

**For: PLANNING AND REGULATION COMMITTEE – 30 NOVEMBER
2015**

**DEPUTY DIRECTOR FOR ENVIRONMENT AND ECONOMY (STRATEGY &
INFRASTRUCTURE PLANNING)**

Development Proposed:

The erection of a flat roofed mobile unit to provide catering facilities

Division Affected: Bampton
Contact Officer: Matthew Case **Tel:** 01865 815819
Location: Clanfield C of E Primary School, Main Street,
Clanfield, Bampton, OX18 2SP
Application No: R3.0096/15 **District Ref:** 15/02983/CC3REG
Applicant: Oxfordshire County Council
District Council Area: West Oxfordshire DC
Date Received: 31 July 2015
Consultation Period: 6 August to 27 August 2015

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Recommendation: Approval

• Part 1 – Facts and Background

Location (see site plan Annex 1)

1. Clanfield Church of England Primary School is located in the village of Clanfield.
2. The site lies within the existing school boundary which is surrounded on three sides by housing (north/south and west). Access to the school site is off Main Street (A4095) via Bakery Lane.
3. The existing main school building was built in 1873, with a later extension in 1991, including three additional classrooms. There is also a single storey temporary classroom and purpose built early years foundation stage building built on part of the existing playing fields in 2011.

4. The location of the proposed building is currently used as a school playground.
5. The nearest houses to the proposed development would be the Old Schoolhouse 20 metres to the west and Lime Tree House 30 metres to the north, and the proposed building would be about 2.5-5 metres from the nearest school boundary with the residential gardens. Prospect House which lies to the south-west of the existing school has a garden which borders the school site to the south and is a Grade II Listed Building as is Alice's Cottage which lies to the north of the existing school buildings.
6. There is one mature tree (large Corsican Pine) between the proposed school building and the southern boundary. The site lies within the Environment Agency's flood risk zone 1.

Details of the Development

7. The application is for a mobile catering unit which will include a kitchen, servery, and dining hall to accommodate 60 pupils. The application has been made due to a recent central government directive requiring the provision of school meals to primary schools. As present there is no accommodation available at the school for this facility.
8. The proposed mobile unit would be a single storey extension for educational classroom purposes. in this case a catering facility. The walls proposed are Dobel 200XT plastisol "Buttermilk" BS 10 C31. The wall colour would match the stone of the existing school buildings. The building would have a flat roof finish in composite steel, white in colour. There is a metal fascia trim at roof level, and skirt covering the floor construction. Both features will be coloured "New Red" BS 04 D 44 to match roofs of school buildings. The windows and doors would be polyester coated aluminium double glazed. The windows would be white, and the doors blue (RAL 5013). The unit proposed would be just over 3m tall, 15.5m long and 6.2m wide. The unit would have a floor space of 98 m². The unit would be accessed via a ramped access for pupils, a separate staff entrance, and include a separate fire exit.
9. The mobile unit would be divided into two rooms, the kitchen, and dining area, including servery.
10. The unit's foundations will be limited to the depth of the playground construction thickness. The unit will be placed on concrete pad foundations nominally 150mm deep, so to protect the tree roots from the large Corsican Pine on the neighbouring boundary.
11. The surface water run-off from the new roof area would drain to soakaway. Foul water drainage would be drained via inspection chamber on the existing temporary building drain line.

12. One additional member of staff would be employed to run the kitchen, with an existing member of staff to serve the lunch. The cook's position would replace the current driver of the meals from St Kenelm Church of England Primary School in relation to car parking. The car park will have space for all members of staff, with allocated spaces.
13. If permitted, the kitchen will begin preparing lunch from 9.15 - 9.30 am. The cookers would be turned on around 10 am, depending on cooking times. Hot lunches will be served in two sittings, the first sitting being around 12 noon and the second no later than 12.30 pm. The cookers will be turned off before 12 noon and all utensils/cooking equipment will be loaded into the dishwasher.
14. Additional Information was supplied relating to numbers using the mobile unit. The school currently serves on average 75 children with a hot meal a day; this is served in two sittings in the classroom. The additional information was supplied due to comment from a local resident concerned that the number of children served food would exceed 60 pupils at a time.
15. Depending on storage facilities installed, the applicant doesn't anticipate needing more than 1-2 deliveries per week. The School Lunch Company (TSLC) who supplies the food deliveries will aim for delivery slots outside of school hours. Delivery vehicles will temporarily pull into the staff car park and should not be on site for more than 5-10minutes.

