

**Site Address:****15/01006/F**

Land Adjacent to Bicester Community College  
Queens Avenue  
Bicester

**Ward:** Bicester Town**District Councillor(s):** Cllrs R Mould & D M Pickford**Case Officer:** Matthew Parry**Recommendation:** Approval subject to conditions and completion of legal agreement**Applicant:** Activate Learning**Application Description:** Erection of three storey studio school with associated landscaping and car/cycle parking**Committee Date:** 3<sup>rd</sup> September 2015**Reason for Referral:** Major development.**1. Site Description and Proposed Development**

- 1.1 The application site consists of a corner of playing field land that forms part of the Bicester Community College grounds which is shortly to begin its transition to Academy status under the control of the applicant for this new development – Activate Learning. The site itself is to the southeast of the existing school building complex and therefore located adjacent to the entrance to the leisure centre off the Queens Avenue spur road.
- 1.2 The application seeks consent for the erection of a separate three storey technical college funded by the Department for Education (DfE) that is part of a Government initiative to increase the provision of vocational-based education for 14-19 year olds across the country. The college would provide education to just over 300 students and would employ approximately 20-30 staff.
- 1.3 The proposed building is of a contemporary three storey rectilinear form and designed to achieve a very high standard of fabric energy efficiency supported by on-site renewable energy generation. The building itself is set back from the Queens Avenue spur road by an area of landscaping with an area of car parking proposed to its side. Existing trees along the boundary with the Queens Avenue access road are proposed to be retained.

**2. Application Publicity**

- 2.1 The application proposals were publicised by way of a press notice in the local newspaper as well as site notices and neighbour notifications. No third party representations have been received.

**3. Response to Consultation**Cherwell District Council:

Ecologist – No objection subject to a condition requiring the development to take place in accordance with the recommendations of the ecological assessment following the submission and approval of details of nesting/roosting boxes.

Oxfordshire County Council:

Local Highway Authority – The submitted Transport Assessment (TA) does not adequately predict the transport impact of the school on traffic movements along Queens Avenue together with associated cumulative congestion and safety/suitability of the junction between Queens Avenue and the spur road leading to the local schools and the leisure centre. The predicted modal share has not been robustly justified so that the number of trips by car is likely to be considerably higher than that assumed in the TA particularly as the traffic survey was conducted at a favourable time of year and BCC is operating significantly under capacity. Consequently there is the potential for congestion and traffic flows within and along Queens Avenue to be significantly adversely affected unless alternative modes of transport are provided for and encouraged in addition to the staggering of peak operating hours between the various uses along Queens Avenue.

Off-site highway works to improve pedestrian and cycle links along Queens Way are required as a minimum to encourage alternative transport modes as well as financial contributions to the County Council to fund changes to the traffic regulation order governing Queens Avenue to introduce restrictions on passenger drop-offs in the immediate vicinity of the site access. A travel plan together with an associated contribution towards its monitoring costs are also required. These would need to be secured via legal agreement.

#### Other External Consultees:

Environment Agency – No objection

Sport England – Object. The proposals result in the net loss of playing field land where it has not been robustly demonstrated that there is an excess provision of recreation space in the locality or that equivalent/better replacement provision has been offered in an equally or more accessible location. If planning permission is minded to be granted despite Sport England's objection, under the provisions of the Town and Country Planning (Consultation) (England) Direction 2009, the application is required to be referred to the Secretary of State for CLG for consideration as to whether the application should be called-in for his own determination.

Thames Water – No objection.

Bicester Town Council – Strongly support the application subject to the works compound being away from the main access and appropriate controls over construction traffic.

## **4. Relevant National and Local Planning Policy and Guidance**

### **4.1 Development Plan Policies:**

#### Cherwell Local Plan 2011-2031 Part 1

BSC7 – Meeting Education Needs

BSC10 – Open Space, Outdoor Sport and Recreation Provision

ESD1 – Mitigating and Adapting to Climate Change

ESD2 – Energy Hierarchy and Allowable Solutions

ESD3 – Sustainable Construction

ESD4 – Decentralised Energy Systems

ESD5 – Renewable Energy

ESD6 – Sustainable Flood Risk Management

ESD7 – Sustainable Drainage Systems (SuDS)

ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment

ESD15 – The Character of the Built and Historic Environment

4.2 Other Material Planning Considerations:

National Planning Policy Framework (NPPF) – The National Planning Policy Framework sets out the Government’s planning policies for England and how these are expected to be applied in both plan-making and decision-taking.

