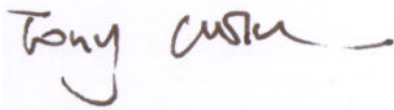


To: Members of the Planning & Regulation Committee

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

Monday, 12 April 2010 at 2.00 pm

County Hall



Tony Cloke
Assistant Head of Legal & Democratic Services

April 2010

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

Membership

Chairman – Councillor Steve Hayward
Deputy Chairman - Councillor Mrs Catherine Fulljames

Councillors

Alan Armitage
Anda Fitzgerald-O'Connor
Tim Hallchurch MBE
Jenny Hannaby
Ray Jelf

Peter Jones
Lorraine Lindsay-Gale
David Nimmo-Smith
Neil Owen
G.A. Reynolds

John Sanders
Don Seale
John Tanner

Notes:

- ***A site visit is required for Item 8 (Stone farm, Lidstone). Members are asked to meet on site at 10.00am. Lunch will be provided at County Hall at 12.00 midday.***
- ***Date of next meeting: 24 May 2010***

Declarations of Interest

This note briefly summarises the position on interests which you must declare at the meeting. Please refer to the Members' Code of Conduct in Section DD of the Constitution for a fuller description.

The duty to declare ...

You must always declare any "personal interest" in a matter under consideration, ie where the matter affects (either positively or negatively):

- (i) any of the financial and other interests which you are required to notify for inclusion in the statutory Register of Members' Interests; or
- (ii) your own well-being or financial position or that of any member of your family or any person with whom you have a close association more than it would affect other people in the County.

Whose interests are included ...

"Member of your family" in (ii) above includes spouses and partners and other relatives' spouses and partners, and extends to the employment and investment interests of relatives and friends and their involvement in other bodies of various descriptions. For a full list of what "relative" covers, please see the Code of Conduct.

When and what to declare ...

The best time to make any declaration is under the agenda item "Declarations of Interest". Under the Code you must declare not later than at the start of the item concerned or (if different) as soon as the interest "becomes apparent".

In making a declaration you must state the nature of the interest.

Taking part if you have an interest ...

Having made a declaration you may still take part in the debate and vote on the matter unless your personal interest is also a "prejudicial" interest.

"Prejudicial" interests ...

A prejudicial interest is one which a member of the public knowing the relevant facts would think so significant as to be likely to affect your judgment of the public interest.

What to do if your interest is prejudicial ...

If you have a prejudicial interest in any matter under consideration, you may remain in the room but only for the purpose of making representations, answering questions or giving evidence relating to the matter under consideration, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Exceptions ...

There are a few circumstances where you may regard yourself as not having a prejudicial interest or may participate even though you may have one. These, together with other rules about participation in the case of a prejudicial interest, are set out in paragraphs 10 – 12 of the Code.

Seeking Advice ...

It is your responsibility to decide whether any of these provisions apply to you in particular circumstances, but you may wish to seek the advice of the Monitoring Officer before the meeting.

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**

To approve the minutes of the meeting held on 15 February 2010 and to receive for information any matters arising therefrom.

4. **Petitions and Public Address**
5. **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 Waynfilete Road with replacement 2m high bowtop fencing; site reconfiguration to re-accommodate parking and create new vehicular entrance and exit at Bayards Hill Primary School, Waynfilete Road, Oxford – Application R3.0206/09**

Report by the Head of Sustainable Development (PN5)

This application is for the redevelopment of the Bayards Hill Primary School site located on the eastern edge of Oxford to provide a two form entry primary school, a children's centre and accommodation for Oxfordshire Music Services. The application proposes the demolition of parts of the existing school buildings and the construction of new accommodation. Works to on site parking areas, vehicle and pedestrian entrances, playing fields, boundaries and improvements to the retained buildings are also proposed. Objections have been received in relation to the impact the proposed development would have on the sites existing playing fields and the sustainability of the new development. These objections are summarised in the report, along with the responses from other consultees.

The Committee is RECOMMENDED subject to the development not being called in by the Secretary of State to approve Application Number R3.0206/09 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 shall 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) shall be submitted and approved prior to the commencement of the development.**
- (4) That no development shall take place until the trees on the site which are to be retained and which are adjacent to or within the development area, have 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 shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is 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) shall 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 shall commence until a staged programme of archaeological investigation and mitigation has been implemented in accordance with a written scheme of investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication. The work shall 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 shall only be carried out in accordance with the Flood Risk Assessment submitted with the application.**
- (16) That prior to the commencement of the development details of a surface water drainage scheme for the site shall be submitted and approved.**
- (17) That prior to the commencement of the development details of sustainable construction and energy efficiency measures to be incorporated into the new building shall be submitted and approved. The development proposed shall maintain a BREEAM status of 'Very Good' until the 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 shall be submitted and approved.**
- (19) No demolition work shall commence until a 'Demolishing Buildings' form**

has been agreed and signed by all contractors working on the demolition.

- (20) If any bats are 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, which is March-August inclusive.

6. 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

Report by Head of Sustainable Development (PN6)

This application is for the erection of a single storey building to provide a new children's centre and replacement pre school accommodation at John Blandy Primary School, Southmoor. The proposal also involves the rearrangement of the existing car park to provide 4 additional parking spaces, creation of a new footpath within the school site and fencing. The application is being reported to this Committee as objections have been received to the proposal. The report describes the development and considers the consultation replies and objections and other responses to the application against relevant planning policies.

It is RECOMMENDED 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 are uncovered.

Ecological informative – to deal with any issues arising if any protected species are 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.

Water meeting informative – school to set up liaison meeting with local residents to discuss issues of mutual concern and benefit.

- 7. Erection of two storey six classroom extension and associated alterations and adaptations; 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 R3.0009/10**

Report by Head of Sustainable Development (PN7)

This application is for the erection of a two storey six classroom extension, and the removal of one double, and three single temporary classroom buildings at the Grange Community Primary School. The proposal also involves the relocation of the school car parking area (including its relocation for a temporary period during the construction period), and provision of a temporary contractors access and compound on the school playing field. The report outlines the consultation responses, objections to the application, relevant planning policies and comments of the Head of Sustainable Development.

It is RECOMMENDED 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 do occur during development, the County Archaeologist shall be notified in order that he may visit the site and advise as necessary.

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

8. **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**

Report by Head of Sustainable Development (PN8).

This is an application for the extraction of stone from a site at a farm in the village of Lidstone, West Oxfordshire. This is proposed to provide stone for building and walling and allow the site to be restored to form an extended farmyard. It is proposed to construct a new access track to the site to allow traffic associated with the development to avoid the village. There has been an objection to this application from Transport Development Control as they consider that the local highway network is unsuitable for the type of vehicle proposed. West Oxfordshire District Council have also objected, as the information submitted does not demonstrate that there would be no harm to the local landscape character. There have also been a number of letters of objection from local residents.

It is RECOMMENDED that planning permission for application 09/1581/P/CM be refused for the following reasons:

- (1) the proposed development is contrary to WOLP policy BE1 in that the surrounding transport infrastructure is not appropriate to take the HGV's which would be generated by the development;
- (2) the proposed development is contrary to OMWLP policy SD3 in that it is a new limestone quarry that does not meet the criteria which allows exception to the normal policy that allows small quarries to supply traditional local building stone;
- (3) the proposed development is contrary to WOLP policies NE1 and NE3 in

that the application has not demonstrated that there would be no harm to the local landscape character or that it would maintain the value of the countryside;

- (4) the application has not provided full details of the working arrangements demonstrating that the site area is feasible for this development, contrary to sections 3 and 4 of the OMWLP Code of Practice and policy PE18.

Pre-Meeting Briefing

A pre-meeting briefing has been arranged at County Hall on **Thursday 8 April at 11 am** for the Chairman, Deputy Chairman and Opposition Group Spokesman.

Agenda Item 3

PLANNING & REGULATION COMMITTEE

MINUTES of the meeting held on Monday, 15 February 2010 commencing at 2.00 pm and finishing at 5.25 pm

Present:

Voting Members: Councillor Steve Hayward – in the Chair

Councillor Alan Armitage
Councillor Mrs Anda Fitzgerald-O'Connor
Councillor Tim Hallchurch MBE
Councillor Jenny Hannaby
Councillor Ian Hudspeth (In place of Councillor Mrs Catherine Fulljames)
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 Keith Mitchell (for Agenda Item 12)

Officers:

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

Part of meeting

Agenda Item

5

6 & 10

7 & 8

9

11

12

Officer Attending

J. Hamilton (Environment & Economy)

M. Thompson (Environment & Economy)

A. Divall (Environment & Economy)

J. Irvine (Environment & Economy)

J. Duncalfe (Environment & Economy)

A. Sylvester (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.

78/09 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

Apology for Absence	Temporary Appointment
Councillor Mrs C Fulljames	Councillor Ian Hudspeth

79/09 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE OPPOSITE

(Agenda No. 2)

Councillor	Item	Nature of Interest
Reynolds	7. Deddington Depot - Application R3.0079/09 and 8. The Corner House, Victoria Road, Bicester – Application R3.0203/09	Personal. Member of Cherwell District Council Planning Committee. He advised that as he had not expressed an opinion on either application in that capacity he intended to take part in discussions and voting on both items.
Councillor Ian Hudspeth Councillor Peter Jones	9. Great Tew Quarry – Application Application 09/1328/P/CM	Personal. Chairman of the Minerals & Waste Planning Working Group (Advisory) Personal. Member of the Minerals & Waste Planning Working Group (Advisory) Both advised that they intended to take part in the discussion and voting on Item 9

80/09 MINUTES
(Agenda No. 3)

The minutes of the meeting held on 11 January 2010 were approved and signed.

Minute 75/09 – Wallingford Youth Centre, Clapcot Way, Wallingford – Application R3.0181/09

Mr Dance advised that in order to investigate the effects of the proposed office block on neighbouring properties a full daylight study had been commissioned. That study was ongoing and no permission had yet been issued.

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

Mr Dance advised that the legal agreement had now been signed and planning permission would now be issued.

81/09 PETITIONS AND PUBLIC ADDRESS
(Agenda No. 4)

Speaker	Item
Michael Tyce Stephen Harrod Clare Abolins James Cunningham Councillor David Turner))) 5. Great Milton CE School) Application R3.0188/09)
Edward Way	6. Great Tew School – Application 09/1608/P/CD3
Nicholas Johnston	11. Great Tew Quarry – Application 09/1328/P/CM
Michael Shotton Susan Weston Councillor Keith Mitchell)) 12. Bodicote FP8 and Bloxham FP2)

82/09 PUBLIC RIGHT OF WAY DIVERSION - OBJECTED TO ORDER (BODICOTE FOOTPATH NO8 AND BLOXHAM FOOTPATH NO 2).
(Agenda No. 12)

The Committee considered (PN12) objections received to a diversion order for part of Bodicote FP8 and part of Bloxham FP2 the effect of which would be to reroute the footpaths from their current line along the front of Bodicote Mill to a route along the eastern boundary of the site.

Mr Shotton referred to the overwhelming number of objections to the Order and yet County had deemed that it fulfilled Highways Act criteria. The applicant had bought the property in full awareness of the existence of the line of the path and he and others did not accept that there were security and privacy issues nor did they accept that it was not substantially less convenient to the public but would effect public enjoyment of the path. There would be a considerable cost to the public purse from a public hearing together with ongoing maintenance costs for a bridge which could no longer be crossed. There were also questions of priority between a single landowner and the general public and he asked the Committee to withdraw the Order.

Susan Weston advised that the order if confirmed would be of significant benefit to their privacy while allowing continued use of the path. The line of the path itself was only three feet from the front of the house and was a constant source of shock and embarrassment to her family and walkers alike. There had been damage to their property and the path crossed the route from the main house to the Annex which was used by her elderly mother. She asked the Committee to support her family's desire for privacy and security.

Councillor Mitchell advised that although there had been objections those objections represented a small proportion of the local population. He accepted the concerns of the residents of the Old Mill regarding security and privacy were genuine as the property was isolated. It was a popular walk but a viable alternative had been proposed. The owners were entitled to test the law and seek the views of an independent Inspector at Inquiry and he asked the Committee to allow that to happen.

Councillor Tanner did not feel the report had given a balanced view and that any decision taken now to secure a diversion would impact on this path long after the current situation had changed. He considered the application should be withdrawn.

Councillor Owen and Councillor Seale considered that the applicants were entitled to make this application and as such the costs of the Inquiry were irrelevant.

RESOLVED: (on a motion by Councillor Reynolds, seconded by Councillor Hudspeth and carried by 13 votes to 2) to submit the objected to order for Bodicote Footpath 8 and Bloxham 2 to the Secretary of State for Environment, Food and Rural Affairs for determination

83/09 DEMOLITION OF DETACHED TEMPORARY CLASSROOM/COMMUNITY RESOURCES BUILDING AND BRICK STORE AND ERECTION OF A SINGLE STOREY BUILDING TO PROVIDE A NEW CHILDREN'S CENTRE AND ERECTION OF EXTENSIONS TO THE EXISTING SCHOOL BUILDING TO PROVIDE A REPLACEMENT CLASSROOM/COMMUNITY RESOURCE AREA, READING ROOM AND REPLACEMENT STORE PLUS ASSOCIATED EXTERNAL WORKS - GREAT MILTON CE SCHOOL, THE GREEN, GREAT MILTON - APPLICATION R3.0188/09

(Agenda No. 5)

The Committee considered (PN5) an application for a single storey Children's Centre and replacement accommodation at Great Milton CE School.

Mr Tyce advised that this represented inappropriate development in the Green Belt and was opposed by CPRE and many local residents. There was no objection in principle to provision of a Children's Centre but such provision should be central to the catchment area it served, well served by public transport and not in the green belt. This site did not meet any of those criteria. Additionally this development would exacerbate the severe traffic congestion which existed in this area.

Mr Harrod advised that the Parish Council did not object to the development of the school but had serious concerns about provision of a Children's Centre. There was a great deal of local opposition due to increased traffic and lack of provision for adequate parking – all to the detriment of safety for local residents. The development contravened four local plan policies and would result in further overcrowding on an already overcrowded site. The Children's Centre would be better sited in a more central location and the Parish Council had serious misgivings regarding the procurement process and had submitted an Article 14 Direction to the Secretary of State. In the light of that he asked the Committee to refuse the application.

Responding to a question from Councillor Hannaby he confirmed that the Parish Council felt that access to the Children's Centre would be better served if sited in Wheatley.

Mr Cunningham and Ms Abolins spoke in support of the application. Mr Cunningham (School Governors) thanked the Parish Council for their support for the development of the school. Regarding the Children's Centre he advised that as it would not be operating in peak times it would not add to the problems of congestion at the school.

Ms Abolins (CYP&F) confirmed that the County Council had followed procurement rules. There had been countywide consultation and this site offered clear benefits through good use of space and site and value for money as development of the school and provision of the new Centre would take place simultaneously. There was also security of tenure. She was confident that the centre would prove to be an effective base for this area.

Responding to questions from –

Councillor Seale – Mr Cunningham confirmed that there procedures were in place to secure the site.

Councillor Tanner – Ms Abolins confirmed that the decision to locate at this site had not been taken on a cost only basis, that other sites had applied and that Great Milton had been considered to be the most appropriate.

Councillor Armitage – Ms Abolins confirmed that the Centre not operating at peak times would not detract from its effectiveness.

Councillor David Turner supported the Rural Children's Centres Project but felt he had to convey the concerns of local residents about increased traffic and road safety issues, which were a real problem at the school at peak hour delivery and collection times. He had hoped that discussions with officers and local people would have

enabled a compromise to be reached to solve these issues through provision of alternative parking and dispersal of some of the traffic. He felt that the Committee should have visited the site to see at first hand the problems that existed. There was also an issue which the Committee needed to consider regarding the numbers of vehicles likely to visit the site if permission was granted compared with recent months when the Centre had been operating from the school without a dedicated building. He did not want to see this area lose the Children's centre, which he supported but he urged that more attention be given to the parking issues.

He responded to questions from –

Councillor Seale and Councillor Jelf - he did not want to see the application refused but more thought was needed to address traffic issues. The Committee had before it one site which it needed to consider.

Councillor Armitage – with regard to further aggravating traffic levels it would be important to stagger times to lessen that impact.

Mr Hamilton confirmed that officers had amended their recommendation as set out in the addenda following confirmation from the Government Office for the South East that they had received a request to call in the application.

The Committee recognised that levels of parking on the site were inappropriate but that provision of a rural children's centre was important.

RESOLVED: (on a motion by Councillor Sanders, seconded by Councillor Tanner and carried 13 votes to 1) that subject to the development not being called in by the Secretary of State to authorise the Head of Sustainable Development to grant permission for Application No. R3.0188/09 (for the demolition of a temporary classroom/community resources building and brick built store and the erection of a single storey building to provide a children's centre, and the erection of extensions to provide replacement classroom and community resources facility, reading room and replacement store, along with associated external works; at Great Milton C of E School) subject to:

- (a) the applicant first (before a planning permission was issued) securing and if necessary obtaining planning permission for suitable alternative temporary arrangements for parking for use by the school during the period of construction;
- (b) 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 subject to conditions below.
 - 2. That the development should all commence within 3 years of the date of the permission.

3. That samples of the external materials proposed to be used should all be submitted to and approved in writing by the Head of Sustainable Development prior to commencement of 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 first approved by the Head of Sustainable Development.
6. That all planting, seeding or turfing comprised in the approved details of landscaping should be carried out in the first planting season following occupation of the buildings or the completion of the development, whichever was sooner.
7. The hours of operation of the children's centre for use by the public should not allow use between 8.00 to 9.15 am and 2.45 to 3.30 pm Monday to Friday during term time.
8. The hours of use of the children's centre at other times (including outside school hours) should be submitted for agreement by the Head of Sustainable Development before any use of the Centre commenced.
9. That the high split level windows on the western elevation of the proposed children's centre building should be frosted or glazed with obscure glass.
10. That prior to the commencement of the development full details of any additional proposed lighting, should be submitted to and approved by the Head of Sustainable Development.
11. That prior to the first occupation of the children's centre building the existing school Travel Plan for the site should be updated and submitted to the Head of Sustainable Development for approval.
12. That prior to the commencement of the development details of a sustainable drainage scheme for the proposed site should be submitted to and approved in writing by the Head of Sustainable Development.
13. Vegetation removal should not take place during the bird breeding season, which is March-August inclusive. If any trees and/or bushes needed to be removed during this time, they would need to be checked over by an ecological consultant immediately prior to removal to ensure there were no nesting birds present. If nesting birds were present, the vegetation could not be removed until the birds had fledged.
14. 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.
15. The existing pond should not be removed until a new pond had been created in a position to be agreed by the Head of Sustainable Development.
16. The existing pond should not be removed except in the months of August, September and October. The pond should be drained gradually and the plant material removed from it stacked by the side of

- the pond for at least 24 hours to allow any animals trapped to escape before the vegetation was removed.
17. Details of the proposals to create habitats for bats in the new buildings should be submitted for agreement by the Head of Sustainable Development.
 18. If any works were planned to occur later than April 2010, the submitted protected species survey must be updated.
 19. Details of proposals for the formation of 3 additional on site parking spaces should be submitted and agreed by the Head of Sustainable Development before development commenced.
 20. Details of a construction traffic management plan (to include details of times of delivery of materials) should be submitted and agreed by the Head of Sustainable Development before development commenced.

Archaeological Informative – if archaeological finds occurred during development the County Archaeologist should be notified in order that he might visit the site and advise as necessary.

84/09 TEMPORARY (FOR A MAXIMUM OF 3 YEARS) CLASSROOM (PORTAKABIN TYPE) SITED ON EXISTING PLAY PITCH AT GREAT TEW SCHOOL, THE GREEN, GREAT TEW - APPLICATION 09/1608/P/CD3
(Agenda No. 6)

The Committee considered (PN6) an application for a temporary classroom at Great Tew school along with objections received to the application.

