

REPORT TO THE EXECUTIVE

7 JANUARY 2008

REPORT OF THE PLANNING AND AFFORDABLE HOUSING POLICY MANAGER

**REDEVELOPMENT OF DASHWOOD SCHOOL, BANBURY
PLANNING AND DESIGN GUIDANCE**

1 Subject Matter of Decision

- 1.1 Once the New Dashwood School opens on the site of the former cattle market, Oxfordshire County Council intends to sell the site of the existing school for residential development. Paradigm Homes have preferred bidder status. The existing building is included on the Local List of Buildings of Architectural or Historic Interest and lies within Banbury Conservation Area.
- 1.2 Planning and Design Guidance has been prepared to guide the future of the site and a draft version has been the subject of public consultation. This report sets out the comments received and seeks approval of the revised document so that it can become a material consideration in the determination of applications on the site.
- 1.3 The amended Planning and Design Guidance document is circulated separately with the agenda.

2 Options

- 2.1 To approve and to publish the Planning and Design Guidance, amended following public consultation, or
- 2.2 To make further changes to the document, as members see fit.

3 Recommendations

- 3.1 That the Executive resolves to approve the Planning and Design Guidance for the Dashwood School site.

4 Reasons for Recommendation

- 4.1 To enable approval of the Planning and Design Guidance. It will then be a material consideration in the determination of planning applications for the site.

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**REDEVELOPMENT OF DASHWOOD SCHOOL, BANBURY
PLANNING AND DESIGN GUIDANCE**

SUPPORTING INFORMATION

5 Contact Officer(s) and Portfolio Holder

- 5.1 Linda Rand (Ext 1845)
- 5.2 Development Portfolio – (Councillor M Gibbard)

6 Wards Affected

- 6.1 Grimsbury and Castle

7 Effect on Policy

- 7.1 This report is in accordance with saved Policy C23 of the adopted Cherwell Local Plan 1996 and Policies EN40 and EN45A of the Non-Statutory Cherwell Local Plan 2011, which state respectively that there will be a presumption in favour of retaining buildings that make a positive contribution to the character or appearance of a conservation area, and that the Council will give appropriate weight to buildings identified as of local architectural or historic interest.

8 Risk Assessment, Financial Effects and Contributions to Efficiency Savings

- 8.1 The following details approved by Eric Meadows (Ext 1552) and David Spilsbury (Ext 7951)
- 8.2 Risk assessment – Whilst the Planning and Design Guidance does not have the status and weight of a formal Supplementary Planning Document, good quality formal guidance can minimise the risks of an unsatisfactory outcome in terms of decision on planning applications and appeals on the relevant site.
- 8.3 Financial effects - There are no financial implications arising from this report. The costs of preparing the document and the public consultation are met from the approved revenue budget.
- 8.4 Efficiency savings – Publishing site specific design guidance can have a strong influence on a planning decision and reduce the costs of the development control (and possibly appeal) process by making relevant information available at the earliest possible stage..

9 Further Supporting Information

- 9.1 The draft Design and Planning Guidance was approved for public consultation by the Port Folio Holder for Planning and Affordable Housing on 22 October 2007.
- 9.2 Members should be aware that this building is one of several associated buildings in the Newland area of Banbury put forward by the Conservation Officer to English Heritage for possible addition to the Statutory List. Whilst the final decision is awaited, we have

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been informed that this building has successfully passed through the initial “sift” for serious consideration. The implications of this need to be borne in mind when considering the requirements of the Guidance.

- 9.3 Letters were distributed to all neighbouring residents, relevant local organisations and Banbury Town Council informing them of the Draft document and seeking comments. The document was available on the Planning Home page of the Council’s web site and hard copies were sent to those without access to the internet.
- 9.4 The document identifies the importance of the existing school, which was constructed in 1902 as part of the planned suburb of Newlands, and sets out the key constraints and opportunities. In brief the document seeks the retention of the two original buildings, the Infant and Junior Schools, with limited demolition of later extensions. A sympathetic conversion is sought that preserves the existing fenestration and other detailing. There is limited scope for new building in the north east corner of the site extending the Newland Road terrace. The boundary walling, gated entrances and vegetation along Dashwood Road should be retained. Due to the constricted vehicular access, the number of residential units should be restricted to that which would generate no more vehicles than generated by the current use.
- 9.5 The comments received are indicated below.