Planning Practice Guidance (PPG) – This sets out regularly updated guidance from central Government to assist in the interpretation of national planning policy and relevant legislation.

**5. Appraisal**

5.1 The following planning issues are considered to be of relevance to the determination of this case:

- Principle;
- Design and Appearance;
- Traffic and Highway Safety;
- Trees and Landscaping;
- Sustainable Construction and Energy Efficiency.

Principle

5.2 Policy BSC7 of the Local Plan 2011-2031 states that the Council will work with partners to ensure the provision of school and community learning facilities which provide for education and skill development. It further adds that new school buildings should be located in sustainable locations and that the co-location of related services and facilities with schools should be considered to create community hubs. Policy ESD1 of the Local Plan 2031 adds to this policy by requiring growth to be distributed to the most sustainable locations where the needs to travel is reduced.

5.3 The Local Plan 2011-2031 strategically provides for a significant amount of growth to Bicester as one of the two main settlements in the District. This growth brings associated infrastructure requirements to meet the needs of the new population which includes education provision. Central Government is committed to the principle of studio schools of which over a dozen are now operating across the country and indeed the DfE has provided part of the funding for this new school. Studio schools, otherwise known as technical colleges, cater for students ranging from 14-19 years of age with a focus on vocational learning providing practical skills for use in the workplace with many of the students being on regular work placements during their learning. At the same time, Bicester Community College is to become an Academy School in September 2015 under the same management as that of the proposed new studio school – i.e. Activate Learning (formerly known as Oxford and Cherwell Valley College Group) so that the two schools will be under the same overall control.

5.4 The creation of a new school in the main settlement of Bicester through co-location with other existing education facilities is, in principle, considered to amount to the type of sustainable new education provision that Policy BSC7 of the Local Plan 2031 supports subject to compliance with all other relevant development plan policies and national policy/guidance relating to its other potential effects.

5.5 However, the development is proposed to take place on part of existing school playing field land. Paragraph 74 resists development on existing sports and recreational land except where at least one of the following has been demonstrated:

- It has been clearly shown that the open space is surplus to requirements;
- The loss would be offset by equivalent or improved provision in terms of quality, quantity and accessibility;
- The development is for alternative sports and recreational provision for which the needs outweigh the loss.

5.6 At the time of writing this report, the applicant has not demonstrated that any of these criteria have been met given that it has been established as part of the evidence base to the new Local Plan that there is a shortfall of sports and recreational facilities in Bicester. Furthermore, no additional outdoor space provision is proposed to compensate for the loss and in itself the development is clearly not for an alternative sports or recreation facility. Discussions are on-going as to whether alternative land can be provided to satisfactorily offset the lost playing field land and how this could be secured through the planning process. Officers will update Members if there are any developments on this between the time of publication of the agenda and the Committee meeting.

5.7 In the interim, Sport England (as a statutory consultee), has raised an objection to the development due to the net loss of playing field land and consequent quantitative decline in outdoor recreational space serving both the existing school as well as the wider town. In circumstances where Sport England are a statutory consultee and they object to development proposals, planning permission can only be granted after referral to the Secretary of State who then must then decide whether to call-in the application for his own determination or return it to the Council for approval depending on the circumstances of the case.

5.8 Notwithstanding the above, officers are of the view that the area of land to be lost is comparatively small (0.29ha) and represents a relatively under-used corner of a playing field that does not lend itself well to use for formal sports provision. Nevertheless, its loss would reduce the overall availability of outdoor recreational space which is in under-supply in Bicester. Officers find this regrettable particularly as no compensatory land has yet been able to be identified and made available. However, there are public benefits associated with the proposals given that it would assist in delivering a diversity of education provision to support the sustainable growth of Bicester and in turn the District as a whole. It should also be recognised that the increased provision of education and training opportunities for apprenticeships through measures such as studio schools is part of a wider Government strategy within the education system and it is not unreasonable to conclude that some weight may be afforded to this by the SoS in any call-in decision. With this in mind and cognisant of the Sport England objection, it is necessary to undertake a balancing exercise to determine whether, when taken as a whole, the social and economic benefits associated with the proposal would be outweighed by the harm resulting from the loss of open recreational space for school pupils and the local community. This will be discussed later in this report as part of considering the overall planning balance once the other impacts of the development have been assessed.