Edward Way advised that numbers at the school had increased dramatically in recent years and the school now needed to expand to meet that need. This application provided an interim solution pending completion of a three year development plan which was already at an advanced stage and he was confident that the school would have a new building in three years.

RESOLVED (on a motion by Councillor Hudspeth , seconded by Councillor Owen and carried by 13 votes to 0) that application No. 09/1608/P/CD3 be approved subject to the following conditions:

1. development in accordance with submitted plans and particulars;
2. development to commence within 3 years of permission;
3. temporary consent – 3 years or when a permanent extension/building is provided, whichever was sooner;
4. tree protection during construction works.
5. no development to take place until a landscaping scheme including the details of trees to be planted had been submitted and approved;
6. the landscaping scheme should be implemented in the first planting season;
7. no development to commence until details of the external paint colour had been submitted and approved.

85/09 OUTLINE APPLICATION FOR THE DEMOLITION OF EXISTING TRANSPORTABLE OFFICE BUILDINGS AND ERECTION OF TWO STOREY PERMANENT OFFICE BUILDING; FORMALISATION OF EXISTING PARKING AREA TO PROVIDE 10 DEDICATED SPACES AT DEDDINGTON DEPOT, BANBURY ROAD, DEDDINGTON - APPLICATION R3.0079/09

(Agenda No. 7)

The Committee considered (PN7) an application for outline planning permission for the demolition of existing buildings and erection of a replacement two storey permanent office building along with objections received to the application.

Councillor Jelf expressed some concerns regarding the intrusiveness of a two story building on views from the Deddington direction and suggested a single storey development.

Councillor Hudspeth highlighted the urgent need for this development and felt that the impact from a two storey building would not be any greater than that from the existing buildings.

Mr Dance advised that major changes could not be made to the application but suggested that the Committee could consider placing a condition to secure a height restriction.

The Committee asked for an undertaking that the Detailed Reserved Matters Application be considered by the Planning & Regulation Committee irrespective of whether or not objections were received

RESOLVED: (on a motion by the Chairman, duly seconded and carried by 11 votes to 3) to approve Application Number R3.0079/09 for outline approval for the demolition of existing transportable office buildings and erection of two storey permanent office building; formalisation of existing parking area to provide 10 dedicated spaces subject to conditions to be determined by the Head of Sustainable Development to include the following matters:

1. outline compliance – that the development must be carried out strictly in accordance with the particulars contained in the application and the plans accompanying with any approval given in respect of any subsequent reserved matters;
2. application for approval of the reserved matters to be made not later than 3 years of the date of the permission;
3. that details of the design, materials and height of the proposed building should be submitted and approved prior to the commencement of the development;
4. that details of the sustainable features of the proposed building should be submitted and approved prior to the commencement of the development;
5. that details of the proposed car parking layout and vehicle and pedestrian access points and routes should be submitted and approved (in consultation with the Local Highway Authority) prior to the commencement of the development. Any details approved should be implemented before the development had been brought into use;

6. the development should not commence until the final details of a self-contained powered sewerage package plant to serve the proposed building had been submitted and approved (in consultation with the Environment Agency). Any details approved should be implemented before the development had been brought into use;
7. if during development contamination was found to be present on site, then no further development should be carried out until a method statement detailing how this contamination should be dealt with, had been submitted and approved (in consultation with the Environment Agency); and
8. 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;
9. a maximum height of the building;
10. provision of adequate screening to the south west.

Ecological informative – Prior to the submission of any reserved matters application the applicant should contact the County Ecologist for advice on ecological issues associated with any reserved matters application.

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

Environment Agency Informative - Any open chemical or refuse storage areas should be surrounded by suitable liquid tight bunded compounds to prevent drainage from these areas discharging into the surface water system. These areas should drain to the sealed tanks.

Environment Agency Informative - Any above ground oil storage tank(s) should be sited on impervious base and surrounded by a suitable liquid tight bunded compounds. No drainage outlet should be provided. The bunded area should be capable of containing 110% of the volume of the largest tank and all fill pipes, draw pipes and sight gauges should be enclosed within its curtilage. The vent pipes should be directed downwards into the bund.

86/09 CHANGE OF USE OF BUILDING FROM USE CLASS B1 (OFFICES) TO CLASS D1 (ADULT LEARNING CENTRE) - THE CORNER HOUSE, VICTORIA ROAD, BICESTER - APPLICATION R3.0203/09

(Agenda No. 8)

The Committee considered (PN8) an application for the change of use of an existing building (known as the Corner House) from office use to that of an adult learning training centre.

RESOLVED: (on a motion by Councillor Hallchurch, seconded by Councillor Seale and carried 12 votes to 0) to approve Application Number R3.0203/09 for the change of use of building from use class B1 (offices) to class D1 (adult learning training centre), 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 subject to conditions covering matters below;
2. that the development should commence within 3 years of the date of the permission;
3. the hours of use of the building should be restricted to between 8:30am and 5:30pm Monday to Friday;
4. that prior to the commencement of the development a scheme for the provision of signage on the building and in its vicinity to deter unauthorised parking should be submitted and approved. All erected signs should be maintained for the duration of the use of the building as an Adult Learning Training Centre; and
5. within 6 months of the first occupation of the building a Travel Plan for the site should be prepared and submitted for approval and implemented and updated appropriately.

87/09 TO EXTEND MINERAL EXTRACTION AND ALTER SCHEME OF WORKING AND RESTORATION AT GREAT TEW BROWN IRONSTONE QUARRY. PROPOSED DEVELOPMENT INCLUDES THE INSTALLATION OF A STONE SAW SHED, MODIFICATION AND RETENTION OF A SCHEMING LANDFORM AND EXTENSION OF THE FARM SITE AT THE QUARRY FARM SITE. APPROVAL IS ALSO SOUGHT FOR MINOR CHANGES TO THE BUILT GRAIN STORE DEVELOPMENT AND TO CONSOLIDATE HISTORIC PERMISSION - GREAT TEW QUARRY, GREAT TEW

(Agenda No. 9)

The Committee considered an application to extend a phase of mineral extraction and erect a stone saw shed and two new agricultural buildings to relocate livestock farming operations from elsewhere on the estate.

Nicholas Johnston thanked officers for carrying out a diligent and objective process. This application was an important element of the Estate's long term management plan to ensure employment during uncertain times for the rural economy.

RESOLVED: (on a motion by Councillor Hudspeth seconded by Councillor Owen and carried 12 votes to 0) that:

- (a) subject to a legal agreement requiring:
 - (i) public access to the geological feature,
 - (ii) a management plan including a programme of monitoring to operate for 20 years over and above the 5 year after care period;
 - (iii) funding for the implementation of the management plan;
 - (iv) the applicant not to further implement any quarry operations approved under previous planning permissions;

that planning permission be granted for the development proposed in Application 09/1328/P/CM subject to conditions to be determined by the Head of Sustainable Development but to cover matters included in Annex 1 to the report PN9;

- (b) if the legal agreement referred to in (a) above was not completed within 10 weeks of the date of this meeting the Head of Sustainable Development be authorised to refuse the application on the grounds that it would not comply with South East Plan policy NRM5 in that there would be no satisfactory provision for the long term management of the restored site.

88/09 RE-USE OF AN EXISTING BUILDING FOR A WASTE TYRE AND CATERPILLAR TRACK RECYCLING FACILITY, HANDLING APPROXIMATELY 3500 TONNES OF WASTE TYRES PER YEAR - CULHAM NO 4 SITE - APPLICATION NO P07/W0631/CM

(Agenda No. 10)

Application P07/W0631/CM had been withdrawn at the request of the applicants.

89/09 PROCESSING PLANT FOR RECYCLED AGGREGATES - GILL MILL QUARRY, DUCKLINGTON - APPLICATION 09/0047/P/CM

(Agenda No. 11)

The Committee considered (PN11) an application for the erection and use of a washing plant to recycle suitable inert waste materials for use as aggregate on a site within Gill Mill Quarry for the life of the quarry having noted an amendment in paragraph 54 that “not “ in line 1 should have read “now”.

RESOLVED: (on a motion by Councillor Seale, seconded by Councillor Owen and carried 12 votes to 0) that subject to a routeing agreement to prevent heavy goods vehicles from travelling to and from the south on the A415 planning permission be granted for the development outlined in application 09/0047/P/CM subject to conditions to be determined by the Head of Sustainable Development to cover matters including those set out below:

1. complete compliance;
2. commencement date;
3. completion and restoration by 2021;
4. restoration as per existing quarry permission;
5. surface water drainage scheme to be submitted and agreed;
6. compliance with submitted flood risk assessment and mitigation measures;
7. opening hours to be agreed;
8. existing vegetation to be retained;
9. noise mitigation as for existing quarry;
10. details of a lighting scheme to be submitted and agreed;
11. use of existing access only;
12. details of bund construction and their maintenance to be submitted and agreed;
13. external elevations of plant to be painted a dark green colour.

Thames Water informative: take account of Thames Water water pressures.

..... in the Chair

Date of signing

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Contact Officer: Alan Divall Tel: Oxford 815886

Division Affected: Barton and Churchill

PLANNING & REGULATION COMMITTEE – 12 APRIL 2010

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 PARKING AND CREATE NEW VEHICULAR ENTRANCE AND EXIT

Location:

Bayards Hill Primary School, Waynflete Road, Oxford, Oxfordshire, OX3 9NU.

Applicant: Oxfordshire County Council

Application No: R3.0206/09

District Council Area: Oxford City

Introduction

1. This application is for the redevelopment of the Bayards Hill Primary School site to provide a two form entry primary school, a children's centre and accommodation for Oxfordshire Music Services. The application proposes the demolition of parts of the existing school buildings and the construction of new accommodation. Works to on site parking areas, vehicle and pedestrian entrances, playing fields, boundaries and improvements to the retained buildings are also proposed.

Location (see site plan)

2. Bayards Hill Primary School (formerly the Bayswater Middle School site) is located on the eastern edge of Oxford, in Barton. The site is located off Waynflete Road which joins Bayswater Road which links to the A40 (London Road) at the Headington Roundabout.

Site and Setting (see site plan)

3. The application site is bordered on three sides by roads, the A40 (London Road) to the south, Waynflete Road and Bayswater Road to the north and north west. To the north of Waynflete Road and Bayswater Road are, in the majority, two storey semi-detached residential properties. Immediately abutting the site to the west is an old people's home whilst to the east, separated by a public footpath, is the site of the former Omerod School. On the north east corner of the site is the Barton community swimming pool which is operated by Oxford City Council. The main vehicle and pedestrian accesses into the site are located off Waynflete Road; there is also a secondary vehicle entrance off Bayswater Road. Parking areas occupy areas along the northern boundary of the site.
4. The existing school buildings consist predominately of those from the original Bayswater Middle School; these are 1950's brown brick clad flat roof buildings of single and two storey construction. Recent developments on the site include the construction of new music facilities (also used by the Oxfordshire Music Service) in 2002 and two single storey pitched roofed buildings constructed in 2003 which accommodate Key Stage 1 and Nursery Classes.
5. The school playing fields are located to the south of the school buildings, running parallel with the southern and eastern boundaries. The current playing field covers an area of approximately 17,000sqm. The course of the Dorchester-on-Thames to Alchester Roman Road runs north/south through the centre of the site.

Background and Details of the Development

Aim of the Development

6. This development is one of two developments in Oxfordshire funded through the Primary Capital Programme (PCP). The project aims to provide facilities for children aged 0-11 years through integrating a number of services onto one site and replacing existing inadequate accommodation. The redevelopment of this site would provide the following accommodation:
 - A two form entry primary school consisting of 12 Key Stage 1 and Key Stage 2 classrooms and associated foundation stage teaching spaces (currently located on the site);
 - The Roundabout Day Nursery and Family and Community Support Service (currently located on the adjacent Ormorod site);
 - Accommodation for Oxfordshire County Council's Music Service (currently located on the site).

Existing Buildings

7. The existing buildings on the site were designed as a middle school. The sizes of the classrooms are fit for purpose but there are a number of suitability issues which result in problems with the operation of the school. These include: poor security, poor circulation space, and a lack of withdrawal areas for children with special needs. The existing buildings are 1950's concrete framed structures which are costly to maintain, repair and heat.
8. The application proposes the demolition of the existing early years buildings and the eastern wing of the main school and gym. The existing school hall, kitchen, dining facilities, plant room, main entrance, music services accommodation and the two storey teaching block would be retained and improved in appearance and operation. The retained buildings would be rendered, re-clad and have new windows.

Design of the New Buildings

9. The new building would be constructed on the existing parking areas at the front of the site and part of the school playing field. This would provide an additional 1,300sqm of floorspace. New parking would be provided in the north west corner of the site where the early years accommodation is currently located. This would result in 8 additional parking spaces (including 1 disabled space) for use by staff of the Roundabout Centre. At present there are two vehicle entrances off Waynflete. The proposal is to have a single two-way entrance. On completion of the works the existing vehicle entrance from Bayswater Road would be closed to vehicles and used as a pedestrian entrance only. Other pedestrian entrances (including a main entrance) would be provided from Waynflete Road.
10. The new building would be single storey but has been designed and positioned on the site in order to provide the school with a new visual identity. The front of the building would be constructed of buff brickwork to match recent builds at the school with coloured render panels to add interest. This front element of the building and the Roundabout Centre would have a sedum (grass) roof. The rear wings of the building have been designed to give the building a different identity. Although also constructed in buff brickwork they would have a peaked tiled roof.

Trees

11. A number of small ornamental trees and shrubs would be removed. The majority of trees across the site (particularly the more significant ones on the western side) would be retained, the application proposes new planting to improve the landscaping of the school.

Open Space

12. The application proposes a redesign of sports pitches laid out across the playing fields, new hard play areas and new external play areas and spaces. This includes areas set aside for 'learning through landscapes' which are designated areas for learning outside of the classroom. The amount of open grassed playing field on the site would be reduced from 1.7 hectares to 0.9 hectares.

Hours of Use

13. Hours of use of the primary school buildings and the music service would not change from existing arrangements. The school currently opens during normal school hours and due to the evening use of the site for the Music Service the buildings close at 10pm Monday to Thursday and 6pm on Friday. During the weekend the Music Service operates on a Saturday morning 8am to 1pm (with some occasional all day workshops and evening concerts) and occasional use during Sundays. The Roundabout Centre would be a new use on the site and its times of operation would be 8am to 6pm Monday to Friday, including school holidays.

Sustainability

14. The new building is proposed to have a BREEAM rating of 'Very Good'. In addition to the sedum roof the application proposes:
 - The use of a biomass boiler - this will seek to reduce CO2 emissions by approximately 80% compared to a gas boiler;
 - Earth tubes - these draw fresh air from underground (at 10 degrees) to cool or heat air within classrooms;
 - The use of energy efficient lights and the use of automatic controls to ensure unoccupied areas of the building are not unnecessary illuminated;
 - The replacement of the existing buildings windows with double glazing to improve the thermal properties;
 - The use of variable speed heating pumps which ensure that only the required amount of heating fluid is used in the different zones of the building;
 - The use of reclaimed or recycled materials during construction. The demolition of the existing buildings would be carried out in a way which enables materials to be crushed and used as hardcore on site. New building materials would be researched and where possible Building Research Establishment 'A+' and 'A' materials (those materials rated with the highest environmental performance) would be specified.

Consultations

15. **Oxford City Council** – Object. The application is not accompanied by Natural Resource Impact Analysis to demonstrate how a development of this scale and nature would minimise the use of natural resources. An objection has also been received from Sport England and as such the development is considered contrary to policy SR2 of the OLP.

Sport England – Object. Concerned that the application will result in a significant loss of playing field land that provides an important resource for the school and the local community. The location of the new building would compromise the area available for pitches and a grassed athletics track. As such the application fails to demonstrate that it meets with any of the specific circumstances of our adopted Playing Fields Policy. Should the Council be minded to approve the application it should be referred to the Government Office for the South East in line with the Town and Country Planning (Consultation) (England) Direction, 2009.

Environment Agency (EA) – The EA originally objected to the development on the grounds that the Flood Risk Assessment (FRA) submitted with application did not comply with PPS25 in that it was not demonstrated that a suitable surface water drainage scheme could be provided. The EA have now withdrawn their objection (subject to conditions) as further information has been provided which satisfies their concerns.

Archaeology – Due to the alignment of a Roman Road running on a north south orientation through the school grounds pre-application archaeological investigations have taken place. These revealed the presence of two parallel linear anomalies running on the same alignment as the Roman road. These were interpreted as the flanking ditches of the Roman road. Because this section of the Roman road is well preserved, and very few intact sections of this road survive we classify this as a feature of national importance. Under current planning policy guidance, there is a presumption in favour of *in situ* physical preservation of all nationally important sites. However, it is clear that this is a major school redevelopment that is essential to the well being and future education of the local community, and will not be feasible without some adverse effect on part of this nationally important site. Provided the part of the road impacted by this development is properly investigated and recorded (i.e. ‘preservation by record’) the Council should take all appropriate measures to ensure that the remaining section of road surviving within the school grounds is guaranteed full protection for the future. We would therefore recommend that the applicant should be responsible for implementing a staged programme of archaeological work over the specific areas affected by the development. A separate condition should be attached to the permission covering proposals for the *in situ* preservation of the remaining section of Roman road.

Transport Development Control – No objection subject to conditions and the submission of further information before any permission is issued about a) vehicular access during the construction period and b) visibility splays at the proposed vehicle access. Further information has been submitted on points a) and b) to the satisfaction of Transport Development Control Officers.

County Forester – No objection provided tree protection measures are put in place and maintained throughout the construction process.

Rights of Way – No objection. No plant, temporary structures or materials should be deposited on the public footpath to the east of the site.

County Ecologist – A bat survey has been carried out which did not indicate the presence of bats in the buildings to be demolished. Therefore no objection subject to conditions.

Third Party Representations (Copies of these letters are available in the Member's Resource Centre)

16. We have received two letters from neighbouring residents. Neither object to the development but they have made the following points:
- The new entrance does not appear wide enough and would increase queuing in Waynflete Road and Bayswater Road and restrict access for emergency vehicles;
 - The new car parking area should be well drained as heavy rain fall runs off into Waynflette Road.

Development Plan and other Policies

17. Planning applications should be decided in accordance with the development plan unless material considerations indicate otherwise. The relevant development plan documents are:

The South East Plan Regional Spatial Strategy 2026 (RSS). The relevant policies are as follows: BE6, CC1, CC4, CC6, NRM4.

Oxford Local Plan 2016 (OLP). The relevant policies are as follows: CP1, CP3, CP6, CP7, CP8, CP9, CP11, CP15, CP17, CP18, NE10, NE15, ED1, ED3, SR2, SR15, HE1, HE2.

18. Because the development involves the loss of playing fields, Sport England Policy is also relevant.
19. All relevant policies are set out in Annex 1.

