

PLANNING AND REGULATION COMMITTEE – 15 APRIL 2019

DIRECTOR FOR PLANNING AND PLACE

Development proposed:

New single storey four-classroom teaching block, including withdrawal room, toilets, store rooms, canopy entrance link to existing school building and minor modifications to hard and soft landscaping

Division Affected: Benson & Cholsey

Contact Officer: Mary Hudson **Tel:** 07393 001 257

Location: Cholsey Primary School, Church Road, Cholsey, Oxfordshire

Application No: R3.0105/18

District Ref: P18/S3841/CC

Applicant: Oxfordshire County Council

District Council: South Oxfordshire District Council

Date Received: 31 August 2018

Consultation Period: 20 September – 11 October 2018

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Recommendation

The report recommends that the applications MW.0105/18 be **approved**

• Part 1 – Facts and Background

Site Location

1. Cholsey Primary School is located on Church Road at the northern edge of the village. It is 2.5 miles (4 km) south east of Wallingford. It is surrounded by playing fields and fields with a railway line on the northern boundary and residential development to the south.
2. The school site is bounded by Church Road to the north east, a stream with residential properties beyond to the south east, playing fields to the south west and the railway line to the north west. The school site includes the main school building, hard play areas, playing fields, car parking and an area of woodland.
3. The school lies approximately 100 metres south east of the boundary of the North Wessex Downs Area of Outstanding Beauty (AONB).
4. Part of the school site lies in flood zone 3, the area most at risk of flooding. However, the application area for this building lies in flood zone 1, the area of least flood risk.
5. The closest residential properties to the school are flats on Marymead, immediately south east of the school site. This block of flats lies approximately 30 metres from the proposed new building.
6. The historic centre of Cholsey is designated as a conservation area and includes a number of listed buildings. The school is not within the conservation area and lies 150 metres from the boundary.
7. St Mary's church lies approximately 250 metres north west of the school gates. This has a car park which is used by informal agreement by parents during school pick up and drop off.

Details of the Development

8. It is proposed to construct a new teaching block including four new classrooms and associated store rooms, withdrawal room, cloakroom, toilets and entrance canopy linking to the main school building. There would also be some minor modifications to the hard and soft landscaping.
9. The four new classrooms proposed would help to facilitate the expansion of the school from 1.5 form entry to 2 form entry by September 2019. This would lead to an increase of 120 pupils from 300 to 420. There would be approximately 7 additional members of staff.
10. The new building would be single storey and located on an existing hard play area to the rear (south west) of the main school building. The walls would be red brick with smaller areas of buff brick and there would

be aluminium window frames and a flat roof. The building would feature external window spandrel panels in red, which is the school colour.

11. There would be no changes to access provision or new car parking. The application states that there is sufficient capacity on-street and in local parking areas to safely accommodate the additional staff parking demand. In addition, it is proposed to formalise areas within the school site which are already informally used for staff parking, which would provide space for 7 cars. Further information submitted by the applicant also details off-site parking provision which could be used by parents at school drop off and pick up. An additional 12 cycle parking spaces are proposed.
12. The scheme would provide for an increase of 387m² in total floorspace. It is single storey with a height of approximately 4.75m.
13. Following concerns raised by Transport Development Control, the applicant proposed the creation of 7 additional parking spaces within the school site, by formalising the use of an existing area of informal parking. They also confirmed that the car park at St Mary's church is highways land and therefore can be used for school pick up and drop off into the future, without a need for a formal agreement with the church.

• Part 2 – Other Viewpoints

Representations

14. Two letters of representation have been received. The first states that many parents drop their children off in cars due to lack of safe crossing facilities. Cars are parked illegally and dangerously. HGVs travel over the Church Road bridge despite the tonnage restriction. There is no enforcement. The letter suggests that a zebra crossing near Tesco would solve a number of problems and that enforcement is needed to resolve the parking problems. The second representation states that there is an existing lack of adequate parking and parents park illegally on double yellow lines and blocking emergency accesses. This states that permission should only be granted subject to an innovative plan to ensure that parking associated with the school does not encroach on residents' ability to come and go. Concerns about parking are addressed below.