#### Design and Appearance

5.9 Policy ESD15 of the Local Plan 2031 is reflective of national policy set out in the NPPF in that it requires new development to demonstrate high quality design that respects the scale, layout, form, landscape and design detailing evident within its context. Policy C28 of the Local Plan 1996 similarly requires new development to be visually sympathetic to its context. It is against this planning policy framework that the proposals will need to be assessed in this respect.

5.10 The building proposed is of a three storey rectilinear form that has the appearance of a contemporary institutional building. The building would be predominantly clad in dark grey flat metal sheets with dark coloured engineering bricks along parts of the ground floor as well as elements of horizontal timber cladding to break up the facades. Brightly

coloured signage is proposed to contrast with the darker, matt finish to the insulated steel wall panels. The building would feature large areas of glazing constructed using powder coated aluminium frames. As a result it would have a distinctive, clean-lined appearance that is reflective of that used across the country in contemporary civic buildings which also helps to deliver high levels of fabric efficiency.

- 5.11 The immediate surroundings feature institutional and recreational buildings of little architectural merit. The buildings on the Queens Avenue spur road are generally flat roofed, modest in height and relatively bland constructions that utilise typical stretcher bond brick dating back from the 1960's/70's. Buildings are however generally set back from the spur road by areas of hardstanding which prevents them dominating the streetscene. The proposed building is of similarly rectilinear form though higher than the existing school buildings at BCC and of greater overall mass given that existing buildings tend to sprawl across the site. The current entrance to the Queens Avenue access road is therefore rather bland and lacking in buildings of any real presence or distinction that promote a genuine sense of identity and/or place. In principle therefore, officers are supportive of the construction of a high quality building of interesting architectural appearance that would create a greater degree of distinctiveness to the wider Queens Avenue streetscene. Whilst angled solar panels in a significant roof-top array may also be visible in views from longer distances they would not appear at odds with the contemporary building style which has been designed to maximise solar gain and utilise on-site renewable energy generation.
- 5.12 The proposed building is set back from the road to allow for formal hard and soft landscaping as well as cycle parking areas to define the building's pedestrian entrance. This should soften the slightly more urban appearance of the building and ensure that the general spacing of buildings relative to Queens Avenue is retained. Further details of the landscaping scheme are recommended to be required by condition. To the side of the proposed building an area of soft landscaping and car parking is shown together with a turning head. Whilst this would replace a corner of grassed playing field, the sensitive use of soft landscaping around the car parking should ensure that it is visually appropriate and not unduly harsh or urban in appearance. Again, a detailed landscaping scheme is recommended to be required by condition as well as details of refuse storage so that it could be discreetly designed and sited.
- 5.13 The Queens Avenue access road contains a row of common lime trees that make a positive contribution to a streetscene which is otherwise rather bland. Importantly, these trees are proposed to be retained and protected during construction works so that the new building would form a suitably sympathetic transition between the tree lined playing field and the wider school building complex. Full details of tree protection measures and construction methodologies for works around retained trees are recommended to be required by condition prior to development commencing.
- 5.14 Consequently, officers are satisfied that the proposed building and its associated development would successfully integrate within its context and introduce a building of distinction within otherwise relatively unremarkable surroundings to the benefit of the character and appearance of the area. Therefore, the proposals are found to accord with the requirements of relevant development plan policies in this respect as well as Government guidance.

#### Traffic and Highway Safety

- 5.15 Government guidance in the NPPF states, inter alia, that planning decisions should take account of whether the opportunities for sustainable transport modes have been taken up, if safe and suitable access to the site can be achieved for all people and whether improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.