Comments of the Head of Sustainable Development

20. The key planning issues to be considered with this application are:
- (i) Provision of educational and community facilities;
 - (ii) Impacts on local people;
 - (iii) Impacts on the environment.
- (i) *Provision of educational and community facilities*
21. Barton is one of the most seriously deprived parts of Oxford and indeed Oxfordshire and suffers from relatively poor quality housing and infrastructure. Of the 12 deprived areas in Oxfordshire (identified in the Index of Multiple Deprivation 2007), two are located within the Barton and Sandhills ward. The new facilities proposed would play a significant part in regenerating the area and offering better quality facilities and services for local residents. Enabling such a development would specifically support three of the relevant priorities within the sustainable communities strategy (Oxfordshire 2030) – planning for better places to live, learn and work; reducing inequalities and breaking the cycle of deprivation, and promoting healthy and thriving communities. Policies CC1 and CC6 of the RSS specifically seek to promote the creation of sustainable communities, including deprived communities having a better quality of life. Policy SR15 of the OLP recognises the importance of community facilities within Oxford.
- Open Space*
22. The provision of improved educational and community facilities on the site would result in the overall loss of existing playing field space. Currently the site provides approximately 1.7 hectares of grassed playing field land. On completion of the development the school would have 0.9 hectares of grassed playing field capable of accommodating playing pitches. At present, of the existing 1.7 hectares of grassed playing field only 0.4 hectares is laid out as formal pitches (one 3,350sqm football pitch and an 800sqm running track). The development would provide 0.9 hectares of grassed playing field capable of accommodating playing pitches (this area would include 3 laid out pitches covering an area of 0.7 hectares). In addition the school would also have hard play areas, a games court, other soft play areas (including 'learning for landscaped areas') and a habitat area covering approximately 0.6 hectares, all of which represents a benefit in terms of the present use of the open space.
23. Policy SR2 of the OLP and Policy CC8 of the RSS seek to protect important open spaces, including playing fields to ensure that the public have adequate open space to enjoy both for physical activity, and to provide a pleasant environment. Sport England's adopted Playing Field Policy (A Sporting Future of the Playing Fields of England, 1996) aims to ensure that there is an adequate

supply of quality pitches to satisfy the current and estimated future demand for pitches within an area. If an application proposes the use of all or any part of a playing field Sport England oppose the development unless they consider it would meet with one or more of their exception criteria to this policy. The criteria cover:

- evidence to suggest there is an over provision of playing field land in the area;
- whether the development is ancillary to the principle use of the site as a playing field;
- if the playing field land lost is capable of forming a playing pitch;
- whether there are proposals to provide replacement playing field land elsewhere;
- whether the development is for an outdoor or indoor sports facility.

24. In this instance Sport England consider none of the above exception criteria are met and therefore they object. They consider the proposal would result in the loss of playing field land that provides an important resource for the school and the local community. Oxford City Council have also raised this as an issue based on the objection from Sport England. Discussions have taken place between the applicant, planning officers and Sport England to try and resolve their concerns. These have however proved unsuccessful and Sport England maintain their objection.

25. The main policy consideration is whether the development is in accordance with Policy SR2 of the OLP and whether the development accords with Sport England policy. Policy SR2 states that development on playing fields would not be granted where there is a need for the playing field to be retained in its current location or the open space provides an important green space for local residents. I do not consider that the issue of retaining a playing field in this location is an issue given that this application would not result in the loss of the entire school playing field, there would be enough playing field retained to meet with the required educational standards and additional soft and hard play areas would be provided. Therefore a playing field would be retained in this location, albeit to a reduced size. Currently there is no formal use of the school playing field by the local community, occasional informal use takes place by local children after school, during school holidays and at weekends. The redevelopment of the site would not preclude this from happening in the future as this informal agreement would be retained.

26. Given the issues raised above I consider that firstly, the redevelopment of the playing fields would allow sufficient playing field land to be retained on the site to meet the schools needs and educational requirements. The Department for Children, School's and Families (DCSF) require that a school of this size have between 0.8 hectares and 1.2 hectares of playing pitch areas (the development would result in a grassed playing pitch area of 0.9 hectares capable of

accommodating playing pitches). Although playing field land would be lost which is capable of being used for playing pitches the remaining areas would be more formally laid out and utilised in a better way than at present. The redevelopment would also allow the existing site to be more intensively used through improved hard play areas, soft play areas, games courts and other outdoor areas which would allow improvements to education provision and improvements visually to the site. Secondly, the redevelopment of the site would not result in the loss of the informal community use arrangements that are currently in place. Local children would still be allowed to use the playing field so in practice there would be no loss of green space for local residents. In addition Policy SR2 of the OLP requires that there should be a demonstrated need for the development. This development would be one of two Primary Capital Programmes in the County and as such would be an important community facility for this part of the City and Oxfordshire as a whole. Importantly it would also allow for the integration of a number of educational facilities onto one site to provide a more joined up service for children between 0 and 11.

27. In summary I consider that the proposal represents a beneficial redevelopment of the site in terms of providing modern new school and community buildings consistent with Policies CC1 and CC6 of the RSS and the County Council's sustainable communities strategy which seek to create sustainable communities. The development would also improve the visual appearance of the site and create a more pleasant environment for the area. I also consider that the development does not conflict with Policies SR2 of the OLP and CC8 of the RSS given that only part of the playing field would be lost and that educational and community use can be retained and indeed improved. Although there is a quantitative loss of the playing land in conflict with the objectives of Sport England's policies I consider that the need for the development in this deprived area of Oxford justifies overriding the objection of Sport England.
28. In circumstances such as this where Sport England (a statutory consultee) have raised an objection and the local planning authority do not propose to refuse the application the authority is required to consult the Secretary of State before the issuing of any planning permission.

(ii) Impacts on local people

Scale of Activity

29. This redevelopment would lead to an increase in the number of uses currently on the site (the Roundabout Centre would be additional). Policy CC1 of the RSS requires new development to be in sustainable locations whilst Policies ED1, ED3, CP3 and SR15 of the OLP also require new educational and community facilities to be in accessible locations, that they should not cause significant problems in terms of noise and disturbance to local residents and should not cause unacceptable traffic or parking problems. Policy CP1 of the OLP also

requires new development to be acceptable in terms of access, highway safety and traffic generation.

30. The proposed development would lead to an increase in activities that take place directly on this site. However, this would stem from the addition of the Roundabout Centre which is currently located on the adjacent Ormorod site. Given the close proximity of this site I do not consider that the proposal would lead to a significant amount of additional trips to the area. An additional eight car parking spaces and additional cycle spaces are proposed to accommodate this increase in use on the site. Transport Development Control Officers consider this increase in parking provision acceptable and have no objection to the proposal in wider terms and consider the site is well located to serve this part of Oxford. They have recommended that the schools existing travel plan is updated to take account of the development.
31. Although the Roundabout Centre would be an additional use there would be no increase in use of the site outside of the times that activities currently operate. The Oxfordshire Music service currently operates outside of school hours and as mentioned previously the Roundabout Centre operates on an adjacent site during the proposed times. Given that this facility is currently operating on the adjacent site (without any identified environmental problems) I consider that there would be little or no impact to local residents as a result of moving it to the Bayards School site. The types of activities associated with this use are not significant noise or disturbance generators.

Vehicle Access

32. A comment has been received from a local resident questioning whether the proposed entrance points to the site are acceptable. In their original response Transport Development Control Officers also requested further information be provided in relation to the acceptability of the proposed accesses. This further information has been provided and shows that vision splays from this entrance are acceptable and its location on Waynfilete Road is appropriate. Transport Development Control Officers are satisfied that it has been demonstrated that vehicles can access the site safely from the surrounding highways network.
33. Policy SR15 of the OLP states that planning permission for new community facilities will be granted subject to the site being readily accessible and in a location where problems of noise and disturbance to local residents can be prevented. The site is well located to serve the local population. This is an existing accessible site that currently operates educational and community facilities successfully with limited impact on local residents, it has also been demonstrated in the application that access to the new development can be safely provided. Therefore I consider that the development is consistent with policies SR15, CP3, ED1 and ED3 of the OLP and CC1 of the RSS which requires new developments to be in sustainable locations.

(iii) Impacts on the environment*Archaeology*

34. Redevelopment of the existing buildings and playing field would impact on the known alignment of a Roman road running on a north south axis through the site. Policy HE1 and HE2 of the OLP and Policy BE6 of the RSS seek to protect archaeological remains. Pre-application discussions with Archeologically Officers highlighted the need for archaeological field evaluations given that part of the site was know for its importance. The evaluation confirmed the presence of around 80 linear metres of Roman road. Because this section of the road is well preserved Officers considered that this must be classified as a feature of national importance. Under policies HE1 and HE2 of the OLP there is a presumption in favour of *in situ* physical preservation of all nationally important sites.
35. Further discussions have taken place with Officers and the applicant and the County Archaeologist accepts that given this development is an important educational and community facility it would not be possible to provide it without some adverse impact on part of this nationally important site. It has therefore been agreed that as long as the section of the road to be impacted is properly investigated and recorded (i.e. preservation by record) the remaining surviving section of the road should be guaranteed full protection for the future. Planning conditions are therefore recommended to require a staged programme of archaeological investigations and mitigation over the affected areas and also a condition which ensures the remaining section of the road is preserved *in situ*. Given the views of Archaeological Officers and the work that has been carried out to limit the impact on this important archaeological site and protect the remaining section for the future I consider the approach that is proposed to be taken is acceptable. Furthermore, I consider that whilst there is some conflict with policies HE1 and HE2 of the OLP and BE6 of the RSS in terms of not preserving all archaeological remains *in situ* the public benefit of this development outweighs the impact.

Sustainability of the Development

36. Applications of this nature and scale should include evidence that the development would use fewer non-renewable resources, use less energy, re-use demolition materials and use sustainable building materials. Policies CP15, CP17 and CP18 of the OLP and CC4 of the RSS require the demonstration of these issues in development proposals. The City Council have objected to the development on the grounds that insufficient information has been provided to demonstrate how natural resources would be minimised. A Sustainability Statement was submitted with the application and further information provided during the consultation on the application which has sought to demonstrate how the development would perform in terms of sustainability. Details of this are set

out in paragraph 14. Given this information I consider that the applicant has provided evidence of the measures proposed to ensure that the use of natural resources would be minimised. Importantly the environmental performance of the buildings which would be retained would also be improved. However, in my view it is important that the sustainable features highlighted in paragraph 14 are achieved through the detailed design stage and then construction of the building. Therefore I recommend a condition which ensures that a BREEAM rating of 'Very Good' is maintained up to the point of completion of the development and that the final details of sustainable construction methods and energy efficiency measures are submitted and approved prior to the commencement of the development. This would ensure that the development achieves high sustainable standards, and is therefore in accordance with Policies CP15, CP17 and CP18 of the OLP and CC4 of the RSS.

Flooding

37. Because of the size of the development proposed the Environment Agency (EA) require that a Flood Risk Assessment (FRA) should be submitted with the application which demonstrates that surface water run-off would not increase on the site or to the surrounding area. Policy NE10 of the OLP and Policy NRM4 of the RSS require development proposals to demonstrate this. The EA originally objected to the application on the grounds that the FRA submitted did not demonstrate that a suitable surface water drainage scheme could be provided. Work has been carried out by the applicant to assess this and further technical information submitted. The EA are now satisfied (subject to conditions set out in the recommendation) that the FRA demonstrates a surface water drainage scheme can be satisfactorily provided. This scheme would include permeable car parking and hard play areas. Given the views of the EA and the conditions they have recommended I am now satisfied that the issue of surface water drainage on the site has been fully addressed and the application does not conflict with policies NE10 of the OLP and NRM4 of the RSS.

Conclusion

38. The proposal would provide an important educational and community facility in this part of Oxford. In planning terms I believe this proposal is acceptable and that the need for the development outweighs the loss of areas of the existing playing field to new buildings. Importantly, there would be enough playing field provision retained to serve both educational and community needs for the local area. Policies CP3 and SR15 of the OLP encourage new educational and community facilities provided that there is a need for the development, they are within sustainable locations and they do not impact on residential and recreational amenity. In my opinion the above policy criteria have been demonstrated in the application and the development would not have a significant impact on the immediate or wider area, including any neighbouring residents. The proposal is also seen as acceptable in highway safety terms and

the relocation of the Roundabout Centre onto this site from the adjacent site would not significantly alter traffic to the area. The development would also improve the visual appearance of the site through creating new features and landscapes and the new buildings design and scale are considered appropriate for this location. The redevelopment would also allow for opportunities to improve the appearance and energy efficiency of the existing buildings that would be retained on the site. Through conditions a high level of sustainability of the new buildings can also be secured. Although there is an issue regarding the impact on important archaeological remains I believe this has been addressed and appropriate mitigations measures secured.

RECOMMENDATION

39. **The Committee is RECOMMENDED subject to the development not being called in by the Secretary of State to approve Application Number R3.0206/09 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 shall 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) shall be submitted and approved prior to the commencement of the development.**
 - (4) That no development shall take place until the trees on the site which are to be retained and which are adjacent to or within the development area, have 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 shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is 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) shall 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 shall commence until a staged programme of archaeological investigation and mitigation has been implemented in accordance with a written scheme of investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication. The work shall 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 shall only be carried out in accordance with the Flood Risk Assessment submitted with the application.**
- (16) That prior to the commencement of the development details of a surface water drainage scheme for the site shall be submitted and approved.**
- (17) That prior to the commencement of the development details of sustainable construction and energy efficiency measures to be incorporated into the new building shall be submitted and approved. The development proposed shall maintain a BREEAM status of 'Very Good' until the 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 shall be submitted and approved.**
- (19) No demolition work shall commence until a 'Demolishing Buildings' form has been agreed and signed by all contractors working on the demolition.**
- (20) If any bats are 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, which is March-August inclusive.**

CHRIS COUSINS
Head of Sustainable Development
Background Papers: File Ref: R3.0206/09 8.2/5507/17

Development Plan Policies and other Material Considerations

Development Plan Policies

The South East Plan Regional Spatial Strategy 2026 (RSS)

- CC1 The principal objective of the Plan is to achieve and to maintain sustainable development in the region. Sustainable development priorities for the South East are identified as:
- i. achieving sustainable levels of resource use
 - ii. ensuring the physical and natural environment of the South East is conserved and enhanced
 - iii. reducing greenhouse gas emissions associated with the region
 - iv. ensuring that the South East is prepared for the inevitable impacts of climate change
 - v. achieving safe, secure and socially inclusive communities across the region, and ensuring that the most deprived people also have an equal opportunity to benefit from and contribute to a better quality of life.
- CC4 The design and construction of all new development, and the redevelopment and refurbishment of existing building stock will be expected to adopt and incorporate sustainable construction standards and techniques. This will include:
- i. consideration of how all aspects of development form can contribute to securing high standards of sustainable development including aspects such as energy, water efficiency and biodiversity gain
 - ii. designing to increase the use of natural lighting, heat and ventilation, and for a proportion of the energy supply of new development to be secured from decentralised and renewable or low-carbon sources
 - iii. securing reduction and increased recycling of construction and demolition waste and procurement of low-impact materials
- CC6 Actions and decisions associated with the development and use of land will actively promote the creation of sustainable and distinctive communities. This will be achieved by developing and implementing a local shared vision which:
- i. respects, and where appropriate enhances, the character and distinctiveness of settlements and landscapes throughout the region
 - ii. uses innovative design processes to create a high quality built environment which promotes a sense of place. This will include consideration of accessibility, social inclusion, the need for environmentally sensitive development and crime.
- CC8 Local authorities and partners will work together to plan, provide and manage connected and substantial networks of accessible multi-functional green space.

BE6 - When developing and implementing plans and strategies, local authorities and other bodies will adopt policies and support proposals which protect, conserve and, where appropriate, enhance the historic environment and the contribution it makes to local and regional distinctiveness and sense of place. The region's internationally and nationally designated historic assets should receive the highest level of protection.

NRM4 In considering planning applications local authorities should require incorporation and management of Sustainable Drainage Systems (SuDS), other water retention and flood storage measures to minimise direct surface run-off.

Oxford Local Plan 2016 (OLP)

- CP1 Planning permission will only be granted for development which:
- (i) shows a high standard of design, including landscape treatment;
 - (ii) is acceptable in terms of access, parking, highway safety, traffic generation, pedestrian and cycle movements;
 - (iii) provides buildings with suitable access arrangements and facilities for all members of the community;
 - (iv) retain important landscape features;
 - (v) retain important open spaces of recreational amenity;
 - (vi) preserve the site and setting of sites of special local archaeological significance.
- CP3 Planning permission will only be granted for employment, retail, education, leisure and other developments that attract a large number of people when the City Council is satisfied that:
- a. there is a need for the development;
 - b. the location of the proposed development is in the most sustainable locations; and
 - c. the location is realistically accessible by walking, cycling or public transport for the majority of people travelling to the site.
- CP6 Planning permission will only be granted where development proposals make maximum and appropriate use of land. Development proposals must make best use of site capacity, in a manner compatible with both the site itself and the surrounding area, as well as addressing the following criteria:
- a. the intensity of development must be appropriate for the use proposed;
 - b. the scale of development, including building heights and massing, should be at least equivalent to the surrounding area;
 - c. opportunities for developing at the maximum appropriate density must be fully explored;
 - d. built form and site layout must suit the site's capacity; and
 - e. parking levels must be appropriate to the use proposed.

- CP7 Planning permission will only be granted for developments that demonstrate good urban design. The applicant must demonstrate that the proposed development is appropriate for the site and the surrounding area.
- CP8 `All new and extended buildings should relate to their setting to strengthen, enhance and protect local character. Planning permission will only be granted where:
- c) where new development is well connected to, and integrated with, the wider area;
 - d) the siting, massing and design of proposed development creates an appropriate visual relationship with the form, grain, scale, materials and details of the surrounding area.
- CP9 Development proposals should be designed to create a successful living and working environment and achieve high quality public spaces.
- CP11 Planning permission will only be granted where:
- a. the landscape design relates to the function and character of the spaces and surrounding buildings;
 - b. existing trees, shrubs, hedges and water features of significant landscape value are incorporated alongside new planting;
 - c. buildings and paved surfaces are located far enough from existing trees and hedges to avoid damage to roots from sub-surface works;
 - d. all boundary edges or fences are designed as an integral part of the development and surrounding area;
- CP15 Planning permission will only be granted for developments which are designed to optimise energy efficiency.
- CP17 Planning permission will only be granted for developments where the design includes the use of reclaimed materials.
- CP18 Developments of non-residential developments of 2000 m² or more will be expected to submit a Natural Resource Impact Analysis, this analysis should demonstrate attention to opportunities for the reduction in energy use, efficiency in the use of energy, the generation of energy from renewable energy sources, the use of recycled or reclaimed materials in their construction.
- NE10 Planning permission will only be granted for developments that would not significantly increase surface water run-off.
- NE15 Planning permission will not be granted for development proposals which include the removal of trees, hedgerows and other valuable landscape features where this would have a significant adverse impact upon public amenity or ecological interest. Planning permission will be granted subject to soft landscaping, including tree planting, being undertaken whenever appropriate.

- HE1 Planning permission will not be granted for any development that would have an unacceptable effect on a nationally important monument (whether or not it is scheduled) or its setting.
- HE2 Planning applications should incorporate sufficient information to define the character and extent of archaeological deposits as far as reasonably practicable, including, where appropriate:
- a) the results of an evaluation by fieldwork; and
 - b) an assessment of the effect of the proposals on the deposits or their setting.
- If the existence and significance of deposits is confirmed, planning permission will only be granted where the proposal includes:
- c) provision to preserve the archaeological remains in situ, so far as reasonably practicable, by sensitive layout and design (particularly foundations, drainage and hard landscaping); and
 - d) provision for the investigation and recording of any archaeological remains that cannot be preserved, including the publication of results, in accordance with a detailed scheme approved before the start of the development.
- SR2 Planning permission will not be granted for development that would result in the loss of open-air sports facilities, including school playing fields, where there is a need for the facility to be retained in its current location, or the open area provides an important green space for local residents. Where this is not the case, planning permission will only be granted where there is no need at all for the facility for the purposes of open space, sport or recreation, or where:
- a. there is a need for the development;
 - b. there are no alternative non-greenfield sites; and
 - c. the facility can be replaced by either:
 - i. providing an equivalent or improved replacement facility; or
 - ii. upgrading an existing facility.
- SR15 Planning permission will be granted for new community facilities subject to the site being:
- a) readily accessible to the relevant community by walking, cycling and public transport;
 - b) in a location where significant problems of noise and disturbance to local residents can be prevented.
- ED1 Planning permission would only be granted for nursery education and childcare facilities where the proposed development:
- a) will not cause unacceptable noise and nuisance to the adjoining properties;
 - b) provides adequate internal and external play space is provided;
 - c) adequate provision is made for access, parking, and dropping off facilities;
 - d) the location is realistically accessible by walking, cycling or public transport.