Comment from	Resultant change made to document
<p>Banbury Town Council Built Heritage Working Party Banbury Civic Society</p>	
<p>Welcomes the document as a positive step towards the retention and sensitive redevelopment of this important landmark building.</p>	<p>Noted.</p>
<p>Concern at the tenor of paragraph 1.3, particularly reference to being issued without prejudice to consideration of a planning application and also not having the status of SPD as it is not supplementary to an adopted policy as these are unnecessarily weak and invite the document to be ignored. The document is supplemental to Policies C22, C23, C28 of the Adopted Local Plan 1996, other not saved polices and PPS1, PPS3 and PPG15 and the relevant Acts. Seeks rewording to the effect that the document is “very material” and strongly urges the adoption as SPG.</p>	<p>SPG does not exist any longer, having been overtaken by SPD in the new LDF planning system. Whilst it is true that the document is supplemental to saved Policy C23 of the adopted Cherwell Local Plan 1996 and therefore could have the status of SPD, this would require its preparation to be identified in the Local Development Scheme, for it to be the subject of a Sustainability Appraisal and for the public consultation to be in accordance with the adopted Statement of Community Involvement. This process takes in the order of one year. The purpose of preparing the document is to inform the vendor’s and potential purchaser’s understanding of the development capacity of the site prior to sale, and to do this successfully the process has to be as swift as possible, to react quickly to sites as we become aware that they are on the market. To follow the lengthy process required for the preparation of SPD would mean that we would miss the moment. The fact that the document has been the subject of public consultation will give it weight, and, in particular, should the site ever be subject to an appeal, Inspectors will accord weight to the</p>

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	document because of this. Reference is now made to this in the text at para 1.3.
Para 2.2: Seeks inclusion of reference to boundary walls, railings, gateways, gates and piers being key features in the conservation area in a photo caption as well as in the text.	Accepted. This has been included in the caption as well as the text.
Para 3.5: feels strongly that the new development should be visually distinct from the surrounding housing and should be neutral in character or should re-interpret the school's existing gothic revival idiom in modern design that avoids pastiche.	This is what is sought. No change is required.
Oxfordshire County Council, Environment and Property	
So far as property issues are concerned there are no comments we wish to make. Hopefully this will form a useful basis upon which Paradigm can formulate an acceptable scheme.	Noted. Discussions are underway with Paradigm Homes and the emerging proposals accord with the provisions of the Guidance.
BSG Architects on behalf of Paradigm Homes	
2.2 There do not appear to be south facing windows of habitable rooms at 7 Newland Road	It is accepted that these windows appear to be to non-habitable rooms, however, it remains important the new development on the site, which sits to the south, does not unduly overshadow the rear garden on 7 Newland Road. The key to figure 3 has been changed to refer to general amenity of neighbours, not windows of habitable rooms specifically.
2.2: The general separation across Newland Road tapers to around 13m so would hope that the guidance can be revised to allow new development to simply follow the building line of Newland Road	This is accepted. The key to figure 3 has been changed to indicate that the extension of the established building line along Newland Road would be acceptable.
2.3: Unable to find a Girls' entrance	Noted. Reference to this is now included in the text.
3.1: Visibility splays are more suited to an access road than a private drive	Following further discussion with the Highway Authority the visibility splay requirements have been reduced to 2 x 40 m in an easterly direction only. This is accordance with the Manual For Streets guidance on a design speed of 30mph. This requirement could be reduced further if a speed survey demonstrates that actual speeds are lower than 30 mph. The text has been amended to reflect this.
3.2: Investigation reveals that the two buildings have always been joined by toilets and it is proposed to remove them and	The text has been updated to reflect this latest finding.