- 5.16 It is well established both anecdotally and in traffic survey data that Queens Avenue, and in particular the spur road through to the schools and leisure centre, are subject to significant congestion during certain periods of weekdays. This congestion is at its most acute between 8:30am and 9:15am where there is a marked increase in car movements associated with dropping children to school which often circulates around the leisure centre car park which conflicts with traffic associated with the leisure centre itself. A significant amount of pedestrian traffic to the schools also adds to the conflict and introduces further impediments to car movements. Survey data suggest that in fact the busiest time is within 15 minutes either side of the start time of St Mary's Primary School which also coincides with the nearby Brookside Primary School for which some parents/guardians use the leisure centre car park for dropping off school children. Whilst BCC is the considerably larger institution, the older demographic of its pupils ensures that there are a greater proportion of students arriving by foot and cycle without the need for accompaniment by a parent/guardian. Moreover, traffic survey data suggests that its earlier start time reduces the potential for significant overlap of traffic with the primary school traffic and so prevents Queens Avenue and its junctions from becoming unacceptably and dangerously congested.
- 5.17 Nevertheless, despite this staggering of start times, the road does regularly become congested and can be awkward to navigate for cars, pedestrians and cycles. Any new development which could significantly increase traffic movements would only add to congestion and conflict within the access road and at the junction with Queens Avenue. It also needs to be recognised that for the past several years BCC has been operating significantly below capacity with its numbers having declined year-on-year for close to 10 years so that it currently serves about 850 pupils with a capacity for approximately 1400. All recent traffic surveys have therefore not assessed the school on the basis of its maximum occupation. Its conversion to an academy is intended to improve the attractiveness of the school and with bring about a likely increase in pupil numbers. This would affect the accuracy of the traffic survey data and, as numbers at BCC rise, the spillage of traffic movements outside its small peak hours windows would also rise thus increasing congestion and conflict between the different users of the access road.
- 5.18 The proposed studio school however would operate over slightly different hours – 8:15am to 5pm. This means that its peak traffic movements would fall outside that of either the existing BCC secondary school or the two nearby primary schools. This staggering of peak hours should ensure that congestion in and around Queens Avenue does not reach an unacceptable level at any one particular time. However, despite this it is inevitable that congestion would occur more frequently as a result of additional car movements connected to the new school both from staff as well as parents/guardians dropping off children. As a result officers concur with the LHA that robust travel and management plans are required in order to strictly limit operating hours at both the new studio school and BCC (now that they are both under Activate Learning's control) as well as details of measures to prioritise sustainable modes of travel including shuttle buses from key locations. A financial contribution to the County Council towards monitoring of this travel plan is recommended and would need to be secured through a legal agreement. Furthermore, to encourage pedestrian and cycle travel to the new school as well as to BCC, the widening and improvement of the footway to the north side of Queens Avenue between Kings End and Bucknell Road to create a 2.5m dual use path is required and the necessary funding for this (£60,000) is recommended to be required through a planning obligation with the County Council. A financial contribution of £1000 is also recommended to be secured through a planning obligation to enable OCC to re-locate existing bus stops on Bucknell Road closer to Hudson Street so that they are closer to key pedestrian routes such that bus travel is encouraged. Cumulatively however the above measures may still not be wholly successful in alleviating further significant congestion within and around Queens Avenue during certain peak weekday hours. Therefore it is considered necessary for the traffic regulation order (TRO) to be varied by OCC to introduce complete

restrictions on the stopping of cars on Queens Avenue in the vicinity of the school. The cost to the County Council of such a process is anticipated to be approximately £2500 and the applicant is expected to contribute fully towards this cost which would need to be secured through a legal agreement. Officers would expect all of the funding detail above to be provided prior to commencement of development and any legal agreement would include the clauses necessary to achieve this. The full list of recommended requirements of a planning obligation with the County Council are set out as part of the recommendation to Members at the end of this report.

