the site which were to be retained and which were adjacent to or within the development area, had been protected during building operations by means of a protective fence around the edge of the canopy of the trees.

- (5) That the site be landscaped and planted with trees (including replacement trees) and shrubs in accordance with a comprehensive planting and landscaping scheme.
- (6) That all planting, seeding or turfing comprised in the approved details of landscaping should be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever was the sooner.
- (7) That prior to the commencement of the development full details of all boundary treatments (including fencing to the front of the site) should be submitted to and approved by the Head of Sustainable Development.
- (8) Prior to the commencement of the development a Construction Traffic Management Plan must be submitted and approved.
- (9) Prior to the commencement of the development written consent must be obtained from the relevant Highways Area Office for works to the proposed vehicular access.
- (10) That the final details of the cycle and scooter parking areas (including the provision of covered stands) should be submitted and approved prior to the commencement of the development.
- (11) Review and update School Travel Plan to take account of the proposed development.
- (12) No plant, temporary structures or materials should be deposited on the public footpath to the east of the site.
- (13) No development should commence until a staged programme of archaeological investigation and mitigation had been implemented in accordance with a written scheme of investigation. The programme of work should include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication. The work should be carried out by a professional archaeological organisation.
- (14) The remaining section of roman road surviving within the school grounds should be preserved in situ.
- (15) The development permitted should only be carried out in accordance with the Flood Risk Assessment submitted with the application.
- (16) That prior to commencement of the development details of a surface water drainage scheme for the site should be submitted and approved.
- (17) That prior to commencement of the development details of sustainable construction and energy efficiency measures to be incorporated into the new building should be submitted and approved. The development proposed should maintain a BREEAM status of 'Very Good' until completion of the development.
- (18) On completion of the development details of the layout of all winter and sports pitches laid out of the site should be submitted and approved.
- (19) No demolition work should commence until a 'Demolishing Buildings' form had been agreed and signed by all contractors working on the demolition.
- (20) If any bats were found at any point, all work should cease immediately and the Protected Species Officer contacted immediately.
- (21) Should demolition of the building take place later than August 2010, an updated bat survey must be carried out.
- (22) Vegetation removal should not take place during the bird breeding season - March-August inclusive.

116/09 ERECTION OF A SINGLE STOREY BUILDING TO PROVIDE A NEW CHILDREN'S CENTRE AND PRE-SCHOOL PLUS ASSOCIATED WORKS TO INCLUDE REARRANGEMENT OF EXISTING CAR PARKING AREA TO CREATE 3 ADDITIONAL CAR PARKING SPACES AND 1 MINI BUS PARKING SPACE, FENCING AND A FOOTPATH (TEMPORARY CONTRACTORS ACCESS TO BE VIA FIR TREE CLOSE) AT JOHN BLANDY PRIMARY SCHOOL, SOUTHMOOR, ABINGDON - APPLICATION R3.0011/10

(Agenda No. 6)

The Committee considered (PN6) an application for the erection of a single storey building to provide a new children's centre and replacement pre school accommodation at John Blandy School.

Mr Hunt referred to the overwhelming opposition of residents to this application. Fir Tree Close was a quiet residential area with a road layout of sweeping bends and blind corners. This development would generate significant increases in traffic levels, particularly as the proposal only provided for three additional parking spaces and 1 minibus space. The inevitable outcome therefore was for vehicles to park on the highway exacerbating road safety and placing residents many of whom were young and old vulnerable people at greater risk. The development would see functions timed from 8 am throughout the day to after school clubs. The proposal contravened local plan policies with no allowances made for loading and unloading and vehicles turning. A previous application for a private nursery in 1998 had failed on highway grounds and this application was bigger with a much higher user base and he urged the Committee to refuse the application on highway grounds.

Responding to questions from:

Councillor Hayward – he confirmed that Laurel Drive was not a through road.

Councillor Seale – if it was a through road his concerns would not be as great.

Ms Willoughby advised that the centre currently operated from the Village Hall but because of the demands placed on that building could only do so on 4 mornings a week. This offered a fantastic opportunity for children with shared use on the site allowing for transition through their education from birth to 11. The move to the shared site would also allow for costs to be reduced and an increase in real time with the children because of the need to do away with packing equipment away as was currently the case. The capital grant needed to be used by March 2011 and she urged the Committee to approve the application.

Ms Powell advised that the County Council had followed correct procurement rules. Of sites available in the 3 largest communities John Blandy school had the most surplus land. There were many advantages to be gained from encouraging pre-schools to share school sites where possible and in this particular case added value from building both projects.

Responding to a question from Councillor Hayward – both confirmed that there was no facility for expansion at the village hall.

Councillor Tilley recognised that there was some validity to the views of objectors but felt that overall they were outweighed by the advantages to be gained from the project. It was not inevitable that extra children necessarily meant extra traffic and provisions were being made to provide additional/alternative parking at the village hall. These facilities were badly needed particularly the Children's Centre which would basically be an administrative centre taking the service out to surrounding areas. She welcomed the formation of a Liaison Committee and urged the Committee to approve the application.