ED3 Planning permission will only be granted for significant trip-generating development at schools that meets the following criteria:

- a) it will not cause unacceptable traffic or parking problems;
- b) appropriate provision is made for access and dropping off facilities;
- c) the site is accessible by walking, cycling or public transport.

Other Material Considerations

Oxfordshire 2030, A partnership plan for improving quality of life in Oxfordshire, Oxfordshire Partnership

Sport England adopted Playing Fields Policy - A Sporting Future of the Playing Fields of England, Sport England, 1996:

Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or any part of a playing field, or land last used as a playing field or allocated for use as a playing field in an adopted or draft deposit local plan, unless, in the judgement of Sport England, one of five specific circumstances applies.

The five specific circumstances are:

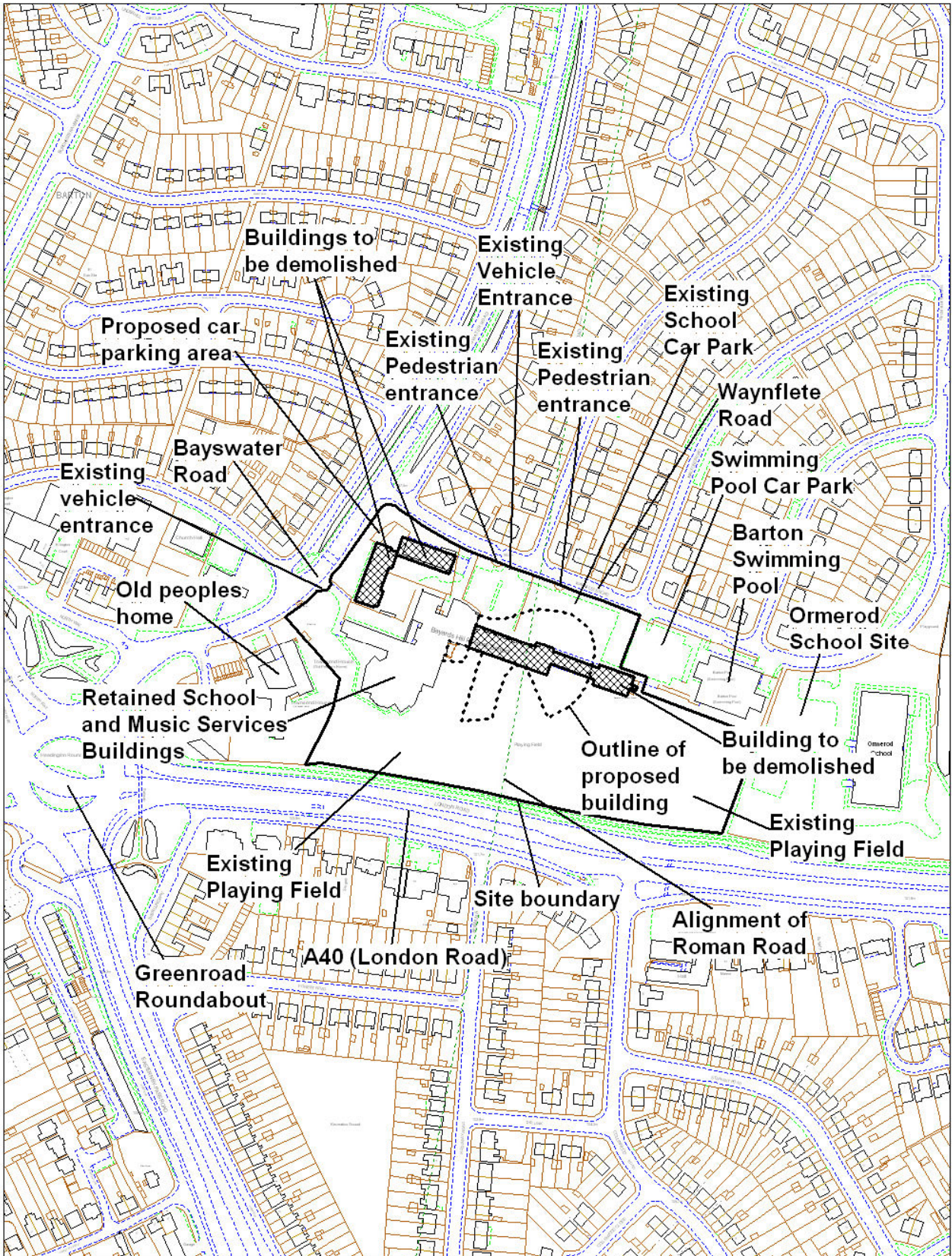
[E1] "A carefully quantified and documented assessment of current and future needs has demonstrated to the satisfaction of Sport England that there is an excess of playing field provision in the catchment, and the site has no special significance to the interests of sport."

[E2] "The proposed development is ancillary to the principal use of the site as a playing field or playing fields, and does not affect the quantity or quality of pitches or adversely affect their use."

[E3] "The proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facility on the site."

[E4] "The playing field or playing fields which would be lost as a result of the proposed development would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of the development."

[E5] "The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields."



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Scale: 1:3000
Plot Date: 16/03/10
By: PF

Contact Officer: Naomi Woodcock Tel: Oxford 815708

Division(s): Kingston Bagpuize

PLANNING & REGULATION COMMITTEE – 12 APRIL 2010

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)

Location: John Blandy Primary School, Laurel Drive, Southmoor, Abingdon, Oxfordshire. OX13 5DJ.

Application No: R3.0011/10

District Council Area: Vale of White Horse

Introduction

1. This application is for the erection of a single storey building to provide a new children's centre and replacement pre-school accommodation. The proposal also involves the rearrangement of the existing car park to provide 4 additional parking spaces, creation of a new footpath within the school site and fencing.

Location (see site plan)

2. John Blandy Primary School is in Southmoor, approximately 6.5 miles (10.5 kilometres) west of Abingdon and to the south of the A420 Oxford to Swindon Road. The site is located within a residential area on the northern side of the village, just off Laurel Drive.

Site and Setting (see site plan)

3. The school site is immediately bounded by a recreation ground to the east, a playground to the south, and residential properties to the north, south and west. There is a footpath to the south west corner of the site, which runs from Faringdon Road via Fir Tree Close to the school site. A footpath also runs parallel to the school's southern site boundary.
4. The site comprises a single storey school building, located in the western half of the site, and the school playing field, which occupies the eastern half. The existing school car park lies close to the northern site boundary and immediately north of the school building. There are two hard play areas located to the west of the school building and east of the car park. A 1m high wire mesh fence runs along the west and southern site boundaries. Also

along the western boundary adjoining neighbours have erected 2m high close boarded timber fences.

5. The nearest residential dwellings to the proposed new building are located to the south and west of the site, about 25 metres away.

Background and Details of the Development

6. The proposed development seeks to provide a new building for use as a children's centre and replacement pre-school accommodation. Children's centres are service hubs where children under 5 years old and their families can access children's services and information. The provision of these centres is part of the national government strategy to ensure that all families with children have access to affordable, flexible, high quality childcare places. Local Authorities have been tasked with the strategic responsibility of delivering these centres to cater for the needs of local communities.
7. It is proposed that the Southmoor children centre would comprise a reception/office area, a consultation room and a family room. Local families would be encouraged to walk to the new building, and children centre staff would take some services out to villages within the children centre catchment area (Standford in the Vale, Longworth, Buckland, Hinton Waldrist, Charney Basset and Littleworth). It is also proposed that some children centre sessions with high levels of attendance would continue to be held at the local village hall and at other village centres.
8. This application also proposes the relocation of Southmoor pre-school into this new building on the school site. The pre-school currently operates in Southmoor Village Hall (about 400m to the west). There is a need for the pre-school to run 5 days a week, and for longer hours than at present. However, due to lack of funds the pre-school can only currently afford to operate between the hours of 9:15am and 1pm Monday to Thursday. Southmoor Pre-school have now secured funding for a new building which would enable them to operate during the hours of 8am to 5pm Monday to Friday, and offer a breakfast, lunch and after-school and a holiday club. The secured funds (from central government) are a one off, and are offered on the proviso that the pre-school and proposed children's centre are delivered as a joint project on the John Blandy Primary School site. It is anticipated that the delivery of a children's centre and pre-school on the primary school site would allow shared use of facilities and best meet the needs of its users.
9. The new building (with a 390m² footprint) would accommodate both a children's centre (with capacity up to 20 parents and children with 3–4 staff) and a pre school (with capacity for 26 children and 4 staff). The building would be single storey and would be constructed in light coloured brick with a darker brick band around the building at window height. It would have a concrete slate pitched roof. The new building is proposed to have a BREEAM rating of 'Very Good'. To achieve this the application proposes:
 - The use of materials rated with the highest environmental performance.

- Increased wall cavity to increase insulation within the building.
 - Rainwater harvesting for use in the new gardens.
10. A freestanding green polyester powder coated canopy would be erected outside the family room and the main entrance of the building. A side canopy on the northern elevation would allow parking for 12 bicycles.
 11. A new path with 1m high bollard lights is proposed from the main school entrance to the new building (along the north west and western boundary of the site) to allow the school and children's centre/pre-school to operate separately and safely. Low level bollard lights have been chosen to prevent light spilling into neighbouring properties. The lights would be on a timer, and would be switched off outside of working hours.
 12. Two new gardens are proposed immediately east and west of the new building. Bowtop metal fencing (1.2m high) is proposed around the gardens, along the length of the new footpath and the existing path which leads onto Fir Tree Close.
 13. It is proposed to re-arrange the existing car park on the school site to accommodate 3 additional car parking spaces, and 1 minibus space. It is intended also that 8 car parking spaces would be designated at the Village Hall for pre-school/children centre use.

Transport Assessment

14. A Transport Assessment has been submitted with the application. The key points covered by the assessment include: existing transport issues on and around the school site, catchment area for the pre-school, proposed on site parking and accessibility, trip generation figures for the existing pre-school, traffic growth data, personal injury accident data, and a construction management plan. As part of the consultation process Transport Development Control requested further information, including site observations during the morning school peak periods. As a result an amended Transport Assessment has been submitted which confirms that the pre-school would generate 8 vehicular trips to the site between 08.00 – 09.00am, and 8 vehicular arrivals to the children centre (at its busiest hour). The assessment concludes that the transport implications of the proposed development are acceptable.
15. If permission is given, it is proposed to create a new temporary contractors entrance from Fir Tree Close to allow the school to operate with minimal disruption during the construction period. To facilitate the new temporary contractor's access it would be necessary to remove a horse chestnut tree from the south west corner of the school site, and part of an oak hedge along the western site boundary. A replacement horse chestnut tree and oak sapling hedgerow is proposed as part of the development. The construction period is estimated to last for 6 months.

Consultations

16. **Vale of White Horse District Council** – Object on the grounds that the new building would result in the unnecessary removal of a horse chestnut tree that positively contributes to the character of the locality. Suggest that the layout be amended to place the building further to the east in order to retain the tree. Also suggest the imposition of a condition requiring the submission of a traffic management plan (both construction and future occupiers) to safeguard the residential amenity of the neighbours.
17. **Kingston Bagpuize with Southmoor Parish Council** - Object on the grounds that additional traffic and road-side parking would have an unacceptable impact on neighbouring residents, and road safety. Suggest that the horse chestnut tree be re-located rather than removed.
18. **Thames Water** – No objection. Recommend that the applicant should ensure that storm water flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary.
19. **Transport DC** – The proposed development would not have a significant impact on the transport network. A combined travel plan should be submitted for the primary school site (to include the primary school, pre-school and children’s centre), and the School Travel Plan should be updated in the interim. A construction management plan should also be submitted for approval.
20. **County Forester** – No objection. Although the horse chestnut tree is in good condition, other horse chestnut trees in the area are currently dying of bleeding canker and there is not certainty that this tree will survive. Existing trees which are to be retained need to be protected from contractor’s movements during construction.
21. **County Archaeologist** – Application does not appear to directly affect any known archaeological sites. Request an informative advising of appropriate action to be taken in the event of archaeological finds.
22. **County Ecologist** – No objection. Recommends: i) that hedgerow felling or coppicing should not take place during the bird breeding season, ii) the replacement hedge and any existing gaps be planted with locally characteristic species, and iii) details of the location and design of bat bricks should be submitted for approval.
23. **Third Party Representations** (copies are available in the members resource centre)
24. 74 responses from individual residents have been received relating to this application (50 in support, 2 responses of concern, and 22 objections) regarding this application. The key points in the representations are:

Points made in support of the application:

- the pre-school would close this year if the application were to be refused,
- closer links would be formed between the pre-school and John Blandy Primary School.
- the children's centre would be beneficial to the local community

Points made against the application:

- introduction of a commercial development within a residential area
- planning history – a previous application for a pre-school on Fir Tree close was not supported by the District Council
- lack of demand for a children's in Southmoor as it is an affluent village
- impact of additional parking, traffic and construction traffic on local residents, highway safety, transport network and access for emergency services during school peaks, before and after school hours, school holidays and at the start and end of each children centre session
- incomplete and inconsistent traffic assessment
- lack of clarity over planned use and opening times of the children's centre and pre-school
- loss of sunlight
- impact of noise and light pollution (from light bollards) on local residents
- proposed path would result in overlooking into adjacent gardens, and would encourage young people to congregate on the school site during the evenings
- impact on local wildlife as a result of the removal of a mature hedge
- inadequate drainage system

Relevant Development Plan and other Policies

25. Planning applications should be decided in accordance with the development plan unless material considerations indicate otherwise.
26. The relevant development plan documents are The South East Plan Regional Spatial Strategy 2026 (RSS), and the Vale of White Horse Local Plan 2011 (VOWHLP). The relevant policies are as follows:
 - RSS – BE5, CC4, CC6, NRM2, NRM5, NRM10, T1, T2, T4, T5, T7, S3 S5, and S6.
 - VOWHLP- CF1, CF2, DC1, DC2, DC3, DC5, DC6, DC9, DC10, DC14, DC20, GS5, GS10,TR4 and TR9.

These policies are set out in Annex 1 to the report.

Comments of the Head of Sustainable Development

27. The main issues that need to be considered in deciding the merits of this proposal fall into the following headings:
- (i) The principle of a family centre and pre-school use on this site;
 - (ii) Impact on local residents including traffic and transport implications
 - (iii) Other environmental impacts
- (i) The principle of family centre and pre-school uses on this site
28. The application proposes a single new building for community use within the John Blandy school grounds. RSS policy S3 and Local Plan policy CF2 support the principle of providing community facilities within existing settlements, and support the combining of related facilities (such as pre-school and school) onto the same sites. In addition RSS Policy BE5 seeks to enhance key local services within rural areas.
29. However, some respondents have argued that further 'commercial' development is inappropriate and that a previous application for a pre-school was not supported by the district council. Others have said that there is no need for this facility.
30. Combining additional school related uses on the site is in principle consistent with development plan policy so long as this does not result in undue loss of amenity to local residents (amenity is covered later in the report). In my view the new building proposed is modest in scale, being single storey and is generally appropriate to the school site.
31. The letters of support for the proposal have all expressed concern about the possible closure of Southmoor pre-school. These residents also welcome a children's centre within the village of Southmoor. The pre-school has confirmed that they would be unable to operate for much longer if they were unable to relocate to the primary school site. I consider that there is a clear need for a pre-school with extended hours of operation, and that the application accords with policy BE5 of the RSS as, the proposal seeks to protect and enhance a key local community facility. The provision of a children's centre in Southmoor is in line with central government's objective to ensure that all parents and families have access to children services and information regardless of their socio-economic grouping and the Southmoor centre should serve very well the communities located along either side of this stretch of the A420 (the likes of Longworth, Hinton Waldrist, Charney Bassett, Stanford in the Vale, Buckland and Littleworth). In my view the children's centre accords with Policy CF2 of the VOWHLP as the centre would promote the social well being of the community, and for the reasons outlined below, should not significantly harm the environment of the local area.

(ii) Impact on local residents including traffic and transport implications

Traffic and transport

32. The application proposes a new building that could accommodate up to 46 visitors and 7-8 staff at any one time. I understand that at present the school has 175 children attending (maximum capacity is 180). Three on site parking spaces would be provided for the additional staff together with general cycle parking.
33. VOWHLP policy TR9 requires a transport assessment for proposals that have significant transport implications and requires that transport impacts be adequately mitigated and that travel plans be required. A transport assessment has been submitted with this application.
34. Local people are clearly very concerned about the impact of the extra children coming to this site particularly in terms of on street parking, consequent safety and inconvenience issues. The question of access at peak parking times for emergency vehicles has also been raised.
35. There are in effect three routes to the school: the main entrance in Laurel Drive, the side entrance in Fir Tree Close, and a footpath from the main Faringdon Road. Arrivals and departures particularly at start and end of the school day give rise to parents parking at all three of these access points. Local people around the Fir Tree Close cul de sac in particular and in Laurel Drive experience congestion through parking and dropping off. They say that this can mean driveways are sometimes blocked and when cars are parked on Laurel Drive, drivers then have to pass those cars on the wrong side of the road on a bend.
36. Parking in residential areas at peak school activity times is a common issue at many schools across the county. Transport Development Control have carefully considered this particular proposal and they raise no objection provided the travel plan for the site is refreshed to take account of this new development and a construction management plan is agreed.
37. In my view the impact of this development needs to be considered in the context of the existing activity at the school and the potential alternative ways in which up to 46 visitors coming to the new facilities can arrive at the site. There are in effect three access points to the school which can reduce the concentration of new vehicle activity at any one access; a percentage of the children may arrive on foot, some may visit as part of a linked trip as siblings may attend the main school, some may park at the spaces to be provided at the village hall (though given this is 400 metres away I doubt this will persuade many car borne visitors away from local parking). The operating times of the uses are to some extent staggered in so much that pre school children will arrive significantly earlier than the main time of arrival at the school.

38. Oxfordshire Fire and Rescue service have confirmed that the new building should not pose accessibility or water pumping problems.
39. The amended transport assessment that has been submitted suggests that the proposed development would have minimal impact on the existing transport network as the staggered service times (for both the pre-school and children's centre) would not coincide with school peak periods. In my view the additional activity at the school would give rise only to modest additional parking around the site and providing a travel plan is secured and implemented the traffic impacts of the proposal are acceptable. Because there is strong local feeling about parking issues around the site already, I suggest that it would be beneficial for the school to hold a liaison meeting with local people to encourage good relations in respect of parking and travel to school practices.
40. The pre school group wish to run a holiday club. To relieve parking issues during school holidays, a condition could be imposed to require pre school users to use the school car park.

Other potential impacts

41. There has been some confusion about operating hours of the new building. The operating hours proposed for the pre school are from 8.00am until 5.00pm Mondays to Fridays including through the school holidays. The opening times for the children centre are likely to be less.
42. Local plan policy DC9 seeks to prevent development that would unacceptably harm the amenities of neighbouring properties. In addition to the main building, a small children's garden (for the pre-school) is proposed in the south west corner of the site; nevertheless, given a) the distance of the building and the garden from the nearest houses, b) that the building is next to a school and next to a playground, c) that the site would not operate in the evenings, and d) that there is generally good 2 metre high fencing around most of the gardens to the west of the site, I believe that there would be no significant harm by way of additional noise for local people.
43. Two local residents (who reside at the same dwelling) have objected on the grounds that they consider the new building may reduce the amount of sunlight which they would receive. The building would be 26m from their dwelling. In addition I have applied the 45⁰¹ sunlight rule to this development and this shows that the new building would in fact be built on a 90⁰ (approx) angle to the objectors dwelling. In my view therefore the proposed single storey building should not have a significant light impact on the adjacent 2 storey residential property.

¹ 45⁰ sunlight rule – a new building could only have an impact on sunlight if it is built within 45⁰ of an existing building.