- 5.19 The Town Council is in support of the proposals though has raised some concern about the management and parking of construction traffic. To this end a condition is recommended requiring the submission and approval of a Construction Traffic Management Plan so that the parking, routing, unloading and hours of arrival of construction traffic can be considered and managed appropriately.
- 5.20 Whilst officers do have some residual concerns about the possibility of occasional significant congestion in and around the peak weekday hours of 8-9am and 3-4pm, on balance and subject to the above measures, the proposals are not considered likely to result in a significant increase in risk to highway safety through an intensification of congestion and conflict between users within Queens Avenue. However, it should be recognised that some harm is likely to occur to traffic flows and this will need to be balanced against the benefits of the scheme as discussed later within this report.

#### Trees and Landscaping

- 5.21 Policy ESD13 of the Local Plan 2031 resists undue harm to important natural landscape features and Policy ESD15 requires trees and landscape features of significance to be retained where these contribute positively to an area's character.
- 5.22 As discussed previously, the proposals would not result in the loss of any trees on the site of any significance as demonstrated in an arboricultural survey and implications assessment. A silver maple tree along the boundary with the car park to BCC would require a modest crown lift to facilitate access for construction purposes but this is considered relatively minor works and not something that would have a long term effect on the health and vitality of the tree or its public amenity value. Indeed all of the common lime trees along the Queens Avenue spur road would remain and none would be materially harmed subject to conditions controlling tree protection measures and the construction methods within the root protection areas of the trees.
- 5.23 Consequently, subject to conditions, officers are satisfied that the proposals would preserve natural landscape features of significance and thereby respect local character in accordance with the requirements of Policies ESD13 and ESD15 of the Local Plan 2031 as well as Government guidance set out in the NPPF.

#### Sustainable Construction and Energy Efficiency

- 5.24 Policies ESD1 and ESD3 of the Local Plan 2031 require new development to be designed to reduce carbon emissions and use resources more efficiently which includes non-residential buildings being designed to achieve BREEAM 'Very Good' standard. An Energy Statement submitted as part of the planning application demonstrates that the building has been designed so that it's fabric efficiency is high with a significant contribution to its energy requirements delivered through a solar PV array on the roof of the building. As such the building achieves the relevant BREEAM standard in accordance with development plan policy.
- 5.25 Policy ESD4 also requires the feasibility of District Heating and Combined Heat and Power to be considered as part of development proposals of this size. However, the applicant has concluded that the nearby buildings are not suitable for supply of district heating. As the studio school would not operate consistently throughout the year it would not be supplied by a continual base land so that it would be less effective and have

a longer payback period. Government funding for the school project also does not extend to such a facility making it less financially viable.

- 5.26 At the time of writing this report officers have some concerns that district heating has not been fully explored given that other larger buildings with significant energy demand are located nearby that are not detailed in the Energy Statement. Moreover, the use of a biomass boiler has not been explored and there could potentially be an opportunity to co-locate some storage with the leisure centre to help save space and to also limit HGV movements. Further information has been requested from the applicant as part of an updated Energy Statement to ensure a robust assessment of the energy efficiency opportunities has been undertaken and Members will be updated at Committee of the outcome. Subject to the opportunities available being robustly assessed in this updated Energy Statement and all reasonable opportunities taken, officers are satisfied that the proposals would deliver a sufficiently sustainable form of construction. A condition is recommended that requires the development to be carried out in accordance with the updated Energy Statement.

## **6. Planning Balance**

- 6.1 At the time of writing this report, the proposals would result in the loss of a comparatively small area of playing field without mitigation to the detriment of pupil recreation and local amenity. The development would also be likely to result in a minor increase in traffic congestion during peak hours in and around Queens Avenue despite the mitigation measures recommend. Consequently there is likely to be further conflict between car traffic, pedestrians and cyclists using the road. However, the proposals represent an interesting and contemporary building design that should add some distinction to the character and appearance of the area whilst providing a sustainably located educational facility that would help serve the needs of an expanding Bicester population and help deliver strategically sustainable growth in the District. On balance, and subject to the conditions and planning obligations specified below, the proposals are considered to provide economic and social sustainability benefits that outweigh the other adverse impacts set out in this report such that overall the proposals are considered to be consistent with the broad requirements of the Development Plan and Government guidance set out in the NPPF.