Consultations

South Oxfordshire District Council

15. No objection. The addition of the new classroom block will have a limited impact on the character of the area given its location to the rear of the existing building. In addition, the neighbour impact on the sheltered housing scheme next door is unlikely to be significant given the relationship with the existing school buildings.

Cholsey Parish Council

16. No response

OCC Transport Development Control

17. First response (November 2018) – Concern about the proposed increase in pupil intake, which will lead to an increase in trip rates in an area that already suffers from congestion and parking issues at drop-off times. No additional staff parking is proposed, yet there would be more staff. This is likely to lead to parking on the highway, which would exacerbate current issues. The scheme should be reassessed and include a comprehensive revised travel plan.
18. Second response (January 2019) – Cannot recommend approval on highway safety and convenience grounds. There is excessive on-street parking at pick up and drop off times, vehicles park on the footway, on junctions, across dropped kerbs and on yellow lines. This impedes visibility and makes pedestrians vulnerable. Increased pupil numbers will add to these parking pressures. No increase in staff parking is proposed and it appears to be currently at capacity. It is noted that such issues are not uncommon at primary schools at pick up and drop off times and there have not been any reported accidents in the last five years. The impact could be mitigated through increased dedicated parking and improved awareness and operation of the school travel plan. There is currently some off-site parking but as this is on third party land it is not guaranteed to be provided in the long term and is some distance from the school.
19. Final Response (March 2019) – Parking at the school is unsafe. However, should permission be granted, the additional staff parking shown on the revised proposed site plan would be welcomed, as would the proposals to use the church car park. Further details of cycle parking, a Construction Traffic Management Plan, and a contribution of £1240 towards School Travel Plan monitoring would also be required.

OCC Drainage Team

20. First Response – further information is required as the submitted report contains inconsistencies. Require a maintenance and management plan included in the Flood Risk Assessment, an exceedance plan and proposals to maintain access in those conditions.
21. 26th November Response – Satisfied with the further information provided, however, there is one remaining issue. The attenuation storage should be re-estimated based on the actual greenfield runoff rate from the site, as the 5 lit/s minimum no longer applies. The updated attenuation storage should be reflected in the detailed design.
22. 19 December Response – The submitted drainage strategy is acceptable to approve and should be used at construction stage.

OCC Biodiversity

23. No objection. The proposed new building will be located on existing hard-standing and as such will not affect any potential protected species habitat. Therefore, I have no comments to make on this application.

• Part 3 – Relevant Planning Documents

Policy Background

24. The relevant Development Plan policies include:

South Oxfordshire Local Plan 2011 (SOLP 2011) (saved policies):

G2 – Protection and enhancement of the environment
C6 – Biodiversity conservation
CON5 – The setting of listed buildings
CON7 – Conservation areas
EP2 – Noise and vibration
EP6 – Surface water protection
D2 - Parking

South Oxfordshire Core Strategy (adopted 2012) (SOCS)
CSS1- Overall strategy
CS1 – Presumption in favour of sustainable development
CSQ3 - Design
CSM1 – Transport
CSM2 – Transport Assessments and Travel Plans
CSEN3 – Historic Environment
CSB1 – Biodiversity

The Government's National Planning Policy Framework (NPPF) was published in 2012 and updated in 2018 and February 2019. This is a material consideration in taking planning decisions. Paragraph 94 states that LPAs should give great weight to the need to create, expand or alter schools through decisions on applications and work with school promoters to identify and resolve key planning issues prior to submission of applications.

South Oxfordshire District Council is developing a Local Plan 2033 and are currently in the process of reassessing the main housing sites proposed in that plan. This draft plan has not yet been submitted for examination. Therefore, although this plan is a material consideration, it has not been adopted and its policies can only be given limited weight.

Cholsey Parish Council is working on producing a Neighbourhood Plan. A draft plan has been produced the examination took place in September 2018. The submission version can be given limited weight.

Cholsey Neighbourhood Plan Submission Version (CNP)
CNP Strat1 – Overall strategy

• Part 4 – Analysis and Conclusions

The need for expansion

25. 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.'
26. 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 school applications;
 - Local Authorities should only impose conditions that clearly and demonstrably meet the tests as set out in Circular 11/95;
 - 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.