Footpath and lighted bollards

44. A footpath is proposed along the western boundary of the school site adjacent the rear gardens of properties facing Laurel drive. This is in order to enable a connection between the main school entrance and the new building, It would only be open during site operating hours.
45. Some residents have expressed concern about the effect of 1 metre high bollard lights proposed along the path.
46. These lights would be located on the school side of back garden boundary fences, they would be 1 metre high, and controlled by a timer to avoid their use out of operational hours.
47. One resident has also stated that the footpath would overlook their garden because their fence is only 4 feet high with a trellis.
48. I think it is unlikely that the limited use of the low level lights should cause a problem. A 2 metre fence could be provided for the resident with the lower fence.
49. Some residents have expressed concern that a formal lit path would further encourage young people to climb over the rear school gate (located just off Fir Tree Close) and congregate on the school site, just to the rear of their back garden fence, in the evenings. Security of school premises is a common problem on school sites in the county and the problem is often difficult to address without making our schools resemble high security institutions. In this instance a condition could be imposed requiring a higher replacement gate to try and address this issue.

(iii) Environmental Impacts

Trees and hedgerow

50. The application proposes to remove a horse chestnut tree and hedgerow to facilitate the contractors access, and to plant a replacement horse chestnut tree and hedgerow. Policy DC6 of the Local Plan requires new development to protect and enhance the visual amenities and maximise wildlife habitat creation.
51. Two local residents have expressed concern about the impact that the loss of the horse chestnut tree would have on climate change and nesting birds. The Vale of White Horse District Council has also objected as in their view the tree contributes to the character of the wider locality.
52. The County Forester has been consulted on this proposal. He advises that the horse chestnut tree is currently very small. If the tree were to be retained it would grow to dominate the adjacent gardens and would eventually cast very dense shade beneath the canopy. That shade may become a nuisance to neighbours (particularly in the mornings) and would interfere with the

occupiers' enjoyment of the gardens and premises. He has also commented that there is no certainty that the existing tree would survive as young horse chestnut trees in the area are currently dying of a disease known as bleeding canker. The County Ecologist has also commented that the existing tree is not a potential bird nesting site or bat roost.

53. This tree could possibly be retained by relocating the proposed building within the site but this would impact on the proposed outdoor play space linked to the building. However, it is proposed to secure the contractor's access from Fir Tree Close which would in any case involve the removal of the tree. To secure the long term visual amenity of the site and surrounding area, in my view the tree should be removed, and replacement planting should be provided. A condition could be applied requiring this to be done.
54. To maximise wildlife habitat creation as recommended by the County Ecologist a condition could be imposed requiring the implementation of a replacement hedge and the use of bat bricks in the development. I am therefore of the view that the application accords with policy DC6 of the VOWHLP subject to the attachment of appropriate conditions.

Drainage

55. Policy DC14 of the Local Plan requires that development generating surface water run-off be effectively controlled and adequately mitigated.
56. Some local residents have expressed concerns about the impact that the new development would have on the existing drainage system, particularly in Fir Tree Close.
57. Thames Water have been consulted on this application and they have not raised any objections to the proposal. They have, however, recommended that surface water drainage (including storm flows) are attenuated or regulated before going into the off site public drainage system. This issue can be addressed by the imposition of an appropriate condition and to that end the proposal would accord with Policy DC14.

Conclusion

58. I consider that this proposal would enable Southmoor pre-school (an important local county facility) to continue operating whilst also providing another key community facility in the form of a children centre within the village. Concerns have been raised about the need for the development, and the impact that it may have on neighbouring residents, particularly the traffic and parking implications, and landscaping and drainage. I am of the view, however, that there is a need for this development and the new building would be at a scale and design that relates well to the existing school buildings and surrounding development, and would have a minimal impact on the visual amenities of neighbouring properties. The landscaping improvements proposed in my view outweigh the loss of one small horse chestnut tree. In addition, it is my opinion that the proposal would only give rise to modest

additional parking around the site and a travel plan for the site should promote more sustainable travel. In addition, the provision of additional on site parking and the imposition of conditions to control the hours that the building can operate and the use of the existing school car park for parking purposes during holiday periods should further help to mitigate traffic concerns. In the light of the above I recommend approval for the development subject to conditions outlined below.

RECOMMENDATION

59. It is **RECOMMENDED** 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 are uncovered.

Ecological informative – to deal with any issues arising if any protected species are 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.

Water meeting informative – school to set up liaison meeting with local residents to discuss issues of mutual concern and benefit.

CHRIS COUSINS
Head of Sustainable Development
Environment & Economy

Background papers: File Ref: R3.0011/10 8.4/4089/7

March 2010

Relevant Development Plan and other Policies

The South East Plan Regional Spatial Strategy 2026 (RSS)

POLICY BE5: VILLAGE MANAGEMENT

In preparing local development documents (LDDs), local planning authorities should positively plan to meet the defined local needs of their rural communities for small scale affordable housing, business and service development, taking account of changing patterns of agriculture, economic diversification, and continued viability of local services. LDDs should define their approach to development in villages based on the functions performed, their accessibility, the need to protect or extend key local services and the capacity of the built form and landscape setting of the village. All new development should be subject to rigorous design and sustainability criteria so that the distinctive character of the village is not damaged.

To assist this, local planning authorities should encourage community-led local assessments of need and action planning to inform decision making processes.

POLICY CC4: SUSTAINABLE DESIGN AND CONSTRUCTION

The design and construction of all new development, and the redevelopment and refurbishment of existing building stock will be expected to adopt and incorporate sustainable construction standards and techniques. This will include:

- i. consideration of how all aspects of development form can contribute to securing high standards of sustainable development including aspects such as energy, water efficiency and biodiversity gain
- ii. designing to increase the use of natural lighting, heat and ventilation, and for a proportion of the energy supply of new development to be secured from decentralised and renewable or low-carbon sources
- iii. securing reduction and increased recycling of construction and demolition waste and procurement of low-impact materials
- iv. designing for flexible use and adaptation to reflect changing lifestyles and needs and the principle of 'whole life costing'.

Local planning authorities will promote best practice in sustainable construction and help to achieve the national timetable for reducing carbon emissions from residential and non-residential buildings. There will be situations where it could be appropriate for local planning authorities to anticipate levels of building sustainability in advance of those set out nationally, for identified development area or site-specific opportunities. When proposing any local requirements for sustainable buildings, local planning authorities must be able to demonstrate clearly the local circumstances that warrant and allow this and set them out in development plan documents.

POLICY CC6: SUSTAINABLE COMMUNITIES AND CHARACTER OF THE ENVIRONMENT

Actions and decisions associated with the development and use of land will actively promote the creation of sustainable and distinctive communities. This will be achieved by developing and implementing a local shared vision which:

- i. respects, and where appropriate enhances, the character and distinctiveness of settlements and landscapes throughout the region
- ii. uses innovative design processes to create a high quality built environment which promotes a sense of place. This will include consideration of accessibility, social inclusion, the need for environmentally sensitive development and crime reduction.

POLICY NRM2: WATER QUALITY

Water quality will be maintained and enhanced through avoiding adverse effects of development on the water environment.

In preparing local development documents, and determining planning applications, local authorities will:

- i. take account of water cycle studies, groundwater vulnerability maps, groundwater source protection zone maps and asset management plans as prepared by the Environment Agency, water and sewerage companies, and local authorities;
- ii. ensure that the environmental water quality standards and objectives as required by European Directives are met
- iii. ensure that the rate and location of development does not breach either relevant 'no deterioration' objectives or environmental quality standards
- iv. not permit development that presents a risk of pollution or where satisfactory pollution prevention measures are not provided in areas of high groundwater vulnerability (in consultation with the Environment Agency and Natural England).

Local authorities will work with water and sewerage companies and the Environment Agency to:

- i. identify infrastructure needs, allocate areas and safeguard these for infrastructure development
- ii. ensure that adequate wastewater and sewerage capacity is provided to meet planned demand
- iii. ensure that impacts of treated sewage discharges on groundwater, inland and marine receiving waters do not breach environmental quality standards or 'no deterioration' objectives
- iv. ensure that plans and policies are consistent with River Basin Management Plans
- v. ensure that water cycle studies are carried out, prior to development sites being given planning permission, where investigations by the Environment Agency indicate that water quality constraints exist

- vi. ensure that Sustainable Drainage Systems are incorporated in a manner to reduce diffuse pollution.

Local authorities should promote land management initiatives to reduce diffuse agricultural pollution.

POLICY NRM5: CONSERVATION AND IMPROVEMENT OF BIODIVERSITY

Local planning authorities and other bodies shall avoid a net loss of biodiversity, and actively pursue opportunities to achieve a net gain across the region.

- i. They must give the highest level of protection to sites of international nature conservation importance (European sites). Plans or projects implementing policies in this RSS are subject to the Habitats Directive. Where a likely significant effect of a plan or project on European sites cannot be excluded, an appropriate assessment in line with the Habitats Directive and associated regulations will be required.
- ii. If after completing an appropriate assessment of a plan or project local planning authorities and other bodies are unable to conclude that there will be no adverse effect on the integrity of any European sites, the plan or project will not be approved, irrespective of conformity with other policies in the RSS, unless otherwise in compliance with 6(4) of the Habitats Directive.
- iii. For example when deciding on the distribution of housing allocations, local planning authorities should consider a range of alternative distributions within their area and should distribute an allocation in such a way that it avoids adversely affecting the integrity of European sites. In the event that a local planning authority concludes that it cannot distribute an allocation accordingly, or otherwise avoid or adequately mitigate any adverse effect, it should make provision up to the level closest to its original allocation for which it can be concluded that it can be distributed without adversely affecting the integrity of any European sites.
- iv. They shall avoid damage to nationally important sites of special scientific interest and seek to ensure that damage to county wildlife sites and locally important wildlife and geological sites is avoided, including additional areas outside the boundaries of European sites where these support the species for which that site has been selected.
- v. They shall ensure appropriate access to areas of wildlife importance, identifying areas of opportunity for biodiversity improvement and setting targets reflecting those in the table headed 'Regional Biodiversity Targets – Summary for 2010 and 2026' below. Opportunities for biodiversity improvement, including connection of sites, large-scale habitat restoration, enhancement and re-creation in the areas of strategic opportunity for biodiversity improvement (Diagram NRM3) should be pursued.
- vi. They shall influence and applying agri-environment schemes, forestry, flood defence, restoration of mineral extraction sites and other land management practices to:
 - deliver biodiversity targets
 - increase the wildlife value of land
 - reduce diffuse pollution
 - protect soil resources.

- vii. They shall promote policies that integrate the need to accommodate the changes taking place in agriculture with the potential implications of resultant development in the countryside.
- viii. They shall require green infrastructure to be identified, developed and implemented in conjunction with new development.

POLICY NRM10: NOISE

Measures to address and reduce noise pollution will be developed at regional and local level through means such as:

- i. locating new residential and other sensitive development away from existing sources of significant noise or away from planned new sources of noise
- ii. traffic management and requiring sound attenuation measures in major transport schemes
- iii. encouraging high levels of sound-proofing and screening as part of sustainable housing design and construction.

POLICY T1: MANAGE AND INVEST

Relevant regional strategies, local development documents and local transport plans should ensure that their management policies and proposals:

- i. are consistent with, and supported by, appropriate mobility management measures
- ii. achieve a re-balancing of the transport system in favour of sustainable modes as a means of access to services and facilities
- iii. foster and promote an improved and integrated network of public transport services in and between both urban and rural areas
- iv. encourage development that is located and designed to reduce average journey lengths
- v. improve the maintenance of the existing transport system
- vi. include measures that reduce the overall number of road casualties]
- vii. include measures to minimise negative environmental impacts of transport and, where possible, to enhance the environment and communities through such interventions
- viii. investment in upgrading the transport system should be prioritised to support delivery of the spatial strategy by:
 - a. supporting the function of the region's international gateways and inter-regional movement corridors (see Diagram T1 at the end of this chapter)
 - b. developing the network of regional hubs and spokes (see Diagram T2 at the end of the chapter)
 - c. facilitating urban renewal and urban renaissance as a means of achieving a more sustainable pattern of development
 - d. improving overall levels of accessibility.

POLICY T2: MOBILITY MANAGEMENT

The policies and proposals set out in local development documents and local transport plans should include policies to achieve a rebalancing of the transport system in favour of sustainable modes based on an integrated package of measures drawn from the following:

- i. the allocation and management of highway space used by individual modes of travel
- ii. the scale of provision and management (including pricing) of car parking both off and on-street
- iii. the scope and management of public transport services
- iv. an integrated and comprehensive travel planning advice service
- v. improvements in the extent and quality of pedestrian and cycle routes
- vi. charging initiatives
- vii. intelligent transport systems including the use of systems to convey information to transport users
- viii. incentives for car sharing and the encouragement of car clubs
- ix. local services and e-services to reduce the need to travel
- x. changes in ways of working that alter the extent and balance of future demand for movement
- xi. demand responsive transport and other innovative solutions that increase accessibility
- xii. measures that increase accessibility to rail stations.

Plans will need to reflect the fact that low delivery from any one of these elements will require a compensatory increase in delivery from one or more of the others.

POLICY T5: TRAVEL PLANS AND ADVICE

Local authorities must ensure that their local development documents and local transport plans identify those categories of major travel generating developments, both existing and proposed, for which travel plans should be developed.

Local transport authorities should also consider piloting the concept of transport planning advice centres for regional hubs in their local transport plans.

POLICY T7: RURAL TRANSPORT

Local transport plans covering areas that are not wholly urban should:

- i. take a co-ordinated approach to encouraging community-based transport in areas of need
- ii. include a rural dimension to transport and traffic management policies, including looking for opportunities to improve provision for cyclists and pedestrians between towns and their nearest villages
- iii. develop innovative and adaptable approaches to public transport in rural areas that reflect the particular and longer-term social and economic characteristics of the region.

POLICY S3: EDUCATION AND SKILLS

Local planning authorities, taking into account demographic projections, should work with partners to ensure the adequate provision of pre-school, school and community learning facilities. Policies should advocate the widening and deepening of participation through better accessibility, reflecting the role the planning system can play in developing and shaping healthy sustainable communities. Policies should:

- i. take account of the future development needs of the economy and the community sector
- ii. encourage mixed use approaches, that include community facilities alongside 'formal' education facilities
- iii. seek to ensure access for all sections of society to education facilities at locations with good public transport access.

POLICY S5: CULTURAL AND SPORTING ACTIVITY

Increased and sustainable participation in sport, recreation and cultural activity should be encouraged by local authorities, public agencies and their partners through local development documents and other measures in order to improve the overall standard of fitness, enhance cultural diversity and enrich the overall quality of life.

Provision for cultural and sporting activity should:

- i. be based on an up to date strategy for the selected provision which should cover aspects such as the arts, heritage, the museums, libraries and archive sectors and sporting activity
- ii. be based on an audit of current supply and an assessment of this supply against estimated demand/growth. The audits should cover the quantitative, qualitative and accessible nature of provision. Authorities should encourage formal partnership working to put in place effective programmes of provision and management.

Local development documents should include policies relevant to local needs designed to:

- i. encourage participation by disadvantaged and socially excluded persons/groups
- ii. locate facilities sustainably where they can be accessed by a range of modes of transport particularly healthy forms of transport i.e. walking and cycling
- iii. make joint service provisions where appropriate
- iv. give special attention to cultural provision in supporting economic growth and urban regeneration, which may be the subject of area action plans

include policies encouraging workplace and other everyday provision for increased physical activity.

POLICY S6: COMMUNITY INFRASTRUCTURE

The regional planning authority and regional partners, including SEEDA, will work with Government and other agencies to increase investment in physical and social infrastructure and secure co-ordination between development and essential infrastructure provision.

Where appropriate, the mixed use of community facilities should be encouraged by local authorities, public agencies and other providers, through local development documents and other measures in order to make effective use of resources and reduce travel and other impacts.

Local planning authorities, in consultation with those delivering services using community infrastructure (including the Third Sector and Faith organisations), will ensure facilities are located and designed appropriately, taking account of local needs and a whole life costing approach.

Policies should also ensure that:

- i. community infrastructure supports economic growth and regeneration, with particular priority for health and education provision
- ii. creative thinking and action on new mixes of cultural and community facilities is encouraged
- iii. appropriate facilities are made accessible to all sections of the community, in both urban and rural settlements.

Vale of White Horse Local Plan 2011

POLICY CF1

Proposals involving the loss of land or buildings in community use which, in terms of their location, physical characteristics and accessibility, are considered suitable to meet identified community needs will not be permitted, unless:

- i) adequate, appropriate, alternative provision sufficient to accommodate the loss is included as part of the proposal, or
- ii) sufficient convenient provision is already available elsewhere.

POLICY CF2

Development which is proposed in connection with the provision of new services and facilities for the social well-being of local communities, including extensions to and changes in the use of existing buildings, will be permitted where the following criteria are met:

- i) the proposal conforms with the general policies for development in the plan and in particular maximises as far as is possible access for all;

- ii) any proposal for a new building is within the built-up area of a settlement or within or adjacent to a group of existing buildings providing for such uses and is not within the green belt outside a village area defined in policy GS3 or outside a major developed site defined in policy GS4;
- iii) any extension will not have an adverse effect on the character or setting of the existing building or its surroundings, or significantly alter the character and scale of the existing activity so as to cause harm to the local environment; and

Exceptionally, development of a small scale community facility adjacent to the built-up area of a settlement will be permitted:

- a) where it meets a clearly identified local need that cannot be met in any other way; and
- b) it is not within the green belt outside a village area defined in policy GS3.

POLICY DC1

Development will be permitted provided that:

- i) it is of high quality and inclusive design such that the layout, scale, mass, height, detailing, materials used and its relationship to adjoining buildings and open space do not adversely affect those attributes that make a positive contribution to the character of the locality;
- ii) it takes into account local distinctiveness and character either in a modern or a traditional interpretation.

POLICY DC2

In new developments consideration should be given to measures to conserve energy and the use of other resources. These may include passive solar design (which involves influencing the layout, design, orientation and shelter of buildings), the use of energy-efficient technologies, measures to conserve the use of water and maximising the re-use of recycled and waste materials.

POLICY DC3

The design and layout of new buildings and the spaces around and between them as well as access provisions must be arranged to increase security and deter crimes. Proposals to increase security on existing development will be permitted provided there is no harm to the character of the area.

POLICY DC5

Proposals for development will only be permitted that:

- i) safe and convenient access will be provided both within the site and to and from the adjoining highway network for all users including those with impaired mobility, and for all modes of transport;
- ii) the road network can accommodate the traffic arising from the development without causing safety, congestion or environmental problems;
- iii) adequate provision will be made for loading, unloading, circulation, servicing and vehicle turning;
- iv) adequate and safe provision will be made for parking vehicles and cycles;
- v) off-site improvements to the highway infrastructure (including traffic management measures), cycleways, footpaths and the public transport network can be secured where these are not adequate to service the development; and
- vi) the scheme is designed to minimise the impact of vehicles and give priority to the needs of pedestrians, cyclists, the users of public transport and those with impaired mobility.

POLICY DC6

All proposals for development will be required to include hard and soft landscaping measures designed to:

- i) protect and enhance the visual amenities of the site and its surroundings including, where appropriate, existing important landscape features; and
- ii) maximise the opportunities for nature conservation and wildlife habitat creation.

POLICY DC9

Development will not be permitted if it would unacceptably harm the amenities of neighbouring properties and the wider environment in terms of:

- i) loss of privacy, daylight or sunlight;
- ii) dominance or visual intrusion;
- iii) noise or vibration;
- iv) smell, dust, heat, gases or other emissions;
- v) pollution, contamination or the use of or storage of hazardous substances; and
- vi) external lighting.

POLICY DC10

Development will not be permitted if it is likely to be adversely affected by existing or potential sources of:

- i) noise or vibration;
- ii) smell, dust, heat, gases or other emissions; or
- iii) pollution, contamination of the site or its surroundings and hazardous substances nearby.