• **Part 2 – Other Viewpoints**

Representations

16. There are four letters voicing several concerns from local residents. The concerns raised are:
 - i. Parking and Access Impact;
 - i. Additional parking needed for additional staff.
 - ii. Impact of deliveries by goods vehicles linked to the preparation of school meals.
 - iii. Access during the construction period.
 - ii. Concern over impact on the large Corsican Pine on the southern boundary.
 - iii. Impact on the setting of the surrounding listed buildings.
 - iv. Loss of privacy.
 - v. Hours of opening.
 - vi. Increased Noise:
 - i. Noise caused by internal movement of chairs and tables;
 - ii. Potential noise impact of the extractor fans in the kitchen; and
 - iii. Noise Impact caused by roof in heavy rain.

- vii. Impact of smells caused during food preparation and waste food.
- viii. Flooding Risk.
- ix. Total number of pupils served hot meals a day.

Consultations

17. West Oxfordshire District Council: No Objections.
18. Clanfield Parish Council: *“The Parish Council has no objection to the siting of the proposed mobile catering unit but, since the access to the school is over the village green and more and heavier vehicles will be using it for access, it would like a condition that requires OCC to resurface/hard surface the access track and undertake on-going responsibility for its maintenance.*

“Secondly, following consultation with residents, a further condition that the unit is used only at lunchtimes to ensure that neighbours are not subjected to cooking smells any longer than is necessary.”

Response from applicant’s agent:

“The route we have planned involves bringing the delivery lorries via the A4095 & then down Marsh Lane & down the school’s back lane as you mention.

I haven’t considered what direction we would actually come from but this could be optional if that helps? These are not particularly large lorries, so it would be a minimal impact to a usual traffic day on this road.

The delivery process for the modular building should take one day at the most (subject to any unforeseen circumstances).

We would position a small crane in the playground and position the modular bays, that we would plan to delivery sequentially close together to minimise the time the crane is on site.

After the first day the bays should all be in place and it is only small goods vehicle traffic after this point for the next 7 working days or so”

The Case Officer asked for confirmation on the location of the access road wanting to be resurfaced, suggesting to the Parish Council that access in the construction phase should be done via the northern access onto Marsh Lane, so the Green would be avoided.

Response from Parish Council:

“I was not referring to Marsh Lane. The school is accessed now from Main Street (A4095) over a very small bridge at the bottom of Bakery Lane and left in to the school across the village green. Access to the school from Marsh lane would be a much better solution – northern entrance”.

19. Archaeology: *“There are no archaeological constraints to this application.”*
20. Arboricultural Officer – The Arboricultural Officer originally objected to the development leading to changes to the unit’s foundations, so not to cause damage to the large tree’s root plate. He has now confirmed that he no longer has an objection.
21. Conservation Officer (WODC) – *“In our view, the proposed development would make no significant impact on the setting of the adjacent listed buildings – it would be too far away from either of them, and it would read against the existing school buildings, some of which are of similar form.”*
22. Transport Development Control: *“Provided this catering unit provides only for the pupils at Clanfield School, does not involve any new access, and does not affect existing pedestrian or cycle access to the school, highways has no objection.”*
23. Lead Flood Authority –No objection but requests that soakage test results and the proposed soakaway design are provided once the tests have been carried out.

• **Part 3 – Relevant Planning Documents**

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

24. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.
25. The relevant Development Plan policies are:
West Oxfordshire Local Plan 2011 Policies:
 - Policy BE2 (General development standards)
 - Policy BE3 (Provision for movement and parking)
 - Policy BE8 (Development affecting the setting of a listed building)
 - Policy BE19 (Noise)
 - POLICY NE6 (Retention of Trees, Woodlands and Hedgerows)
 - Policy NE9 (Surface Water)
 - Policy T1 (Traffic Generation)
26. Other Material Considerations are:
 - i) Draft West Oxfordshire Local Plan 2031(DWOLP):
 - Core Policy OS4 (High Quality Design)
 - Core Policy T4 (Parking Provision)
 - Core policy EH6 (Environmental Protection)
 - Core Policy EH7 (Historic Environment).

- ii) The Government's National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a material consideration in taking planning decisions. The CLG letter to the Chief Planning Officers dated 15th August 2011 is also relevant.

• **Part 4 – Analysis and Conclusions**

Comments of the Deputy Director (Strategy and Infrastructure Planning)

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

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

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

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

This has been endorsed as part of the National Planning Policy Framework.

28. NPPF paragraph 72 states planning authorities should give great weight to the need to create, expand or alter schools.
29. The justification given for the proposal is due to a central government directive requiring the provision of school meals to primary schools. At

present there is no formal kitchen or dining room available at the school. There is therefore a need for the development which accords with the aims of central government to support the development of state schools.