27. Cholsey Parish Council is working on preparing a Neighbourhood Plan. This plan has not yet been made, however, a submission version of the draft plan is available. Policy CNP Strat 1 states that the overall neighbourhood plan strategy includes securing the expansion of the primary school.
28. There is policy support for the expansion of the school.

Design

29. SOCS policy CSQ3 seeks to secure high quality design, including development which responds positively to and respects the character of the site and its surroundings, creates a sense of place and uses appropriate materials. It is considered that the design and materials are appropriate and the development accords with this policy.

30. It is not considered that the proposed development would have any impact on the setting of the conservation area or listed buildings, due to the distance from the site and the intervening buildings. Therefore, the proposal is considered to accord with SOLP 2011 policies CON5 and CON7 and SOCS policy CSEN3, which protect conservation areas and the setting of listed buildings from development that would harm them.

Amenity

31. SOLP policy G2 states that the district's countryside, settlements and environmental resources will be protected from adverse developments.
32. The proposed new building is in relatively close proximity to sheltered housing flats. However, it would be contained within the existing school site and it is not considered that the building would result in any significant impacts above the current use of the area as a hard play area. The proposals are considered to accord with SOLP policies G2 and EP2.

Transport and parking

33. SOCS policy CSM1 states that the use of sustainable modes of transport will be encouraged and traffic management measures and environmental improvements which increase safety, improve air quality will be promoted and supported.
34. SOSC policy CSM2 states that proposals which would have transport implications should be accompanied by a transport assessment, which should include a travel plan where appropriate.
35. SOLP policy D2 states that permission will not be granted for developments that fail to incorporate adequate, safe and secure parking for vehicles. Vehicle parking should be provided in a discreet and sensitive manner.
36. NPPF paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
37. OCC Transport Development Control have concerns about the proposals as the increase in pupil numbers is expected to lead to an increase in vehicle movements at drop-off and pick-up times, exacerbating unsafe parking and congestion. They expressed concern that no additional parking spaces were to be provided within the school site to accommodate the additional staff.
38. The proposals did not include provision of new car parking spaces to accommodate the additional staff, which is contrary to SOLP policy D2. However, following the concerns raised by Transport Development

Control, the applicant has committed to formalising the use of an area within the school site which is currently informally used for parking. A condition could be used to require this area to be marked for parking. This would provide formal parking spaces for staff use, which would help to accommodate the parking requirements of additional staff.

39. As this area is already used for informal parking, it would not provide additional spaces and it appears that this solution does not provide adequate vehicle parking for the development, although the creation of additional formal spaces for staff would help parking problems and help safeguard this area for parking use in the future. Therefore, it is recommended that a condition is added to any permission granted requiring submission of details and implementation of line provision to formalise these parking spaces.
40. The NPPF, which is more recent than the SOLP, states that development should only be prevented on highway grounds if the residual impact would be severe or if there would be an unacceptable impact on highway safety. Transport Development Control have advised that the parking at the site during school pick up and drop off is unsafe, but that it is not dissimilar to that at other Primary Schools. The problems only occur on term-time weekdays and at two specific times of the day. A School Travel Plan would encourage pupils to use sustainable modes of transport to travel to and from school. The formalisation of existing parking spaces would help the additional school staff to park within the school site, but if they needed to park off-site it is not considered that they would be contributing to the problems of unsafe and illegal parking outside the school as it is expected that they would park safely and appropriately for the entire day, rather than seek to park as close as possible to the school in order to pick up or drop off.
41. Following the concerns raised by Transport Development Control, the applicant has also stated that the car park for St Mary's church, approximately 250 metres north west of the school gates, is used for parents picking up and dropping off pupils and further use of this would help to alleviate parking pressures. This land is highways land and therefore under the control of Oxfordshire County Council, the applicant. Therefore, a condition could be used to ensure that this area is used to alleviate parking pressure outside the school. An updated School Travel Plan would help to raise awareness of sustainable transport options. Illegal parking should be enforced separately to the planning process. Overall, it is considered that subject to the proposed conditions, the impacts of the additional staff and pupils would not have a severe impact on the road network, or an unacceptable impact on highway safety.
42. The application was accompanied by a Transport Assessment, in accordance with SOCS policy CSM1. It is considered that any permission granted should be subject to a condition for an updated School Travel Plan. This would seek to encourage sustainable modes of transport, in line with SOCS policy CSM1. This should be

accompanied by a travel plan monitoring fee of £1240 to enable the School Travel Plan to be monitored for a 5-year period.