POLICY DC14

Development generating surface water run-off likely to result in adverse effects, such as an increased risk of flooding, changes in ground water levels, and river channel instability or damage to habitats, will not be permitted unless:

- i) the development's surface water management system accords with sustainable drainage principles and has been designed as an integral part of the development layout; and
- ii) the system will effectively control and adequately mitigate or attenuate any adverse effects from surface water run-off on people, habitats of acknowledged importance and property.

Where development is permitted under this policy, the associated appropriate attenuation measures must be in place before the development commences.

POLICY DC20

Applications for planning permission, or for consent for the display of advertisements, which involve external lighting will be permitted provided that:

- i) there shall be no adverse effect on the character of the area or the amenity of neighbouring properties;
- ii) the lighting proposed is the minimum necessary to undertake the task for which it is required;
- iii) the potential light pollution from glare and spillage is minimized; and
- iv) there will not be a hazard to highway safety.

Where permission or consent is granted for external lighting conditions may be imposed requiring a light spillage test prior to its first use and, where necessary, the fitting of devices to reduce glare and light spillage and/or to restrict the hours during which the lighting may be used.

POLICY GS5

Within existing settlements development will only be permitted if it makes efficient use of land and buildings and provided it would not result in:

- i) the loss of an important local facility;
- ii) harm to the site or its surroundings; or
- iii) a poor quality environment for those who live in, work in, or visit the Vale.

POLICY GS10

New development will only be permitted in locations where the need to travel, particularly by car, can be minimized or where it is specifically provided for in other policies in this plan. Development which would generate significant levels of traffic will not be permitted where travel by modes other than the private car are not available or cannot be provided for effectively.

POLICY TR4

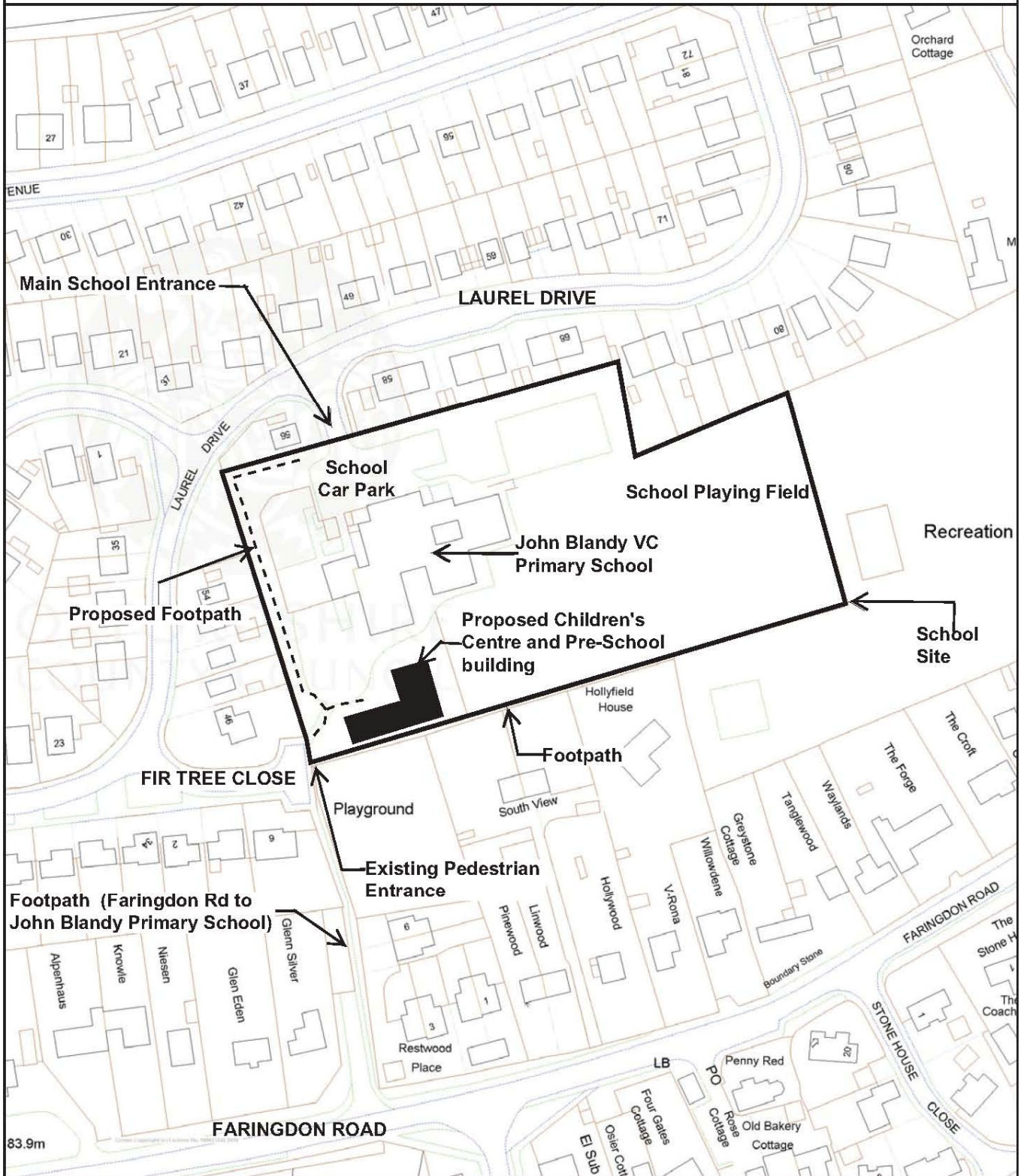
The needs of pedestrians and cyclists will be taken into account in determining proposals for development and in the design and implementation of highway and traffic management schemes by seeking the provision of safe and convenient facilities and secure and covered cycle parking.

POLICY TR9

Development proposals which have significant transport implications will only be permitted where they are accompanied by a Transport Assessment identifying the transport impacts of the proposal, and where those impacts are adequately mitigated. A Travel Plan will be required where development proposals are likely to generate significant levels of traffic.

John Blandy Primary School

Application No. R3.0011/10



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Contact Officer: Naomi Woodcock Tel: Oxford 815708

Division(s): Banbury Easington

PLANNING & REGULATION COMMITTEE – 12 APRIL 2010

ERECTION OF TWO STOREY SIX CLASSROOM EXTENSION AND ASSOCIATED ALTERATIONS AND ADAPTIONS; REMOVAL OF 4 TEMPORARY CLASSROOM BUILDINGS; RELOCATION OF SCHOOL CAR PARKING AREA (INCLUDING ITS RELOCATION FOR A TEMPORARY PERIOD DURING CONSTRUCTION PERIOD AND PROVISION OF TEMPORARY CONTRACTORS ACCESS AND COMPOUND)

Location: The Grange Community Primary School, Avocet Way, Bodicote Chase, Banbury, Oxon, OX16 9YA.

Application No: R3.0009/10

District Council Area: Cherwell

Introduction

1. This application is for the erection of a two storey six classroom extension, and the removal of one double, and three single temporary classroom buildings. The proposal also involves the relocation of the school car parking area (including its relocation for a temporary period during the construction period), and provision of a temporary contractors access and compound on the school playing field.

Location (see site plan)

2. The Grange Community School is located approximately 2 miles south east of Banbury town centre, just off Avocet Way.

Site and Setting (see site plan)

3. The school site is immediately bounded by St John's Catholic Primary School to the east, residential properties to the north, south and west, and the A4260 Banbury to Oxford road to the south west. A recreation ground adjoins the north side of the school playing field.
4. The school site comprises the main school building, a community hall, 4 prefabricated classrooms buildings, two car parks and the school playing field. The nearest residential dwellings are located 20 metres to the south, on Marten Gate and Hazeldene Gardens. There are mature trees and 2 metre high close boarded fencing along the school's southern site boundary, and a line of trees (a mix of lime, horse chestnut and hawthorn) between the school playing field, and the temporary classrooms/staff car park.

5. The main school building is single storey red brick building with a flat roof. The community hall extension is one and a half storeys in height, built of a matching brick but with a pitched roof. The residential dwellings closest to the proposed development are two storey brick built with pitched tiled roofs.

Background and Details of the Development

6. The proposal is to remove 4 sub-standard temporary classroom buildings from the school site and replace them with permanent teaching accommodation. In addition, the school has identified a need for an extra classroom as the existing permanent classrooms are of inadequate size and irregular shape, which inhibits teaching. No increase in pupil numbers is proposed.
7. It is proposed to erect the new 6 classroom extension on the staff car park which is located to the east of the main school building. The extension would be two storeys high with the intention of enhancing the presence of the school, and to improve the visual appearance of the entrance to the school.
8. The extension would be flat roofed with white rendered walls to the ground floor, and three colours (light blue, mid blue and grey) of cladding to the first floor. These materials are intended to contrast with the existing building. A glazed canopy is proposed over the entrance to the new extension.
9. The application also seeks to relocate the staff car park to the area currently occupied by the 4 temporary classroom buildings. No extra car parking is proposed. For the period of construction the staff car park would be relocated onto the school playing field, immediately east of the school's main car park. The contractor's compound would be located immediately north of both the temporary and main school car park. The compound would not impact on the marked out playing pitches.
10. To enable contractors vehicles to access the development site (from the site compound), it is proposed to remove two horse chestnut trees.

Consultations

11. Cherwell District Council – Holding objection. No means of protection of trees which are to be retained on site during construction works are provided.
12. Banbury Town Council – No objection. Would like the materials/colour to be conditioned to be sympathetic and in keeping with the locality.
13. Oxfordshire Playing Fields Association – No objection.
14. Environment Agency – No objection.
15. Sport England – No objection. The extension to the main car park will not affect any marked out pitches on the site and will only be for a temporary

- period. Recommend that the playing field land be reinstated to playing field quality at the end of the construction works.
16. Transport Development Control – No objection. Recommend the submission and approval of a construction traffic management plan.
 17. County Ecologist - No objection subject to conditions to cover, tree removal to be carried out in accordance with the ecological method statement, no tree removal during the bird breeding season, and details of how bats would be accommodated on site.
 18. County Forester – Initially the County Forester raised concern about tree protection. However, following the submission of amended tree protection measures the Forester has withdrawn his concerns.
 19. County Archaeologist – The application does not appear to directly affect any known archaeological sites. Request an informative advising of appropriate action to be taken in the event of archaeological finds.
 20. **Third Party Representations** (copies of each letter are available in the members resource centre)
 21. Two letters of objection have been received from neighbouring residents. The key points made by the local residents are:
 - loss of privacy;
 - potential loss of daylight/overshadowing;
 - lack of infrastructure for increased access and parking;
 - increase in noise;
 - loss of playing field space.

Relevant Development Plan and other Policies

22. Planning applications should be decided in accordance with the development plan unless material considerations indicate otherwise.
23. The relevant development plan documents are The South East Plan Regional Spatial Strategy 2026 (RSS), the Cherwell Local Plan 1996 (CLP). The Cherwell Non Statutory Local Plan (NSCLP) 2011 has been adopted by the District Council for development control purposes and is also material to the consideration of this application.
24. The relevant policies are as set out in annex 1:
 - RSS – BE6, CC6, C4, NRM2, NRM5, NRM10 AND T1.
 - CLP – C28.
 - NSCLP – D3, D9, TR1, TR5, R7A, EN3, EN6, EN15, EN16, EN22, EN24, EN35, EN37 and EN47.

Comments of the Head of Sustainable Development

25. In my view the main issues to be considered in assessing the merits of this application relate to:
- (i) Potential impacts on neighbouring residents;
 - (ii) Impact on the environment; and
 - (iii) Design/materials of the extension.
 - (iv) Potential impacts on neighbouring residents

Overlooking and daylight

26. The application seeks to locate the two storey extension 20m to the north of the rear of the nearest residential property. Policy D3 of the NSCLP seeks to ensure that new development respects the scale of adjoining properties, whilst Policy EN16 of the NSCLP seeks to prevent development on greenfield land. Policy D9 of the NSCLP seeks to ensure that all residential properties have access to some private or semi private outdoor space. Policy D9 further seeks to ensure that the privacy of dwellings is respected and that windows of habitable rooms are not overshadowed.
27. Two objectors have expressed concern about the scale of the proposed development and the effect that it may have on their residential amenities. In particular both objectors have expressed concern about overlooking from the proposed development into their rear gardens. However, only one objector has expressed concern about overlooking into their house. One of the objectors has also raised concerns about potential overshadowing and loss of sunlight.
28. The proposed development site is typical of an urban environment in that it is surrounded by varying building heights. The existing main school building is single storey, the community hall is one and a half storeys. The adjacent residential properties are two storeys in height (approximately 6.4metres). Although the two storey extension would be 7.3m high, I do not believe that it would be overbearing in relation to the adjacent houses. Therefore I believe that the extension would respect the scale of the adjoining properties and that it accords with policy D3 of the NSCLP. A two storey extension would reduce the footprint of the proposed development rather than expand onto undeveloped land. In my opinion the proposed extension accords with policy EN16 of the NSCLP.
29. The garden of the objector (who raised concern about overlooking to their garden only) would be located 21.6 metres from the new school extension. There is a 2 metre high garage with a pitched roof located in the adjacent residential garden, a 2.5 metre high covered cycle parking shelter and a 2 metre high close boarded fence located on the school's southern boundary.

Overlooking should not be a significant issue given the combination of the 21.6m distance, the location of the garage, cycle parking shelter and fencing.

30. The other objector's house is located 23.9 metres away from the proposed two storey extension, and their rear garden is located 14.4 metres away. Similarly overlooking should not be significant because of the combination of distance, a 2 metre high close boarded timber fence and, the location of 2 mature trees located on the school's southern boundary.
31. Concerns have been raised regarding lack of light/overshadowing. However, as the sun rises in the east and moves clockwise to the west, and the proposed development would be located to the north of the houses and gardens, there should be no undue loss of daylight or shadowing to neighbouring properties.

Transport network

32. One local resident has expressed concern that an increase in pupil numbers may lead to an increase in vehicular traffic, accessibility issues (for emergency vehicles), and parking problems (such as parking across private driveways and at junctions). Another local resident has expressed concern that the concentration of parking in one area may exacerbate existing congestion problems along Avocet Way during school peak times, and impact on highway safety.
33. As the new extension would not lead to an increase in pupil numbers or an increase in the number of parking spaces, I consider that once the building is constructed the transport network would not be affected.

Noise

34. It is proposed that the contractors compound would be located approximately 40m from the nearest residential property. Policy EN3 of the NSCLP seeks to ensure that new development does not cause materially detrimental levels of noise, particular to the amenities of residential properties. One of the objectors has raised concern about noise and disturbance from construction works. To minimise any noise impact on the amenity of the neighbouring residents, a condition requiring the approval of contractors working hours could be attached to any permission. I am of the view the proposed development would accord with policy EN3 of the NSCLP provided working hours are controlled.

(ii) Impact on the environment

Temporary loss of playing field

35. The proposal seeks to locate a car park and contractors compound on the school playing field for the duration of the temporary construction works. Policy R7A of the NSCLP seeks to prohibit development from taking place on playing fields unless the development would not adversely affect the use of a

playing pitch. One of the objectors has expressed concern that the temporary car park would reduce the size of the school playing field.

36. Sport England have commented that the encroachments onto the school playing field would not affect any marked out pitches, and would only be for a temporary period. As the proposed works would not affect a playing pitch, and the contractor's compound and car park would only be temporarily located on the school playing field, I consider this would not conflict with intentions behind Policy R7A of the NSCLP. A condition can be imposed to ensure that the playing field is reinstated on completion of the works.

Trees

37. To enable contractors vehicles to access the development site, it would be necessary to remove two horse chestnut trees. Policy EN35 of the NSCLP seeks to retain trees unless their loss can be justified by appropriate compensatory measures.
38. Cherwell District Council have commented that there is potential for damage to occur to retained trees as the application does not address tree protection issues in sufficient detail. Although the County Forester initially raised concern about tree protection, the applicant has since provided details of how trees to be retained would be protected during construction works. The County Forester has since confirmed that he is happy with the amended tree protection measures.
39. Because 2 trees would be lost to enable the extension, it would be appropriate to impose a condition requiring replacement tree planting to ensure that conflict with Policy EN35 of the NSCLP is offset.

(iii) Design and materials of the extension

40. The applicant proposes that the extension be faced in white render with three colours (light blue, mid blue and grey) of cladding to the white floor. Policy C28 of the CLP requires external-finish materials of new development to be sympathetic to the character of the urban context of the development. Banbury Town Council have commented that the colour of the materials should be conditioned to ensure that it is sympathetic and in keeping with the locality.
41. The finish of the existing main school building, community hall and adjacent residential properties is red brick and the materials for the new extension have been deliberately chosen to contrast with the existing building. I think that this is an acceptable approach which would compliment the red brick. However, to ensure that the colour of the materials accords with policy C28 of the CLP, a condition should be imposed requiring the submission and approval of the external cladding materials.

Conclusion

42. I consider that this proposal would enable The Grange Community Primary School to remove five temporary sub-standard classrooms from the school site and replace them with permanent teaching accommodation. Concerns have been raised about the impact that the proposed development may have on neighbouring residents and the landscaping and materials. I am of the view that the scale and design of the development is acceptable and would have minimal impact on residential amenity (noise from construction activities, overlooking, overshadowing). There are no significant transport or landscaping concerns and the application accords with Development Plan policy.

RECOMMENDATION

43. It is **RECOMMENDED** 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 do occur during development, the County Archaeologist shall be notified in order that he may visit the site and advise as necessary.

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

CHRIS COUSINS
Head of Sustainable Development
Environment & Economy

Background Papers: File Ref: R3.0009/10 8.1/4539/2

Relevant Planning Policies

The South East Plan

POLICY BE6: MANAGEMENT OF THE HISTORIC ENVIRONMENT

When developing and implementing plans and strategies, local authorities and other bodies will adopt policies and support proposals which protect, conserve and, where appropriate, enhance the historic environment and the contribution it makes to local and regional distinctiveness and sense of place. The region's internationally and nationally designated historic assets should receive the highest level of protection. Proposals that make sensitive use of historic assets through regeneration, particularly where these bring redundant or under-used buildings and areas into appropriate use should be encouraged.

POLICY CC6: SUSTAINABLE COMMUNITIES AND CHARACTER OF THE ENVIRONMENT

Actions and decisions associated with the development and use of land will actively promote the creation of sustainable and distinctive communities. This will be achieved by developing and implementing a local shared vision which:

- i. respects, and where appropriate enhances, the character and distinctiveness of settlements and landscapes throughout the region
- ii. uses innovative design processes to create a high quality built environment which promotes a sense of place. This will include consideration of accessibility, social inclusion, the need for environmentally sensitive development and crime reduction.

POLICY C4: LANDSCAPE AND COUNTRYSIDE MANAGEMENT

Outside nationally designated landscapes, positive and high quality management of the region's open countryside will be encouraged and supported by local authorities and other organisations, agencies, land managers, the private sector and local communities, through a combination of planning policies, grant aid and other measures.

In particular, planning authorities and other agencies in their plans and programmes should recognise, and aim to protect and enhance, the diversity and local distinctiveness of the region's landscape, informed by landscape character assessment.

Positive land management is particularly needed around the edge of London and in other areas subject to most growth and change. In such areas long-term goals for landscape conservation and renewal and habitat improvement should be set, and full advantage taken of agri-environmental funding and other management tools.

Local authorities should develop criteria-based policies to ensure that all development respects and enhances local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided.

POLICY NRM2: WATER QUALITY

Water quality will be maintained and enhanced through avoiding adverse effects of development on the water environment.