Design and amenity

30. Policy BE2 of the WOLP states development is to only be approved where it is well designed and respects the existing scale, pattern and character of the surrounding area and creates or retains a satisfactory environment for those living in or visiting the area. Policy OS4 of the DWOLP makes similar provision.
31. The mobile catering unit walls will be constructed with a 'Buttermilk' colour to match the stone of the existing school buildings. It is proposed the mobile unit will have a flat steel roof in white, with metal fascia trim at roof level and skirt covering the floor construction will be 'new red' to match the roofs of the school. The unit will only be one storey, and most of the building screened by the southern boundary 1.8 metres (6 foot) fence, trees, shrubs and hedgerow running on neighbouring boundaries.
32. Some of the local residents have concerns the proposed building will impact on their privacy especially the properties to the south, by overlooking the gardens of Prospect House and Fuchsia Cottage. Although the building appears to sit approximately 1.3 metres higher than the southern fence boundary, much of the southern boundary's trees, shrubs and hedgerows appear to be evergreen, partly screening most of the boundary. The vast majority of children and adults using the building would have restricted views across the neighbouring gardens due to screening and limitations in their own height.
33. The applicant has agreed, if required, to use a translucent film to obscure the views out of the southern elevation windows and doors. The film potentially would only need to be applied in line with the fence height, approximately the top half of the windows. This can be required by a planning condition.
34. Policy BE19 of the WOLP and Policy EH6 of the DWOLP state planning permission will not be granted if occupants would experience significant noise disturbance.
35. Some of the residents have concerns the mobile unit would cause noise disturbance from the movement of chairs and tables, the extractor fan attached to the kitchen and the impact of rain on the metal roof.
36. The applicant's agent explained the unit will include sound reduction achieved through the building fabric. Panel construction insulation would also act as an additional sound proofing medium. In terms of

noise created from the extractor fans, the sizes and airflow will be calculated on the building size and cooking units.

37. The justification for the proposed building is to supply school dinners to school pupils with the noise levels potentially peaking in the kitchen and servery and dining areas over lunchtime. According to national Planning Practice Guidance notes, the definition of 'significant observed adverse effect level' is 'the level of noise exposure above which significant adverse effects on health and quality of life occur.' Based on the definition the potential noise levels created would not be significant in nature. The existing playground where the building would be located is of course in any instance used by the children for play, with commensurate noise levels during lunch hours. I do not consider that there would be such an adverse effect from noise from this development as to render the development unacceptable.
38. Paragraph 120 under the NPPF states to prevent unacceptable risks from pollution, planning decisions should ensure that new development is appropriate for location, including effects on health and general amenity. Odour is defined as a type of pollution in the NPPF Glossary.
39. Local residents and Clanfield Parish Council have concerns that local amenity will be impacted from odours created from the kitchen. Clanfield Parish Council would like a condition attached that the building is only used at lunchtimes to ensure neighbours are not subject to cooking smells.
40. The applicant's agent supplied additional information stating there will be a canopy extraction unit over the cooking equipment removing the odours to the outside air. The kitchen would begin preparation of lunch approximately from 9.15 - 9.30 am and lunch service and cleaning would be complete by 1pm and 2pm, respectively. I see no reason why the building would be used outside these times other than for occasional school events and do not consider that the attachment of a condition restricting the use to school lunchtimes can be justified.
41. There were concerns relating to food waste attracting vermin and creating an unpleasant odour. The management of food waste is a school management issue which will be covered by food standard and safety regulations. Should any odour issues arise these would be a statutory nuisance for the District Council to investigate as Environmental Health Authority.
42. This proposed building does not detract from the character of the school buildings adjacent to which it is located, nor to the general character of the area. Whilst there are immediate residential neighbours, there would be no significant detrimental impact to their amenity and the application complies with policies BE2 and BE19 of the WOLP and policies EH6 and OS4 of the DWOLP.

Historic environment

43. Policy BE8 states development should not impact on the setting of a listed building. Policy EH7 of the DWOLP states proposals which harm the setting of the significance of a designated heritage asset will be resisted, unless a clear and convincing justification can be made to outweigh that harm.
44. There are two listed buildings in the surrounding area, Alice's Cottage [approx. 38m] to the north-west and Prospect House [approx. 40m] to the south-west. Both buildings are well screened from the application area by an existing school building and outbuilding respectively. I discussed the application with the conservation team at West Oxfordshire District Council. Their view is the proposed development would make no significant impact on the setting of the adjacent listed buildings. The proposed building is of course on an area which already forms part of the school's hard play area adjacent to the existing school buildings which post-date the listed buildings. Whilst I note the concern raised by a local resident, I consider that the proposed development does not impact on the setting of the listed buildings and is not contrary to the provisions of policies BE8 of the WOLP and EH7 of the DWOLP.