## **7. Recommendation**

**In the event that the Sport England objection remains:**

**That the Council resolves that it is minded to approve the application subject to the conditions and planning obligations set out below and to refer the application to the Secretary of State for his consideration. Following referral, in the event that the Secretary of State does not exercise his authority to call-in the application for his own determination, that the Council grants planning permission subject to the below conditions and planning obligation.**

**In the event that the Sport England objection is withdrawn:**

**That the Council resolves to grant planning permission subject to the conditions set out below and following the satisfactory completion of a legal agreement with the County Council.**

Planning Obligations:

Oxfordshire County Council:

- £1000 towards relocation of the existing bus stops on Bucknell Road closer to Hudson Street
- £2040 towards monitoring of a travel plan
- £2500 towards variation of the traffic regulation order to introduce parking



restrictions on Queens Avenue

- £60,000 to fund widening of the shared use footway/cycletrack on the north side of Queens Avenue from Kings End to Bucknell Road

Conditions:

1 The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and drawings: 15003/ E(PA)0002 Rev. P2, 15003/ L(PA)0004 Rev. P2, 15003/ L(PA)0005 Rev. P2, 15003/ S(PA)0002 Rev. P2, L-1509-PRP-003 Rev. 02, L-1509-PRP-002 Rev. 02, L-1509-GAP-001 Rev. 02 and L-1509-GAP-002 Rev. 02. .

Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Government guidance contained within the National Planning Policy Framework.

3 Prior to the commencement of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-

(a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,

(b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

(c) details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework. Such details are required prior to commencement of development to ensure important existing soft landscaping is retained as part of the development.

4 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National

## Planning Policy Framework.

5 Prior to the commencement of the development hereby approved, a Tree Protection Plan undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions shall be submitted to and approved in writing by the Local Planning Authority setting out how all retained trees identified in the landscaping scheme will be safeguarded during construction. Thereafter, all works on site shall be carried out in accordance with the approved tree protection plan.

Reason – To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework. Such details are required at pre-commencement stage to ensure that no harm to trees/hedges occurs during the development.

6 Prior to the commencement of the development hereby approved, full details of all service trenches, pipe runs or drains and any other excavation, earth movement or mounding required in connection with the development, including the identification and location of all existing and proposed trees, shrubs and hedgerows within influencing distance of such services, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason – To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework. These details are required prior to commencement of the development to ensure that provision of underground services would not adversely affect the health of retained trees once construction begins.

7 All agreed service trenches, pipe runs, drains or any other excavation to be constructed within the agreed Root Protection Area (RPA) of the tree/trees on the site shall be undertaken in accordance with National Joint Utility Group 'Guidelines for the Planning, Installation and Maintenance of Utility apparatus in Proximity to Trees - Volume 4 and all subsequent revisions and amendments thereof.

Reason – To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

8 Prior to the commencement of the development hereby approved, a detailed scheme for the discharge of surface water from the site shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, and prior to the commencement of any building works on the site the approved surface water drainage scheme shall be carried out and prior to the first occupation of any building to which the scheme relates the approved foul sewage drainage scheme shall be implemented. All drainage works shall be laid out and constructed in accordance with the Water Authorities Association's current edition "Sewers for Adoption". The scheme shall include the following:

Discharge Rates

Discharge Volumes

- Maintenance and management of SUDS features (this may be secured by a Section 106 Agreement)
- Sizing of features – attenuation volume
- Infiltration tests to be undertaken in accordance with BRE365
- Detailed drainage layout with pipe numbers
- SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
- Network drainage calculations
- Phasing plans
- Flood Risk Assessment

Reason - To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework. These details are required at pre-commencement stage to ensure building works take place in accordance with the sustainable drainage system (SuDS) principles to prevent any increase in localised flooding.

9 The development hereby approved shall be carried out strictly in accordance with the recommendations set out in Section 6 of the Preliminary Ecological Assessment submitted with the application, which was prepared by Middlemarch Environmental dated May 2015. The location and types of at least two nesting/roosting provisions in accordance with the above shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the approved development and carried out as approved prior to the development being brought into use.

Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

10 The building hereby approved shall be constructed to at least BREEAM 'Very Good' standard and shall not be occupied until such minimum standard has been achieved in accordance with all of the measures set out in the submitted 'Energy Feasibility Assessment' produced by Hulley & Kirkwood Consulting Engineers Ltd and dated July 2015.

Reason - To ensure sustainable construction and reduce carbon emissions in accordance with Government guidance contained within the National Planning Policy Framework as well as Policies ESD1 and ESD3 of the Cherwell Local Plan 2011-2031 Part 1.

11 Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented and operated in accordance with the approved CTMP at all times.

Reason - In the interests of ensuring reasonable accessibility to neighbouring uses as well as highway safety in accordance with the requirements of Government guidance set out in the National Planning Policy Framework.

12 Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans", shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details. The Travel Plan shall include at least the following information:

- Details of a dedicated shuttle service and the arrangements for the transportation of students to and from the school;
- Measures to encourage staff and student travel by foot and cycle;
- Measures to encourage staff and students to travel by bus;
- Details of any off-site car parking/drop-off arrangements;
- Details of monitoring arrangements to include the submission of an annual report to the local planning authority that assesses the effectiveness of the Travel Plan and sets out measures to try to reduce car travel to and from the school during the following year and thereafter.

Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.

13 A travel information pack for staff and students shall be submitted to and approved in writing by the local planning authority prior to first occupation of the development. This travel information pack shall then be distributed and made available to all new students both in the first year of operation and thereafter in accordance with a scheme that shall be approved in writing by the local planning authority prior to first occupation of the development.

Reason: To ensure active, sustainable habits are established from the outset in accordance with the requirements of Policy ESD1 of the Cherwell Local Plan 2011-2031 Part 1 as well as Government guidance set out in the National Planning Policy Framework.

14 Prior to the first occupation of the development hereby approved (other than for construction purposes) a Management Plan relating to operations at the approved new school development as well as the existing school currently known as Bicester Community College shall be submitted to and approved in writing by the local planning authority. This Management Plan shall include details on at least the following matters:

- Specified operating hours of both the proposed Bicester Studio School and the existing secondary school (Bicester Community College) to ensure peak arrivals and departures from the two institutional premises are kept separate from each other as well as peak times of other neighbouring development;
- The means of controlling staff and pupil movements to ensure their arrival and departure times do not materially fall outside the above specified times;
- Details of servicing and waste management arrangements to ensure that this does not take place during in and around peak hours;
- Means of monitoring and enforcing student car parking and parent/guardian drop-offs at the site and on the Queens Avenue access road;
- Arrangements for school field trips and outings including times during which arrival and departure of vehicles into the Queens Avenue access road will be restricted as well as arrangements for the parking and waiting of such vehicles;
- Details of arrangements to prevent notable events taking place at the existing Bicester Community College at the same or similar times.

The approved Management Plan shall be implemented and operated from the point of first occupation of the development. Thereafter, any change to the approved Management Plan shall require the formal prior written approval of the local planning authority.

Reason: In the interests of managing congestion in Queens Avenue and improving highway safety in accordance with the requirements of Government guidance set out in the National Planning Policy Framework.

15 Prior to the commencement of the development hereby approved, samples of the

external materials to be used in the construction of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework. Sample materials are required prior to commencement of development to ensure the building is constructed using appropriate materials so that it is visually sympathetic to its surroundings.

16 Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in accordance with the approved AMS.

Reason – To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework. The construction methodology for working in and around retained trees is required prior to commencement of development to prevent harm to trees and soft landscaping features during the construction work itself.

17 Prior to the first occupation of the development hereby approved, a landscape management plan, to include the timing of the implementation of the plan, long term design objectives, management responsibilities, maintenance schedules and procedures for the replacement of failed planting for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the landscape management plan shall be carried out in accordance with the approved details.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

18 Prior to first occupation of the approved development details of the boundary treatments to be used in the development shall be submitted to and approved in writing by the local planning authority. The development shall not be occupied until the boundary treatments have been laid out in full as approved and thereafter so retained.

Reason – In the interests of visual amenity in accordance with the requirements of Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1.

#### **STATEMENT OF ENGAGEMENT**

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way through the encouragement of the submission of amended plans and further information during the application process to support the proposals.