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replace with a glazed link between the two.	
3.2: No new windows are proposed but lowering of some cills and raising of some heads will be sought to provide sufficient daylight and views for habitable rooms.	It is accepted that there will need to be a lowering of cills to create an acceptable living environment and the text has been amended to provide guidance on how this should be achieved. Raising of heads will not be acceptable in the gothic arched openings but in secondary windows it will be acceptable subject to similar care being taken.
3.4: We hope to demonstrate that 2.5 storey development can be designed to respect the street scene.	The advice remains that 2 storeys is recommended unless it can be demonstrated that 2.5 storeys can be designed to be acceptable in terms of scale both to the street scene and neighbours' amenity.
3.4: Might it be reasonable to extend the line of rear wings of new development proposed along Newland Road to replicate the existing development?	This has been added to the text with the proviso that the rear wings should not overshadow neighbouring properties.
We would hope the area indicated for parking could be extended to provide sufficient room for the number of spaces required	It is considered that area indicated as having potential for new building at the top of Marlborough Place will be required for car parking if sufficient spaces are to be provided. Therefore Figure 4 has been amended accordingly.
Openings in the north elevation have (possibly original) metal framed windows of poor condition and in view also of our proposal to increase heights of existing windows we hope to demonstrate that new double glazed windows of suitable material and scale facilitates a general tidying up of the proportions.	Several of the existing windows have has doors inserted into them in an unattractive manner and this, couple with the need to lower the cills means that new fenestration will be required. In view of the location within a conservation area it is considered that purpose made timber windows would be appropriate. To accord with level 3 of the Code for Sustainable Homes, secondary glazing will be encouraged. Double glazing will be acceptable only if the glazing bars are sufficiently slender.
Michael O'Connell, 26 Dashwood Road	
Thanks the Council for formally recognising the importance of the site and for taking the time to produce the document. It includes elements that should help both ensure and enable good design well related to its surroundings	Noted.
The Development Plan only includes the Draft RSS, the "saved" policies from the Structure Plan and the Adopted Cherwell Local Plan 1996 not the Cherwell Local Plan 2006.	This is correct and the text has been amended accordingly.
Why cant the document be SPG? Isn't it supplemental to adopted conservation area policies above?	Please refer to the response above to the similar comment made by Banbury Town Council Built Heritage Working Party and Banbury Civic Society

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	on this matter.
The boundary on Fig 2 is not consistent with the conservation Area boundary depicted in the Adopted Local Plan and should be amended.	This figure does not depict the whole of Banbury Conservation Area. As its title states, it is an extract from the Appraisal, being a Visual Analysis of the Newland planned suburb character area in which this site is located. No change is recommended.
2.2: It is incorrect to say that the hedgerow and semi-mature trees along the southern boundary represent a change in character.	As the text describes, the streets to the north of the site have development at the back of the footway or with extremely small front gardens so that there is virtually no vegetation in the street scene. The development to the south of the site is later and more suburban in character, with the building line set back allowing both vehicular driveways and vegetation in front gardens. In this respect the statement that the hedgerow and semi mature trees along the southern boundary of the site represent the change in character from one character area to the next is correct. No change is recommended to the text.
Fig 3: The footprint of the school building is not shown accurately. The smaller of the two main buildings extends to the east not west.	Figure 3 shows the extent of the original building that it is recommended be converted. Later extensions have been removed from the plan as recommended in the text. No change is recommended.
3.1: 28 units <u>is</u> more than the site can take, not <i>probably</i> .	Agreed. The reference to <i>probably</i> has been removed from the text.
3.1: I object to even “very restricted” parking spaces being accessed off Dashwood Road.	Dashwood Road properties have vehicular access to front gardens along its length and so allowing vehicular access at the far western edge of the site would not be out of character with the surroundings. For this reason it is considered that, if it is required to enable proper provision of parking spaces, it could not be resisted. In any event, the boundary wall is less than 1m high and so its demolition would not require consent even though the site is within a conservation area. The text has been amended to ensure the minimum disruption to the boundary wall, should access here to a maximum of 2 parking spaces be required.
3.1 It is unnecessary for up to 2 additional pedestrian access to be provided from Dashwood Road as there are two off Newland Road, one of which is near the junction with Dashwood Road	It is considered that, given the restrictions placed in this document on the subdivision of outdoor amenity space, it would be unreasonable to expect all dwellings with front doors on the south elevation to share a pedestrian access from the east. The easternmost dwelling could utilise the existing gate in the south east of the site, but the other dwellings with access from the south could share a maximum of two new gated openings,