43. Overall, it is considered that the development is in accordance with SOCS policies CSM1 and CSM2 and with the NPPF in relation to transport. There is some conflict with SOLP policy D2 as it is not proposed to provide additional car parking spaces. However, this is partly mitigated by the formalisation of spaces on areas used for informal parking within the school, the use of a School Travel Plan and the use of off-site parking which can be conditioned.

Biodiversity

44. SOLP 2011 C6 and SOCS policy CSB1 protect biodiversity and require that there is no net loss. This proposal is not considered to have any adverse impacts on ecology due to the location of the building on an existing surfaced area. There has been no objection from the Protected Species Officer. Therefore, the proposal is in accordance with these policies.

Drainage

45. SOLP policy EP6 states that developers will be required to demonstrate that surface water drainage accords with sustainable drainage principles and has been designed as an integral part of the development layout. The system should mitigate any adverse effects from surface water run-off and flooding on people, property and the ecological value of the local environment.
46. There has been no objection from OCC as Lead Local Flood Authority, subject to implementation of the submitted drainage strategy. Therefore, subject to this being included in the list of approved documents in a condition on any consent granted, the development is considered to be in accordance with SOLP policy EP6.

Other Issues

47. SOCS policy CS1 sets out a general presumption in favour of sustainable development, in line with the NPPF. SOCS policy CSS1 contains the overall strategy for the district and states that the strategy will support and enhance the larger villages, including Cholsey as local service centres. These policies support the expansion of the primary school, along with the draft Neighbourhood Plan and the NPPF.

Conclusion

48. The proposal seeks to expand an existing village school in one of the larger villages in South Oxfordshire where future growth is anticipated.
49. The proposal is in accordance with relevant development plan policy and the NPPF requirement to give great weight to the need to expand schools.

50. Some concerns have been raised about the increase in staff and pupil numbers, particularly as the proposal does not include additional car parking spaces. However, the proposal is considered to be in accordance with policies relating to highway safety overall, as alternative mitigation measures have been provided including formalisation of on- and off-site parking areas and a School Travel Plan including a financial contribution for its monitoring.

RECOMMENDATION

51. **Subject to the applicant first providing a Unilateral Undertaking for the payment of the School Travel monitoring fee of £1240, it is RECOMMENDED that planning permission for R3.0105/18 be approved subject to conditions to be determined by the Director of Planning and Place, to include the following:**
- i) Detailed compliance with approved plans, including drainage strategy**
 - ii) Permission to be implemented within three years**
 - iii) Submission, approval and implementation of a Construction Traffic Management Plan**
 - iv) Submission, approval and implementation of details of additional cycle parking**
 - v) Submission, approval and implementation of details of formalisation of staff parking within school site**
 - vi) Submission, approval and implementation of details of off-site (church car park) parking arrangements for school pick up and drop off**
 - vii) Submission, approval and implementation of details of school travel plan**

SUE HALLIWELL
Director for Planning & Place

April 2019

Compliance with National Planning Policy Framework

In accordance with paragraph 38 of the NPPF Oxfordshire County Council takes a positive and creative approach and to this end seeks to work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. We seek to approve applications for sustainable development where possible.

We work with applicants in a positive and creative manner by;

- offering a pre-application advice service, and
- updating applicants and agents of any issues that may arise in the processing of their application and where possible suggesting solutions. For example, in this case further information on parking and drainage were requested and provided.

Annex 1 - European Protected Species

The Local Planning Authority in exercising any of their functions, have a legal duty to have regard to the requirements of the Conservation of Species & Habitats Regulations 2010 which identifies 4 main offences for development affecting European Protected Species (EPS).

1. Deliberate capture or killing or injuring of an EPS
2. Deliberate taking or destroying of EPS eggs
3. Deliberate disturbance of a EPS including in particular any disturbance which is likely a) to impair their ability –
 - i) to survive, to breed or reproduce, or to rear or nurture their young, or
 - ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; orb) to affect significantly the local distribution or abundance of the species to which they belong.
4. Damage or destruction of an EPS breeding site or resting place.

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

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