The Committee noted the amendments to the report as set out in the addenda sheet.

RESOLVED: (on a motion by Councillor Seale, seconded by Councillor Jelf and carried 12 votes to 1) that Application R3.0011/10 be approved subject to conditions to be determined by the Head of Sustainable Development to include the following matters:

- (1) The development must be carried out strictly in accordance with the particulars contained in the application and the plans.
- (2) Commencement of the development within 3 years.
- (3) Submission and agreement of external materials.
- (4) Submission of boundary fence details.
- (5) Submission of rear pedestrian fence design,
- (6) Submission of drainage details.
- (7) Submission of tree root protection zone details.
- (8) Submission of landscaping scheme (to include replacement tree and hedge planting).
- (9) Implement landscaping.
- (10) Hedgerow felling and coppicing should not take place during the bird breeding season
- (11) Submission and agreement of bat brick design and location
- (12) Update of the existing school travel plan
- (13) Submission and agreement of a combined travel plan (to include reference to the school, children centre and pre-school)
- (14) Submission and approval of the final car parking details
- (15) Submission and approval of cycle and buggy parking details.
- (16) School parking facilities to be used by the pre-school during the school holidays.
- (17) Submission and agreement of a Construction Management Plan.

Archaeological informative – County Archaeologist to be informed if any archaeological finds were uncovered.

Ecological informative – to deal with any issues arising if any protected species were found on site.

Drainage informative – Investigations to be carried out (in consultation with OCC Southern Area Office) into the existing drainage system in Fir Tree Close.

Liaison meeting informative – school to set up a liaison group with residents and the Parish Council to help the school encourage good parking practice by staff and visitors (particularly parents).

117/09 ERECTION OF TWO STOREY SIX CLASSROOM EXTENSION AND ASSOCIATED ALTERATIONS AND ADAPTIONS; REMOVAL OF 3 TEMPORARY CLASSROOMS, RELOCATION OF SCHOOL CAR PARKING AREA (INCLUDING ITS RELOCATION FOR A TEMPORARY PERIOD AND PROVISION OF TEMPORARY CONTRACTORS ACCESS AND COMPOUND AT THE GRANGE COMMUNITY PRIMARY SCHOOL, AVOCET WAY, BANBURY - APPLICATION R3.009/10

(Agenda No. 7)

The Committee considered (PN7) an application for the erection of a two storey six classroom extension following removal of temporary classrooms at the Grange Community Primary School.

Mr Presland advised that the selected site offered the best option with minimal disruption to education provision, avoidance of temporary relocation or new classrooms with no impact on existing playground areas. The proposal was for a two storey building because of constraint of area and trees but that would mean a smaller footprint and more external playspace. The building itself offered new rection facilities with better security and access.

Responding to questions from:

Councillor Nimmo-Smith – he advised that construction should be completed within 12 months.

Following discussion regarding BREEAM ratings Mr dance confirmed that where a substantial build was undertaken the general aim was to achieve a rating of very good.

Mr Presland confirmed that an assesment of the level of risk had confirmed that a sprinkler system was not required.

RESOLVED: (on a motion by Councillor Armitage, seconded by Councillor Owen and carried nem con) to approve Application Number R3.0009/10 subject to conditions to be determined by the Head of Sustainable Development to include the following matters:

1. The development must be carried out strictly in accordance with the particulars contained in the application and the plans (as amended).
2. Commencement of the development within 3 years.
3. Submission of external materials
4. Submission of construction traffic management plan – to include contractors working hours.
5. Submission of a replacement planting scheme
6. Planting, seeding or turfing to be carried out in the first planting season.

7. Tree protection measures.
8. No tree removal during the bird breeding season.
9. Tree removal to be carried out in accordance with the ecological method statement.
10. Submission of details showing how bats will be accommodated on the development site.
11. Removal of the temporary buildings from the school site.
12. Removal of the temporary car park and contractors compound at the end of the construction period and the restoration of the playing field.
13. Submission of full details of the canopy.

Archaeological informative – If archaeological finds did occur during development, the County Archaeologist should be notified in order that he might visit the site and advise as necessary.

Ecological informative - If any protected species not initially surveyed for were found at any point, all work should cease immediately. Work should not recommence until a full survey had been carried out, a mitigation strategy prepared and licence obtained (if necessary) in discussion and agreement with Natural England.

118/09 EXCAVATION OF STONE TO PROVIDE: 1. EXTENSION TO FARMYARD FOR AGRICULTURAL AND EQUESTRIAN ACTIVITIES; 2. CONSERVATION STONE FOR DRY STONE WALLING, BUILDING STONE AND FEATURE STONE; AND 3. WORKS TO FACILITATE HAUL ROAD AND RESTORATION OF LANDFORM AT STONE FARM, LIDSTONE - APPLICATION 09/1581/P/CM

(Agenda No. 8)

Application 09/1581/P/CM was not considered following withdrawal of the application by the applicants

..... in the Chair

Date of signing