Highways

45. Policy BE3 of the WOLP states provision should be made for the safe movement of people and vehicles, whilst minimising impact upon the environment. In built-up areas priority should be given to pedestrians, cyclists and public transport. Policy T1 of the WOLP states proposals which would generate significant levels of traffic will not be permitted. Policy T4 of the DWOLP states developments which significantly increase car parking demand will be expected to make appropriate public car park provision.
46. The site in the construction phase will be accessed via the school playing field access track from Marsh Lane and A4095. There were concerns from the Parish Council this would be from the southern end of Marsh Lane. After discussion with the applicant, the site will be accessed via the northern entrance off the access road from Marsh Lane. The northern entrance is in a less populated area, and better suited for HGV movement than the southern entrance to Marsh Lane. By using the northern entrance this would avoid the need to access the village green area and avoid the need to consider the need to resurface Marsh Lane.
47. Local residents have raised concerns relating to unsuitable parking provision and the impact of vehicles accessing the school. Lunch meals are currently delivered from off-site on a daily basis. Traffic levels generated from this development will not significantly increase levels of traffic. TSLC will aim for delivery slots outside of school hours.

Delivery vehicles will temporarily pull into the staff car park and should not be on site for more than 5-10 minutes.

48. As mentioned above, the school currently allocates a parking space for the daily delivery of school meals, and a second space for a member of staff to serve the meals. The additional staff member to cook the meals will take the car park space currently allocated for the delivery of school meals. The applicant's agent has confirmed there are sufficient car park spaces for all members of staff. Therefore the development is considered to be in accordance with Policies BE3, T1 and T4 of the DWOLP.

Trees

49. Policy NE6 of the WOLP states permission will not be granted for proposals that would result in the loss of trees, woodlands or hedgerows, or their settings, which are important for their visual, historic, or biodiversity value. Some residents have concerns that the construction will impact on the large Corsican Pine on the southern boundary. The pine is located on land owned by a neighbouring resident. Local residents have asked for a condition to be included to protect the pine from damage during the construction period. The County's Arboricultural Officer initially objected to the application. The applicant has supplied amended foundation plans, using concrete pads which would prevent damage to the tree's root plate and the objection has now been removed. I therefore consider that the development is in accordance with Policy NE6 of the WOLP.

Drainage

50. Policy NE9 of the WOLP states intensification of existing development will not be permitted where the additional surface water run-off would result in adverse impacts such as an increased risk of flooding.
51. The local residents also have concerns regarding history of flooding. I understand the village suffered badly from flooding in 2007, due to flash flooding. The proposed development is in flood risk zone 1, which is defined by the Environment Agency as "land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding". There are areas to the south, north and west of the school which come under flood risk zones 2 and 3. After the flash flood in 2007, West Oxfordshire District Council published a report on the extent of the flooding and the next steps and recommendations to prevent the flood in the future.
52. The Lead Local Flood Authority raised concerns that the run-off water from the roof would go to a soakaway but that no tests or calculations have been provided. Further information has been provided and they have no objection subject to the soakaway tests results and consequent soakaway design details. I consider therefore that any

permission should be subject to a condition requiring that this information be submitted for approval.

Conclusions

53. The proposed development with suitable conditions as set out in the report would not cause any significant harm to the area in terms of loss of amenity, traffic or in other respects. It would allow the school to provide school meals in appropriate accommodation in line with the central government directive. The proposed building would be an acceptable design for its location. There would therefore be no overriding reason for it not to be granted planning permission in accordance with the development plan policies and the presumption in favour of development.

RECOMMENDATION

54. **It is RECOMMENDED that planning permission for application R3.0096/15 be granted subject to conditions to be determined by the Deputy Director for Environment and Economy (Strategy and Infrastructure Planning) to include the following:**
- i. The development to be commenced within a period of three years from the date of the permission.**
 - ii. Development to be carried out in accordance with the submitted documents and plans.**
 - iii. Translucent film being attached to the southern elevation windows and door to obscure views to the neighbouring boundaries.**
 - iv. Access to the development during the construction phase to be solely via the northern access onto and from the access road to the east.**
 - v. During the construction phase of the development the applicant shall provide adequate protection to the large Corsican Pine on the southern boundary.**
 - vi. Soakage tests being carried out and the soakaway design submitted for approval prior to the operational phase of the development.**

BEV HINDLE

Deputy Director FOR Environment & Economy (Strategy & Infrastructure Planning)

November 2015

Compliance with National Planning Policy Framework

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

We work with applicants in a positive and proactive manner by offering a pre-application advice service, which the applicant took advantage of in this case updating applicants and agents of any issues that may arise in the processing of their application and where possible suggesting solutions. Concerns were raised on number of matters include access to the site during the construction and operational phase, loss of privacy, impact on the setting of the listed buildings, and impacts on local amenity. These were raised with and satisfactorily addressed by the applicant.