In preparing local development documents, and determining planning applications, local authorities will:

- i. take account of water cycle studies, groundwater vulnerability maps, groundwater source protection zone maps and asset management plans as prepared by the Environment Agency, water and sewerage companies, and local authorities;
- ii. ensure that the environmental water quality standards and objectives as required by European Directives are met
- iii. ensure that the rate and location of development does not breach either relevant 'no deterioration' objectives or environmental quality standards
- iv. not permit development that presents a risk of pollution or where satisfactory pollution prevention measures are not provided in areas of high groundwater vulnerability (in consultation with the Environment Agency and Natural England).

Local authorities will work with water and sewerage companies and the Environment Agency to:

- i. identify infrastructure needs, allocate areas and safeguard these for infrastructure development
- ii. ensure that adequate wastewater and sewerage capacity is provided to meet planned demand
- iii. ensure that impacts of treated sewage discharges on groundwater, inland and marine receiving waters do not breach environmental quality standards or 'no deterioration' objectives
- iv. ensure that plans and policies are consistent with River Basin Management Plans
- v. ensure that water cycle studies are carried out, prior to development sites being given planning permission, where investigations by the Environment Agency indicate that water quality constraints exist
- vi. ensure that Sustainable Drainage Systems are incorporated in a manner to reduce diffuse pollution.

Local authorities should promote land management initiatives to reduce diffuse agricultural pollution.

POLICY NRM5: CONSERVATION AND IMPROVEMENT OF BIODIVERSITY

Local planning authorities and other bodies shall avoid a net loss of biodiversity, and actively pursue opportunities to achieve a net gain across the region.

- i. They must give the highest level of protection to sites of international nature conservation importance (European sites). Plans or projects implementing policies in this RSS are subject to the Habitats Directive. Where a likely significant effect of a plan or project on European sites cannot be excluded, an appropriate assessment in line with the Habitats Directive and associated regulations will be required.
- ii. If after completing an appropriate assessment of a plan or project local planning authorities and other bodies are unable to conclude that there will be no adverse effect on the integrity of any European sites, the plan or project will not be approved, irrespective of conformity with other policies in the RSS, unless otherwise in compliance with 6(4) of the Habitats Directive.
- iii. For example when deciding on the distribution of housing allocations, local planning authorities should consider a range of alternative distributions within their area and should distribute an allocation in such a way that it avoids adversely affecting the integrity of European sites. In the event that a local planning authority concludes that it cannot distribute an allocation accordingly, or otherwise avoid or adequately mitigate any adverse effect, it should make provision up to the level closest to its original allocation for which it can be concluded that it can be distributed without adversely affecting the integrity of any European sites.
- iv. They shall avoid damage to nationally important sites of special scientific interest and seek to ensure that damage to county wildlife sites and locally important wildlife and geological sites is avoided, including additional areas outside the boundaries of European sites where these support the species for which that site has been selected.
- v. They shall ensure appropriate access to areas of wildlife importance, identifying areas of opportunity for biodiversity improvement and setting targets reflecting those in the table headed 'Regional Biodiversity Targets – Summary for 2010 and 2026' below. Opportunities for biodiversity improvement, including connection of sites, large-scale habitat restoration, enhancement and re-creation in the areas of strategic opportunity for biodiversity improvement (Diagram NRM3) should be pursued.
- vi. They shall influence and applying agri-environment schemes, forestry, flood defence, restoration of mineral extraction sites and other land management practices to:
 - deliver biodiversity targets
 - increase the wildlife value of land
 - reduce diffuse pollution
 - protect soil resources.
- vii. They shall promote policies that integrate the need to accommodate the changes taking place in agriculture with the potential implications of resultant development in the countryside.

- viii. They shall require green infrastructure to be identified, developed and implemented in conjunction with new development.

POLICY NRM10: NOISE

Measures to address and reduce noise pollution will be developed at regional and local level through means such as:

- i. locating new residential and other sensitive development away from existing sources of significant noise or away from planned new sources of noise
- ii. traffic management and requiring sound attenuation measures in major transport schemes
- iii. encouraging high levels of sound-proofing and screening as part of sustainable housing design and construction.

POLICY T1: MANAGE AND INVEST

Relevant regional strategies, local development documents and local transport plans should ensure that their management policies and proposals:

- i. are consistent with, and supported by, appropriate mobility management measures
- ii. achieve a re-balancing of the transport system in favour of sustainable modes as a means of access to services and facilities
- iii. foster and promote an improved and integrated network of public transport services in and between both urban and rural areas
- iv. encourage development that is located and designed to reduce average journey lengths
- v. improve the maintenance of the existing transport system
- vi. include measures that reduce the overall number of road casualties]
- vii. include measures to minimise negative environmental impacts of transport and, where possible, to enhance the environment and communities through such interventions
- viii. investment in upgrading the transport system should be prioritised to support delivery of the spatial strategy by:
 - a. supporting the function of the region's international gateways and inter-regional movement corridors (see Diagram T1 at the end of this chapter)
 - b. developing the network of regional hubs and spokes (see Diagram T2 at the end of the chapter)
 - c. facilitating urban renewal and urban renaissance as a means of achieving a more sustainable pattern of development
 - d. improving overall levels of accessibility.

Cherwell Local Plan

- C28 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.

Non-Statutory Cherwell Local Plan 2011

D3 Proposals for development that reflects or interprets the locally distinctive character of the site and its context, will be permitted provided that they:

- (i) respect the site's landform and natural features
- (ii) are well integrated into the landscape setting
- (iii) reflect the traditional pattern of the arrangement of street blocks, plots and their buildings and spaces
- (iv) include the retention and enhancement of existing open spaces and undeveloped gaps of local importance that contribute positively in visual terms to the public realm although in private ownership
- (v) relate well to the local palette of building and surfacing materials
- (vi) relate well to the local architectural styles and the local palette of elements of construction, elevational detailing, windows and doors
- (vii) respect the scale, proportion, massing and height of adjoining buildings and the street scene
- (viii) do not interfere with valued views, vistas and landmarks.

D9 In assessing development proposals the council will seek to ensure that energy efficiency design principles are incorporated by means of:

- (i) minimising energy loss through appropriate urban form, siting of buildings and soft landscaping
- (ii) maximising natural (passive) solar heating, natural lighting and natural ventilation by means of appropriate layout and orientation
- (iii) minimising energy consumption by means of building design
- (iv) ensuring that the aesthetic implications of the green technology proposed are appropriate to the particular context of the proposals
- (v) ensuring that all residential development, including flats, has access to some private or semi private outdoor space
- (vi) providing adequate accommodation for waste separation and recycling facilities.

TR1 All traffic generating development must contribute to achieving the objectives of the Local Transport Plan.

TR5 Before proposals for development are permitted the council will need to be satisfied that:

- (i) conflict between vehicles and pedestrians, cyclists and people with sensory and mobility impairments is minimised by securing segregated provision, controlled crossings or other measures as appropriate; and
- (ii) the development does not compromise the safe movement and free flow of traffic or the safe use of roads by others.

Proposals that do not comply with relevant standards of road safety will not be permitted.

R7A Development proposals on playing fields will not be permitted unless:

- (i) the playing fields are established as being surplus to requirements (including consideration of all functions open space can perform); or
- (ii) the proposed development is ancillary to the use of the site as a playing field and would not affect the quantity or quality of pitches or adversely affect their use; or
- (iii) the council is satisfied that a suitable alternative site of at least equivalent community benefit is to be provided within an agreed time period;
- (iv) the proposals only affect land which is incapable of forming a playing pitch (or part of one); or
- (v) the proposal is for a facility of sufficient benefit to the development of sport to outweigh the loss of the playing field.

EN3 Development which is likely to cause materially detrimental levels of noise, vibration, smell, smoke, fumes or other type of environmental pollution will not be permitted.

EN6 In determining planning applications the council will seek to avoid unnecessary light pollution. Proposals for any external lighting scheme that requires planning permission will need to demonstrate that:

- (i) the lighting scheme is the minimum required for its intended use
- (ii) light pollution is minimised
- (iii) there is no detrimental impact on residential amenity, the character and appearance of the landscape, nature conservation or highway safety.

EN15 New development generating increased surface water run-off likely to result in an adverse impact to surface drains and watercourses, such as an increased risk of flooding, river channel instability or damage to habitats, will not be permitted until the proposals include appropriate source control and/or attenuation measures. Developers will be expected to cover the costs of assessing the impact of development on run-off generation and of any appropriate mitigation works, including long term management.

EN16 Development on Greenfield land including the best and most versatile (Grades 1, 2 and 3a) agricultural land will not be permitted unless there is an overriding need for the development and opportunities have been assessed to accommodate the development on previously developed sites and land within the built-up limits of settlements.

If development needs to take place on agricultural land, then the use of land in Grades 3b, 4 and 5 should be used in preference to higher quality land except where other sustainability considerations suggest otherwise.

EN22 Development proposals will be expected to incorporate features of nature conservation value within the site, features of value should be retained and enhanced wherever possible. The use of planning conditions or planning obligations will be sought to secure their protection and management, or the provision of compensatory measures where appropriate.

EN24 The council will seek to promote the interests of nature conservation through the control of development. Proposals which would result in damage to or loss of a site of ecological or geological value will not be permitted unless:

- (i) in the case of an internationally important site, there is no alternative solution and there are imperative reasons of over-riding public interest for the development; or
- (ii) in the case of a nationally important site, the reasons for the development clearly outweigh the ecological or geological value of the site and the national policy to safeguard the national network of such sites; or
- (iii) in the case of a site of regional or local importance for its ecological or geological value, the reasons for the development clearly outweigh the ecological or geological value of the site.

In all cases where development is permitted, damage must be kept to a minimum. The council will use conditions or planning obligations to protect and enhance the site's ecological or geological interest and to provide mitigation and compensatory measures where appropriate.

EN35 The council will seek to retain woodlands, trees, hedges, ponds, walls and any other features which are important to the character or appearance of the local landscape as a result of their ecological, historic or amenity value. Proposals which would result in the loss of such features will not be permitted unless their loss can be justified by appropriate mitigation and/or compensatory measures to the satisfaction of the council.

EN37 In exercising its development control functions the council will welcome opportunities for countryside management projects where:

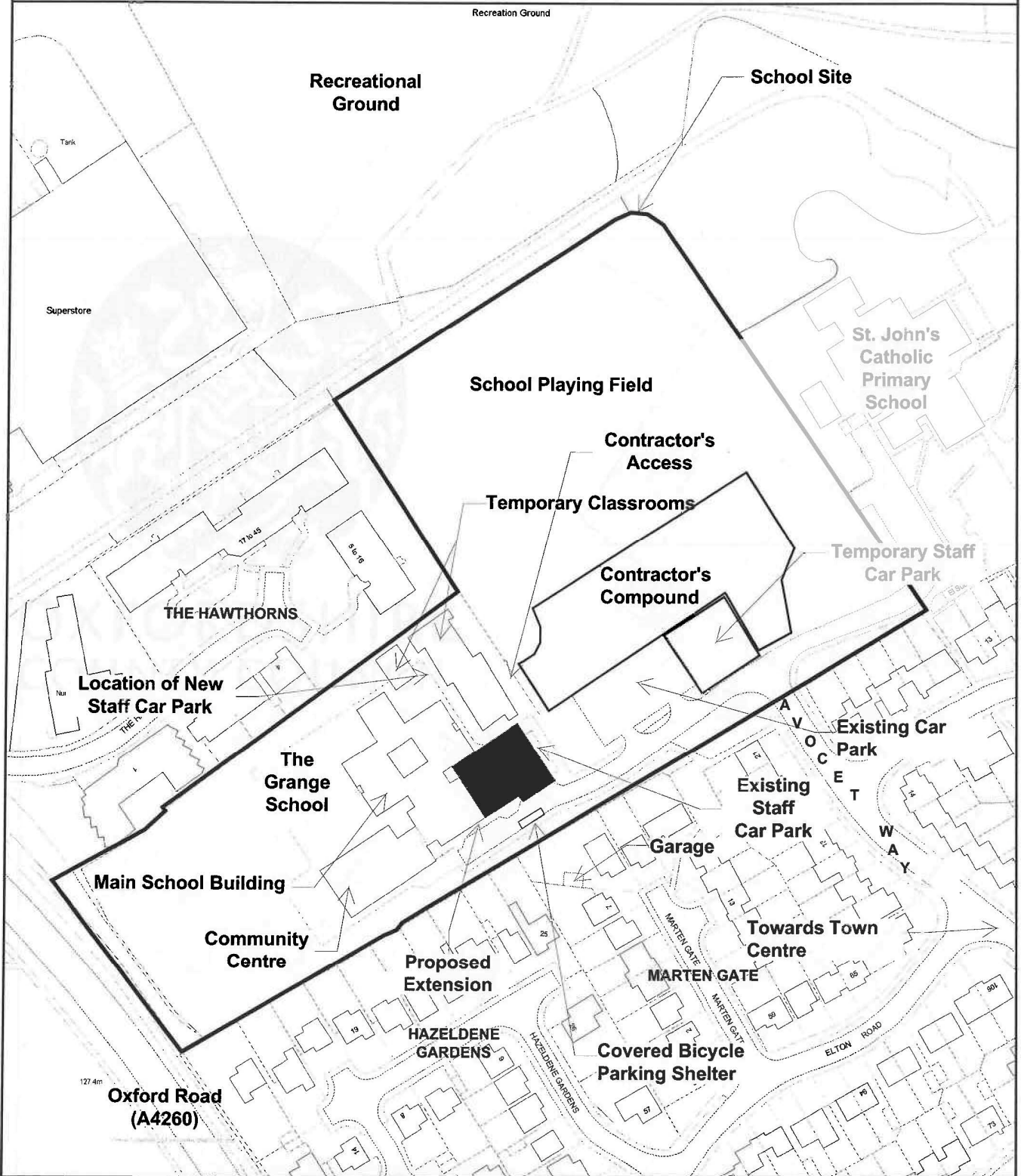
- (i) all important trees, woodland and hedgerows are retained
- (ii) the ecological value of the site will be enhanced; and
- (iii) new tree and hedgerow planting using species native to the area and of local provenance is encouraged and subsequently managed.

EN47 The council will promote sustainability of the historic environment through conservation, protection and enhancement of the archaeological heritage and its interpretation and presentation to the public. In particular it will:

- (i) seek to ensure that scheduled ancient monuments and other unscheduled sites of national and regional importance and their settings are permanently preserved
- (ii) ensure that development which could adversely affect sites, structures, landscapes or buildings of archaeological interest and their settings will

- require an assessment of the archaeological resource through a desk-top study, and where appropriate a field evaluation
- (iii) not permit development that would adversely affect archaeological remains and their settings unless the applicant can demonstrate that the archaeological resource will be physically preserved in-situ, or a suitable strategy has been put forward to mitigate the impact of development proposals;
 - (iv) ensure that where physical preservation in-situ is neither practical nor desirable and sites are not scheduled or of national importance, the developer will be responsible for making appropriate provision for a programme of archaeological investigation, recording, analysis and publication that will ensure the site is preserved by record prior to destruction. Such measures will be secured either by a planning agreement or by a suitable planning condition.

The Grange Community Primary School - App No. R3.0009/10



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Division(s): Woodstock

PLANNING & REGULATION COMMITTEE – 12 APRIL 2010

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

Report by the Head of Sustainable Development

Location	Stone Farm, Lidstone
Applicant	Mr and Mrs Wenman
Application No	09/1581/P/CM
District Council Area	West Oxfordshire

Introduction

1. This is an application for the extraction of Chipping Norton Limestone from a 0.3 hectare site adjacent to farm buildings. It is proposed to extract for a 18 month period to create a level area which could be used as an extension to the farmyard for the storage of equipment. The application states that stone removed from the site could be used for dry stone walling, building and general masonry.

Location

2. Stone Farm lies 300 metres to the south west of the village of Lidstone, which is approximately 6.5 kilometres (4 miles) south east of Chipping Norton.

The Site and its Setting

3. Stone Farm includes a farm house, stables and barns, a workshop, three holiday cottages, a studio, fields for livestock and horses, a disused equestrian ménage and areas of hardstanding forming access tracks and a farmyard. The application site comprises unused land to the south west of the existing farmyard.
4. Access is proposed to be from a track running parallel to a bridleway also used as a secondary vehicle track linking the farm complex to the Chalford Green to Lidstone road.
5. The area proposed to be worked is 0.3 hectares.

6. Shakespeare's Way long distance footpath runs through the Stone Farm complex. The proposed access track would be parallel to an existing bridleway and at incorporate it at the access junction. The applicant has suggested they could divert this bridleway if considered appropriate.
7. The nearest residential properties to the site are more than 250 metres away in Lidstone village.
8. The site lies approximately 160 metres south of Glyme Valley SSSI and is adjacent to Glyme and Dorn Valley Conservation Target Area.

Details of Application

9. This proposal is to extract approximately 16 000 tonnes of Chipping Norton limestone, of which 10 000 tonnes would be removed off site. It would be extracted from a 0.3 hectare site at Stone Farm.
10. After the mineral has been worked the area will be restored to form an extended farm yard area. At present the site is sloping and so not suitable for this use.
11. The site would be accessed from a temporary haulage track off the Chalford Green to Lidstone local road. There would be on average approximately 10 vehicle movements per week, for a two year period. However, it is likely that the material would be removed over intermittent periods so there might be 10 movements per day over a 3 day period followed by a period of no movements. The mineral would be removed in lorries with a capacity of 32 tonnes or less.
12. Further information was submitted in support of the application as the original application contained errors in relation to the tonnage of the material to be worked (the tonnage to be worked has been confirmed to be 16,000). The further information also amended the application area to provide room to improve the access junction.

Consultations

13. West Oxfordshire District Council -

Planning:

14. Stone Farm and the surrounding land is located within the open limestone wolds, as described within the West Oxfordshire Landscape Assessment. The limestone wolds are characterised by elevated landscapes which are very visually exposed and particularly sensitive to development. One of the principal factors that potentially threatens the landscape quality in this area is agricultural intensification and the resulting loss of field boundaries. Given this, it is my view that the ground works involved in extending Stone Farm to the south west would visually extend development into the open countryside neither preserving nor enhancing the sensitive open landscape character of the limestone wolds.

15. The excavated land and temporary road will appear alien and incongruous within the landscape and the eventual farm yard extension will visually extend development into the open countryside to the detriment of the scenic qualities of the visual landscape character of the limestone wolds. As such, the proposal is considered to be contrary to the general principle of safeguarding the countryside for its own sake and Policies BE2, NE1 and NE3 of the adopted West Oxfordshire Local Plan 2011.
16. Response to additional information – Continue to have concerns about the visual impact of the workings, access road and extended farmyard. Advise applicant to submit a series of photomontages. Without this supporting information it is difficult for the application to demonstrate that the proposal will preserve or enhance the local landscape character of the limestone wolds, as required by West Oxfordshire Local Plan policy NE1 and NE3.

Environmental Health:

17. No objection. Noise and dust need not be a concern given the distance between the source and receivers.
18. Enstone Parish Council - Unable to support this application. Appears to be a request to extend the farm yard, yet in reality it is a request for a commercial quarrying operation. There is no explanation of why it is necessary to excavate the area to a depth of 5 metres. The applicant did not fully consult residents on these plans prior to submitting the application. Further information is needed before a decision can be taken:
 - Assessment of the impact on road safety
 - Details of how HGV routeing would be controlled
 - Consideration of the impact of HGVs through Chipping Norton
 - Confirmation of the exact extraction quantities proposed
 - Impact on the bridleway
 - Evidence that there would be no impact on protected species
 - Noise and dust. Buffer zone of 250 metres is not sufficient when the County Council has a standard policy of 350 metres.
19. Response to additional information – Very concerned that the tonnage figure is now three times what was originally proposed. This will lead to additional lorry movements. The application suggests that footpath users could use a stretch of road but this would be unsafe.
20. Environment Agency - No objection. Provides advice to the applicant regarding who to contact if waste is used for restoration processes, or if dewatering is required. Recommend that the applicant puts in place measures to control dust and mud.
21. Natural England - No objection. The development is unlikely to affect Glyme Valley SSSI. Suggests conditions to ensure that no materials, machinery or plant is stored or disposed of within the SSSI and no machinery and plant is

driven within the SSSI. States that all possible measures should be put in place to reduce adverse impacts on the SSSI, for example dust suppression measures.

