

For: PLANNING AND REGULATION COMMITTEE – 16 JANUARY 2012

By: DEPUTY DIRECTOR FOR ENVIRONMENT & ECONOMY (GROWTH & INFRASTRUCTURE)

Development Proposed:

Retention and continued use of a triple relocatable building, unit ref E241 (T2) for a further period of 5 years.

Division Affected: Banbury Easington

Contact Officer: Naomi Woodcock **Tel:** Oxford 815708

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

Application No: R3.0144/11

District Council Area: Cherwell

Introduction

1. This report sets out why the proposal to retain a triple relocatable building at Frank Wise School for classroom use is considered to be acceptable for a further period of 5 years.

Location (see site plan Annex 1)

2. Frank Wise School is located 1 mile west of Banbury Town Centre just off Hornbeam Close.

Site and Setting (see site plan Annex 1)

3. The school site is bounded on three sides by residential dwellings with allotment gardens and a small woodland area to the north.
4. The temporary building is located on the school playing field close to the south eastern site boundary and south of the main school building.
5. Vehicular and pedestrian access is from the southern end of the school site.
6. The nearest dwellings to the temporary building are located 20¹ metres to the east and 24 metres to the south on Hornbeam Close.

¹ All distances are approximate

7. Views of the temporary building are partially screened by trees with a 2 metre hedge running along the southern site boundary.

Background and Details of the Development

8. Frank Wise School provides for Special Educational Needs (SEN) pupils with severe and profound learning difficulties.
9. In January 2008 the County Council approved a proposal to extend the age range for children with SEN in special schools beyond the age of 16 with effect from September 2008.
10. Owing to a lack of space within the existing school buildings planning permission was granted in August 2008² for a 3 classroom prefabricated building for a temporary period of 2 years. The intention was to provide a permanent solution to replace this temporary building within that time. The planning consent has lapsed.
11. Funding for a permanent replacement building has not been forthcoming. As a result planning permission is now sought to retain the building on site for a further 5 years. The applicant considers that the building is in a sound condition and suitable for use for another five years.
12. No alterations are proposed to the buildings. No changes are proposed to staff or pupil numbers as a result of this proposal.

Consultations

13. Cherwell District Council – No objection.

Banbury Town Council – No objection.

Sport England – No objection subject to a condition to secure the reinstatement of the site upon removal of the building - as laid out prior to the development.

Transport Development Control – No objection. Suggest that the school travel plan be re-visited with a view to reducing local congestion around the school.

Representations

14. Three letters of objection have been received. Copies of the letters are available in the Members Resource Centre. The key points are:
 - the building was only meant to be on site for 2 years;
 - a temporary building is not suitable for teaching purposes;
 - local residents are affected by parking and traffic generated by the school;

² Application No: C.08/08

- the building is unattractive and spoils the view; and
- the building will affect the value and desirability of nearby dwellings.

Relevant planning documents and legislation (see Policy Annex to the committee papers)

15. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.
16. The relevant development plan documents are:
 - The South East Plan (SEP) 2026
 - The Cherwell Local Plan (CLP) 1996.
17. The Non Statutory Cherwell Local Plan (NSCLP) 2011 is a material consideration.
18. The SEP forms part of the development plan however, the government has made it clear that it intends to abolish regional strategies. The Localism Act enables the Secretary of State to revoke the whole or any part of a regional strategy by order. Whilst no such order had been made at the date this report was drafted, the published intention to revoke is a material consideration to which substantial weight should be given.

Relevant Policies

19. The relevant policies are:
 - SEP2026 – C4, S3.
 - CLP1996 – C28.
 - NSCLP2011 - D3, EN34, TR4.

Comments of the Deputy Director FOR Environment & Economy (Growth & Infrastructure)

20. The key planning issues are:
 - (i) Whether the renewal of planning permission in this instance is appropriate;
 - (ii) Impacts on neighbouring residents.
 - (iii) Whether renewal of planning permission is in this instance appropriate:
21. Policy S3 of the SEP2026 requires local authorities to ensure that there is an adequate provision of school facilities.

22. With regard to the suitability of the building for teaching purposes, the school explain that it is in sound condition and suitable for a further five year period.
23. Although it is not an ideal solution for pupils to be taught in temporary accommodation, I am of the view that renewal of planning permission is acceptable in this instance as:
 - there is insufficient space within the permanent school building to provide post 16 accommodation;
 - there are insufficient funds to provide permanent post 16 accommodation; and
 - the proposal supports the aim of policy S3 of the SEP2026.

(ii) Impacts on neighbouring residents

Parking and traffic

24. TR4 of the NSCLP2011 addresses the need to mitigate the transport impact of development.
25. In response to the concerns raised about parking and increases in traffic around the school site (since the post 16 temporary building was erected), Transport Development Control recommend that a condition could be imposed requiring the school to re-visit their travel plan with a view to reducing local congestion around the school.
26. In my experience parking and traffic concerns expressed here are typical of those expressed about many schools within Oxfordshire about at the beginning and end of the school day. Although the proposal does not seek to increase pupil or staff numbers, I do agree that the imposition of a suitable travel plan condition would encourage the school to better manage parking and traffic around the school site. I consider that subject to a travel plan condition, the proposal accords with policy TR4 of the NSCLP2011.

Appearance of the temporary classroom building

27. Policy C28 of the CLP1996 requires the design and external appearance of the development to be sympathetic to the character of the urban context of that development.
28. Local residents are concerned that the temporary building has an outdated design, is unattractive and spoils their view. They also comment that the trees on the southern site boundary do not effectively screen the building.
29. This is a temporary building which does not meet the quality of design and appearance that would be expected of a permanent development. It is not unduly obtrusive though as its simple design and green external

walls help it to blend into the woodland landscape and green playing field.

30. A condition requiring the submission and implementation of a landscaping scheme should help to address concerns about views and ineffective screening.

Loss of value and desirability of nearby properties

31. One local resident is concerned that the building will affect the value and desirability of nearby dwellings. This is not a planning consideration.

Conclusions

32. Retention of the triple relocatable building would enable Frank Wise School to continue to accommodate post 16 year old pupils. Although not an ideal solution to the school's accommodation problems, the renewal of planning permission for a further five years is justified and consistent with policy S3 of the South East Plan 2026.
33. Permission with conditions to cover travel plan and landscaping is therefore recommended.

Recommendation

34. **It is RECOMMENDED that Application No. R3.0144/11 be approved subject to conditions to be determined by the Deputy Director for Environment & Economy (Growth & Infrastructure) 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. **Temporary building to be removed by 31 January 2017.**
 3. **School travel plan to be revisited within 3 months with a view to reducing local congestion around the school site. Revised travel plan to be implemented within 6 months.**
 4. **Reinstatement of the playing field within 3 months of the removal of the building.**
 5. **Restoration of netball court to its original position once the temporary building is removed on 31 January 2017.**
 6. **Submission of a landscaping scheme**
 7. **Implementation of the approved landscaping scheme.**

MARTIN TUGWELL

Deputy Director for Environment & Economy (Growth & Infrastructure)

December 2011