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	including, not additional to any vehicular access. No change to the text is recommended.
In the Site Allocations DPD this site was estimated as having capacity of 5 -8 dwellings.	With the benefit now of an internal floor plan of the existing buildings, it is possible to see that they convert more readily to residential use than expected, potentially a total of 12, and the density is therefore able to rise. No change to the text is recommended.
3.2: Rooflights may be acceptable if they are flush with the roof slope.	Conservation rooflights are sought. No change to the text is recommended.
I support the suggested conversion to individually accessed 2 storey residential units.	Noted.
Strongly supports the retention of boundary walls, gateways, hedges and trees. Any new fencing on top of the wall should be cast iron railings or suitable equivalent.	Noted. It is not envisaged that additional means of enclosure along the boundary will be required, as the present boundary is effective, but reference to suitable railings if required has been added to the text.
3.3 Strongly supports the Council's view that there should be no development south of the building.	Noted.
3.4 I disagree that two storey development adjacent to 7 Newland Road is acceptable because recent approvals on Marlborough Road and Britannia Road are overdeveloped.	The new development referred to is up to 4 storeys high. Development here is to be restricted to 2 storeys unless it can be demonstrated that 2.5 storeys can be designed to be acceptable in terms of scale both with reference to street scene and neighbours amenity.
What is meant by open amenity space? The document should prevent the area south of the building marked as such being used as private garden space as this could have a negative impact on the character area if the gardens were then used for garden furniture, washing lines etc.	It is unreasonable to deny the future residents access to private external amenity space. The text states that the external amenity area should not be subdivided and this has been elaborated upon by additional reference to restricting the erection of garden sheds, washing lines and other structures within the amenity space.
I welcome the positive statements made here particularly on judging applications on whether they are good enough to approve not bad enough to refuse.	Noted.
I object to 2 parking spaces being accessed from Dashwood Road. There are conflicting statements in that 3.2 seeks the retention of the boundary wall and 3.1 allows such an access to involve the loss of 6m of wall. The loss of this wall cannot be justified when existing access is available from Marlborough Place	The text has been amended to make clear that this access point is only justified if insufficient space is available off Marlborough Place. The agreement to lower visibility splay requirements has been given by the Highway Authority, reducing the impact on the boundary wall.

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Whilst I support the call for sensitive accommodation of bin storage, this needs to be followed through in determining the detailed application, so as to avoid proliferation of bins on the streetscape.	Noted.
There does not appear to be any reference to the control of satellite dishes	Reference to satellite dishes not being allowed on elevations fronting the public domain has been added, together with a statement that a communal dish located within the roof space is preferred.
I support the lack of subdivision of amenity space but am unclear as to what the Council will accept to delineate space.	Reference to a low trip rail has been added to the text.
Valerie Ferryman, 21 Dashwood Road	
Could the area at the top of Marlborough Place which is allocated for a building be used for parking to avoid a vehicular access being required off Dashwood Road?	This area has been added into the area suitable for parking and for bin stores. However it is still possible that a maximum of 2 spaces may be required off Dashwood Road. Levels prevent this being anywhere but adjacent to no 21. The text has been extended to ensure minimum loss of walling.
Will the new development on Newland Road be at playground level and if so will the height be equivalent to Newland Road or increase up the hill?	There is nothing inappropriate about the roof height rising with levels in principle. However, the text seeks 2 storey development, unless it can be demonstrated that 2.5 storeys can be designed to be acceptable in terms of scale both to street scene and neighbour amenity.
Is it necessary to have further pedestrian access from Dashwood Road as we do not want the wall and hedge disturbed?	The disruption to the wall is to be kept to a minimum with additional text referring to reduced visibility splays.
I would be interested to visit the site with Members of the Council and other residents.	Noted. This would be most appropriate once a planning application has been submitted.
Sara Clark, Newland Road	
Support for the tone of the document. I am concerned at the density of recent development and feel strongly that the building should be retained and that the grounds will remain unbuilt upon.	Noted. The new development referred to is up to 4 storeys high. Development here is to be restricted to 2 storeys unless it can be demonstrated that 2.5 storeys can be designed to be acceptable in terms of scale both with reference to street scene and neighbours amenity.
Brian Little, local historian	
I fully support the development principles. The school is a splendid example of Edwardian elegance. The old school entrances may well be the last surviving in Banbury.	Noted.