22. Response to further information – Support the biodiversity enhancements proposed. Advises that native plant species should be used and Natural England should be consulted before seed mixes are imported. The fields closest to the SSSI should be maintained as grass. A condition should be added to any permission granted requiring a management plan and monitoring programme for habitats and species affected by this development.
23. BBOWT - No objection. As the site adjacent to the Glyme and Dorn Conservation Target Area (CTA) and therefore if it is permitted it should include enhancements towards the aims of the CTA. Request that the creation of hedgerows and calcareous grassland as set out in the application, is required by condition. Further opportunities should also be taken to provide for farmland birds and enhance the meadow habitats to complement the nearby SSSI. Should Natural England consider it appropriate, suggest management or enhancement of the meadows between the application site and the SSSI as a possible biodiversity enhancement. Also, any opportunities to provide further suitable farmland bird habitat, including species rich hedgerows, provision of nest boxes, and planting of wild bird seed mixtures should be taken.
24. English Heritage - Responded, no comments to make.
25. British Horse Society - Object. Application is for a commercial, industrial quarry at the intersection of bridle paths. It is proposed to build a new HGV road right next to an existing bridleway. Horses will be easily startled by lorries and machinery. The development would have a negative impact on the rights of way in this area, contrary to policies in the Oxfordshire Structure Plan policies R1 and R2 and the aims of Oxfordshire Rights of Way Improvement Plan. The applicant has not taken this document into account or made plans for mitigation. There are an estimated 100 horses in the Lidstone area and the applicant must consider plans for enhancing the rights of way affected. It is not clear why permanent permission has been applied for. Not clear what equestrian facilities will be provided, understand that the livery on the farm was closed years ago. The quarry is not necessary to extend the yard. Noisy and dusty machinery would be problematic for horse riders, mitigation of this is not detailed in the application. The operator should erect signage to warn users of the bridleway about periods of heavy use in advance. Signs would also be needed to warn drivers on the temporary road of horses. Suggests a high noise barrier could be erected around the site. Should be more detail about how this development would reduce the need to drive stock down the rights of way. There should be measures to ensure the removal of the temporary access track and reinstatement of the land.
26. Response to additional information – Welcome the acknowledgment that the applicant will have to warn local riders of lorry movements. However cannot remove objection due to strong reservations. If the bridleway is diverted onto a road this could be dangerous. It is misleading to suggest the proposed traffic generation is comparable to that caused by agricultural operations.

Misleading to state that this is not a commercial enterprise. Proposal to plant hedges along bridleways in the open countryside is not an enhancement as it would enclose and narrow the route.

27. Campaign to Protect Rural England - No objection in principal. However, the application states that the development would be permanent. If permission is granted OCC should restrict the time allowed for the quarrying and removal of stone and rigorously enforce this condition. Would object to any long term quarrying activity on site.
28. Transport Development Control - Initial response - the proposal would be detrimental to highway safety and convenience as the adjacent highway network is unsuitable for use by the large vehicles that are expected. The submitted documents do not provide enough information on traffic generation, vehicle type or the access junction. The route west from the site is a rural highway with a narrow carriageway and there is little/no opportunity to pass HGVs. Further from the site there are concerns regarding the junction of B4026 near to Chalford Green and the junction of A361/B4450 at Chipping Norton, layout and visibility being inappropriate for large vehicles. Understand that vehicles would not use the route to the east of the site.
29. Response to additional information – the additional information does not resolve highway concerns. The proposal would be detrimental to highway safety and convenience as the adjacent highway network is unsuitable for use by large vehicles. The widening of the proposed access has incorporated the adjacent right of way which would increase the risk of conflict between vehicles and users of the right of way. The highway leading from the proposed access to the B4026 is totally inappropriate for the vehicles associated with the proposed use. One passing place is shown which provides little mitigation. Visibility on the access junction is only appropriate when the southern arm of the junction is used, which requires more complicated manoeuvring. It is likely that vehicles would overrun verges or have to perform complicated manoeuvres as the swept paths show there is little room spare. Proposal would involve HGVs through Chipping Norton, which is a matter of concern, although the impact of these vehicles may be small compared to existing HGV flows on the network.
30. Archaeology - No objection. The proposal does not appear to directly affect any presently known archeological sites. However, records do indicate the presence of known archeological finds nearby, and this should be borne in mind by the applicant. If archeological finds do occur the applicant should notify the County Archaeologist.
31. Ecologist Planner - No objection. The proposed development would have negligible negative impact on biodiversity but would result in a permanent extension of the existing farm development which could have an impact on the landscape. Enhancement measures would go some way towards mitigating that landscape impact and provide biodiversity enhancements. Suitable enhancements would include the creation of species-rich hedgerows and grassland, the installation of feeding stations and nest boxes for tree sparrows, planting an area with wild bird seed mixture to benefit linnets and

management of the fields south of the Glyme Valley SSSI to create calcareous grassland and buffer the SSSI.

32. The development is unlikely to affect Glyme Valley SSSI or the Glyme and Dorn Conversation Target Area (CTA) but due to its proximity the development should contribute towards the targets of the CTA.
33. Rights of Way - No objections. Application will not have a significant impact on rights of way network locally. Signage should be agreed in advance. The rights of way should not be interfered with or restricted. Suggests condition for a 10 mph speed limit on the access road. Noisy activities such as crushing and screening should be avoided when riders are using the bridleway, and quarry staff should be vigilant in checking when riders are on the bridleway and working in a way that will not frighten the horses may all help avoid any conflicts and should be adopted for the site. The suggestion to warn users of intense periods of activity is welcomed, providing that the right of way remains open and usable. If an interpretation board is put up, this should not obstruct the rights of way.

Representations

34. 23 letter of objection were received for this application. Please see Annex 2 for further details

Relevant Planning Policies (see Annex 1)

35. The main policy issues are mineral policy, traffic and the effect on amenity and environment.

Mineral Policy

36. Oxford Minerals and Waste Local Plan (1996) (OMWLP) policy SD3 states that new planning permission will not normally be granted for limestone quarries. Very small quarries to supply traditional local building stone to the immediate area may be permitted as an exception to this policy.
37. OMWLP policy PE2 states that planning permissions for mineral workings will not be granted outside the areas identified in that plan unless the working would be acceptable under policy SD2 or the proposal satisfies the policies of the development plan and demand cannot be met from within areas identified in the plan. Policy SD2 refers to sand and gravel quarries and so is not relevant to the consideration of this application.
38. OMWLP policy PE13 states that mineral workings should be restored within a reasonable timescale to an afteruse appropriate to the location and surroundings. Proposals for restoration should be submitted with the planning application.

Amenity and Environment

39. OMWLP policy PE18 states that in determining applications for mineral development, the County Council will have regard to the Code of Practice in the plan. This sets out details on issues such as odour, noise, dust and hours of working. Development should not be permitted if it would cause an unacceptable environmental or amenity impact that could not be satisfactorily controlled through condition.
40. WOLP policy NE1 states that proposals in the countryside should maintain or enhance the value of the countryside for its own sake. WOLP policy NE3 states that development will not be permitted if it harms the local landscape character.

Traffic

41. South East Plan policy T1 states that policies should encourage development which is located to reduce average journey length, improve the maintenance of the existing transport system and where possible minimise the negative environmental impacts of transport.
42. West Oxfordshire Local Plan (WOLP) policy BE1 states that development will not be permitted unless appropriate supporting transport infrastructure is available and appropriate provision has been made to safeguard the local environment.

Comments of the Head of Sustainable Development

43. The key issues to consider in determining this application relate to minerals policy and the effect of the proposed development on amenity and environment.

Mineral Policy

44. The application suggests that the stone worked would be used to supply traditional building stone to the farm and surrounding villages. However, the information submitted with the application in relation to the stone thickness and type is weak and no borehole data was submitted with the application. A representation from a geological consultant states that it is unlikely that more than a few tens of tonnes of blockstone would be retrieved from the site. Up to 10% of the material could be suitable for walling stone. I consider that it is unlikely that this quarry would yield significant quantities of building stone and the majority of the material would be suitable for use as aggregate only. Therefore I do not consider that this proposal meets the exception to Oxfordshire Minerals and Waste Local Plan policy SD3 which allows very small quarries for the supply of traditional building stone. This proposal is in my view contrary to OMWLP policy SD3.
45. This is a small scale extraction proposal which is not identified as a site in the OMWLP. Therefore policy PE2 requires that the proposal must satisfy other development plan policies and there must be a demand that cannot be met

from the areas identified in the plan. As this proposal does not comply with OMWLP policy SD3 it cannot accord with OMWLP policy PE2 either.

46. Restoration plans have been submitted with this application and it is proposed to complete restoration within 6 months of the completion of extraction. The restoration plan is considered acceptable. Therefore this element of the development is in accordance with OMWLP policy PE13.
47. Neither the original application nor the additional information sufficiently demonstrate that there is adequate space on the site for a working area, stockpiles of different products, lorry access and plant. If permission is given I anticipate that that any operator would ask for an extension to allow the site to be worked satisfactorily and that could result in a further extended farmyard. As the application has not provided full details of the working arrangements demonstrating that the site area is feasible for this development, it is contrary to sections 3 and 4 of the OMWLP Code of Practice and policy PE18, which sets out what should be included in planning applications for mineral development.
48. The extraction of stone from the site has commenced under permitted development rights. The removal of the stone which has already been worked from the site and restoration of the area to a level farm yard could be acceptable. However, the application proposes working to a greater depth, which would cause more material to be transported off site over a longer extraction period. Given the nature of the material I do not consider there to be justification for this.

Amenity and Environment

49. There has been local concern about the impact of this development on the village. However there has been no objection from the Environmental Health Officer in terms of noise or dust. Therefore I have no reason to believe that potential nuisances could not be adequately controlled by planning conditions. This development could be implemented in accordance with the sections on noise and dust in the Code of Practice and therefore is in accordance with OMWLP PE18 in this respect.
50. The District Council have expressed concern about the visual impact of the development. On the basis of the information currently submitted it is not clear that the development would maintain the value of the countryside for its own sake or result in no harm to the local landscape character. Therefore, as presented in the application, the development is contrary to WOLP policies NE1 and NE3.

Traffic

51. Advice from transport development control is that this development would be detrimental to highway safety and convenience. Further information submitted by the applicant has been unable to overcome these concerns. Therefore this development is contrary to WOLP policy BE1 as appropriate transport structure is not available and SEP policy T1 in that the negative environmental impacts of transport would not be minimised.

Conclusions

52. This is a proposal for a small scale quarry which would be situated a sufficient distance from residential properties. However, it is located in a rural village location where the roads are not suitable for frequent HGV journeys. The development is unacceptable in terms of its impact on highway safety and convenience. As it is unlikely that the workings would produce a significant quantity of local building stone, the quarrying of this area is not justified in terms of minerals policy. Additionally, it is not clear that there would be no adverse visual impact on the landscape character as a result of the temporary quarrying operation or permanent extended farmyard. Finally, it has not been demonstrated that the development could take place within the application area.

RECOMMENDATIONS

53. It is **RECOMMENDED** that planning permission for application **09/1581/P/CM** be refused for the following reasons:
- (1) the proposed development is contrary to WOLP policy BE1 in that the surrounding transport infrastructure is not appropriate to take the HGV's which would be generated by the development;
 - (2) the proposed development is contrary to OMWLP policy SD3 in that it is a new limestone quarry that does not meet the criteria which allows exception to the normal policy that allows small quarries to supply traditional local building stone;
 - (3) the proposed development is contrary to WOLP policies NE1 and NE3 in that the application has not demonstrated that there would be no harm to the local landscape character or that it would maintain the value of the countryside;
 - (4) the application has not provided full details of the working arrangements demonstrating that the site area is feasible for this development, contrary to sections 3 and 4 of the OMWLP Code of Practice and policy PE18.

CHRIS COUSINS
Head of Sustainable Development
Environment & Economy

Background Papers:

March 2009

Relevant Development Plan and other Policies

Oxfordshire Minerals and Waste Local Plan (OMWLP) 1996

SD3, PE2, PE13, PE18,

South East Plan

T1

West Oxfordshire Local Plan

BE2, NE1, NE3

Representations

There have been 23 objections from local residents. The points which have been raised are summarised in bold and the officer response is beneath.

- **Proposal appears to be for an extended farm yard but this is misleading and it is in fact for a commercial quarry:**
 - **Application claims new yard will be used for equestrian activities but the applicants have stated that they no longer wish to continue this business**
 - **Scale of extraction is more than needed to create yard**
 - **Quarry not necessary to extend the farm yard**
 - **States 7000 tonnes for applicants own use, this is excessive**
 - **Size of new yard would be excessive for a farm this size**
 - **Demand in local area does not justify scale – need is weak**

The application states that this development is not accurately described as a commercial quarry due to its small scale and the fact money received for the stone will be used for improving the farm and extending the yard. However, in the sense that material will be sold and transported off-site this is a commercial development. As mineral is proposed to be extracted from the site, the application must be determined against mineral policies, as development at other quarries are.

- **Proximity to Lidstone:**
 - **prevailing winds**
 - **noise**
 - **dust**
 - **visual impact of quarry and access road**

There has been significant local concern about the impact of this development on the quiet countryside setting. However, there has been no objection or requirement for further assessments from the Environmental Health Officer so I am satisfied that noise and dust could be controlled through condition. The quarry area is located 250 metres from the nearest residential property outside the farm complex, which is a sufficient buffer.

- **Imprecise/inadequate application:**
 - **States extraction will be 18 months but output will be subject to market conditions**
 - **States 'approximately' 16 000 tonnes extraction**
 - **Form states 2000 tonnes per year will be sold and supporting statement says 3000**
 - **Ecological report dated prior to the inspection**
 - **No design and access statement**
 - **Inaccurate description of site, not derelict**
 - **Contradicts itself regarding the need for dry stone walling material**
 - **Details of stone density not provided**
 - **Has underestimated tonnage**
 - **Not enough information about proposed new access road**

- **'Mobile chopper' referred to will in fact be a noisy crusher**
- **No SEC/SEA has been carried out as required**

The original application did include inaccuracies regarding the proposed tonnages. Further information was sought from the applicant to address this. Details such as the timescales for extraction can be controlled through condition. No Design and Access Statement or SEA/SEC are required for this type of development.

- **Highways:**
 - **Local roads too narrow**
 - **Sat navs already take HGVs through village**
 - **Increased accidents**
 - **Increase in traffic through Chipping Norton**
 - **damage to verges and walls**

The Highway Authority also takes the view that this development is not acceptable in terms of highway safety and convenience.

- **Does not accord with policies:**
 - **not identified in the local plan**
 - **Contrary to West Oxfordshire Local Plan NE15, Oxfordshire Minerals and Waste Local Plan policy SD3**

Relevant development plan policies are considered in the main report.

- **Principal of extraction:**
 - **No shortage of building stone in Cotswolds area, in better situated quarries**
 - **Stone will be of poor quality**
 - **Stone from this quarry would be at the expense of existing local commercial quarries**

The principal of extraction in this location is considered in the main report.

- **Visual amenity:**
 - **Financial incentive for applicant does not override amenity concerns**
 - **Would be visible from A44**
 - **Visual impact in an area of high landscape value**

This development is considered against policies relating to visual amenity in the main report. The financial incentive for the applicant is not relevant in determining the application.

- **Development was started without permission and caused noise nuisance**

The development was started under permitted development rights as the applicant was permitted to extract material for use on the farm. As it is now the intention to sell the material off-site a planning application has been made.

- **Development should be temporary not permanent**

The quarrying aspect of this development is proposed to be temporary and this would be enforced through planning condition. The applicant indicates that the permanent element would be the extended farmyard.

- **The land is not registered in the name of the applicant**

This is not relevant to the determination of this application.

- **The neighbour notification letter by the applicant was misleading in terms of scale and scope**

Neighbours have now had the chance to consider the full details of the proposals through the consultation on the planning application.

- **If HGVs did not use new access road, then HGVs accessing Stone Farm would affect our property**

Conditions could be used to ensure that the development was carried out in accordance with the submitted plans, including for access.

- **Concern that this will set a precedent**

Any further application in the area would have to be the subject of a new planning application which would be considered against the development plan taking into account any other material considerations.

- **Impact on bridleway adjacent to new road and the national bridleway, Shakespeare's Way and footpaths**

There has been no objection to this application from the Rights of Way team. The applicant has proposed mitigation measures which could be required through condition to protect the rights of way.

- **Impact on biodiversity and Glyme Valley SSSI**

Natural England have confirmed that this development is unlikely to cause any adverse effect on the SSSI. There has been no objection to this application from either OCC's Ecologist Planner or Natural England.

- **Comments from Councillor Hilary Biles (District Councillor Ascott and Shipton Under Wychwood, County Councillor Chipping Norton)**

There are significant issues over the transportation of stone through Chipping Norton as WODC and OCC are trying to remove HGVs through the town. OCC is also in the process of putting a weight limit on the A44 to discourage HGVs. Appears that the equestrian side of the business has closed. While I am for diversification, I do not think it should be to the detriment of others.

Second round of consultation

Additional information was sought from the applicant. This was consulted on. Many of the points raised in the second consultation had already been raised and are covered above. Additional points are covered below.

- **Extraction details:**
 - **350 metre buffer zone should apply**
 - **Claims 22 000 tonnes will be used on site – this is excessive**
 - **Figures for tonnages should be treated with suspicion as density not provided**
 - **There is no need or market demand for this stone**
 - **Drawings submitted with additional information show the quarry as 3 or 4 times bigger than farm yard extension**
 - **Amendments lead to an increased tonnage and therefore greater effect on roads and amenity.**

The extraction details are considered against planning policy in the main report.

- **Bridleway**
 - **Concern about the proposal to reroute the national bridleway – would have the effect of forcing horses to share with quarry traffic**
 - **Proposals to warn users of the rights of way of danger are inadequate**
 - **Proposed screening of bridleway and footpath would limit open views and not add to their enjoyment by users**

The additional information shows changes to the access junction which include the incorporation of the bridleway into the access road. However, there has been no objection to this application from the Rights of Way team. The application suggests the bridleway could be diverted if appropriate, but is not formally proposing this.

- **Ecological information inadequate:**
 - **ignores pollution from lorries**
 - **does not cover the SSSI**

The ecological information is considered adequate by the County's Ecologist Planner. Natural England have no objection to this application.

- **Traffic information inadequate:**
 - **misleading information regarding number of vehicles when the farm was farmed**
 - **transport Statement not helpful – subjective and lacking in data**

The additional information has not satisfied the Highway Authority that this development is acceptable.

- **Further assessments should have been included with additional information:**
 - **noise assessment**
 - **dust assessment**
 - **design and access statement**
 - **traffic impact assessment**
 - **geological assessment of quality of stone**

Noise and dust assessments were not required by the Environmental Health Officer. Design and Access Statements are not needed for this type of development.

The main report considers the issue of the evidence regarding the quality of the stone.

- **Lorry routeing to Stone Farm has failed in the past**

The Highway Authority has objected to this development.

- **Additional information makes several sections of the original application form incorrect**

The additional information amends the original submission. If permission were granted key issues could be controlled through condition.

- **Comments from Geological Consultant**

In my professional judgement it is highly unlikely that, at most, more than a few tens of tonnes of blockstone would be recovered from the proposed excavation. About 5% - 10% of the material may be suitable for use as walling stone. There is absolutely no possibility that 5,000 - 10,000 tonnes of walling, building and masonry stone could be recovered from the proposed excavation. Little proper investigation or careful research appears to have been undertaken to support the present application.

