

Tudor Hall School
Wykham Lane
Banbury
OX16 9UR

16/01443/F

Case Officer: Matthew Chadwick **Contact Tel:** 01295 753754

Applicant: Tudor Hall School

Proposal: The demolition of existing single storey teaching accommodation to be replaced by a purpose built teaching building consisting of 12 classrooms and an atrium link to an existing teaching building - Blyth. Externally a hard-landscaped amphitheatre which is stepped and ramped connects the new building with the heart of the school.

Expiry Date: 24/10/2016

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| Ward: | Banbury Calthorpe and Easington | Committee Date: | 29/09/2016 |
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Ward Councillors: Councillor Clarke, Councillor Mallon and Councillor Morris

Reason for Referral: Major application by site area

Recommendation: Approval

1. APPLICATION SITE AND LOCALITY

- 1.1. Tudor Hall is a private boarding and day school for girls between the ages of 11 to 18 years old. There are currently 330 pupils at the school and around 75% of these pupils are full boarders. The pupil numbers have increased 22% over the last ten years. The school is situated to the east side of the A361 between Banbury and Bloxham. The main, original buildings on the site are Grade II Listed and have an outlook over the parkland to the south and east. There are a variety of buildings on the site that serve the school, and as the site has developed through time a number of more modern buildings have been added to the north and west of the original, historic buildings.
- 1.2. Great Crested Newts have been found in proximity to the site, which are a protected species.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. Planning consent is sought for a new teaching block, which would involve the demolition of two single storey 1970s teaching buildings which are no longer fit for purpose or sympathetic to the historic context of the site. The new teaching building would be arranged over two floors and include 12 new teaching spaces, a staircase and lift in a 'pod' and a glazed link to an existing teaching block known as Blyth. Externally, there will be a stepped access to the new buildings which would link the new buildings to the existing parts of the school.

3. RELEVANT PLANNING HISTORY

- 3.1. 12/01225/F: Erection of teaching building with atrium link to existing building. External hard landscaping to create amphitheatre APPROVED 05 February 2013.

4. PRE-APPLICATION DISCUSSIONS

- 4.1. No pre-application discussions have taken place with regard to this proposal.

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records.
- 5.2. No comments have been raised by third parties.
- 5.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

6. RESPONSE TO CONSULTATION

- 6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL

- 6.2. BANBURY TOWN COUNCIL: **No objections.**

STATUTORY CONSULTEES

- 6.3. LOCAL HIGHWAYS AUTHORITY: **No objections**, subject to a condition relating to a Construction Traffic Management Plan to be submitted and approved by the Local Planning Authority.

NON-STATUTORY CONSULTEES

- 6.4. ARBORICULTURE: The tree report is more than 4 years old and does not relate to the current British Standard and a current Arboricultural report is required.
- 6.5. ARCHAEOLOGY: **No objections.**
- 6.6. CONSERVATION: No comments received.
- 6.7. CONTAMINATED LAND: **No objections.**
- 6.8. ECOLOGY: No comments received.
- 6.9. LANDSCAPE SERVICES: **No objections.**

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

- 7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- BSC7 – Meeting Education Needs
- ESD13 – Local Landscape Protection and Enhancement
- ESD15 – The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development

- 7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

8. APPRAISAL

- 8.1. The key issues for consideration in this case are:

- Principle of development
- Design, impact on the character of the area and heritage assets
- Residential amenity
- Landscape impact
- Arboriculture
- Highway safety

Principle of development

- 8.2. Policy BSC7 of the Cherwell Local Plan 2011 – 2031 Part 1 states that the Council will work with partners to ensure the provision of pre-school, school, community learning and other facilities which provide for education and the development of skills. New schools buildings should be located in sustainable locations.

- 8.3. The proposals would involve an extension to the existing school which would be within the existing site. Furthermore consent has previously been granted for essentially the same development (12/01225/F), and there has been no change in planning policy or the site and its context which would justify a different conclusion now. It is therefore considered that the proposed development is acceptable in principle, subject to the other relevant material planning considerations which shall be discussed below.

Design, impact on the character of the area and heritage assets

- 8.4. Policy ESD15 of the Cherwell Local Plan Part 1 states that: *“New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards.”*

- 8.5. Saved Policy C28 of the Cherwell Local Plan 1996 reflects Government guidance in relation to the design of new development by seeking to ensure that such development is in harmony with the general character of its surroundings and is sympathetic to the environmental context of the site and its surroundings.
- 8.6. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that the local planning authority has a duty to give special regard to the desirability of preserving a listed building or its setting.
- 8.7. The proposal would involve the demolition of two single storey buildings which are of no particular architectural merit and the clearance of a group of small trees. These would be replaced by four new buildings which would create new classrooms and would be attached to the existing building named 'Blyth' by a glazed atrium link. Two of the buildings would sit in line with the listed building to the south and the other two buildings would create an angled 'L' shape, with entrance pod linking the buildings together.
- 8.8. The buildings would sit in close proximity to the Grade II Listed Building to the south. The design and scale of the buildings are considered to be appropriate given the context of existing modern school buildings, and would not cause further harm to the setting or significance of the heritage asset. The proposed buildings would also be of an appropriate design given the other existing buildings on the site and would be in keeping with the palette of materials found within the site. The hard landscaped amphitheatre would create a courtyard to the entrance to the buildings and would deal with the change in land levels on the site. Furthermore the current scheme is similar to that of the previously approved scheme from 2012 and the design and the impact on the Listed Building is considered to remain acceptable.

Residential amenity

- 8.9. Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1 states that new development proposals should consider amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation and indoor and outdoor space.
- 8.10. The application site is not located in close proximity to any residential properties and therefore there would be no significant harm caused by the proposals to the amenity of the nearest residential neighbours.

Landscape impact

- 8.11. Policy ESD13 of the Cherwell Local Plan 2011 – 2031 Part 1 states that development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted if they would:
- Cause undue visual intrusion into the open countryside;
 - Cause undue visual harm to important natural landscape features and topography;
 - Be inconsistent with local character;
 - Impact on areas judged to have a high level of tranquillity;
 - Harm the setting of settlements, buildings, structures or other landscape features, or;

- Harm the historic value of the landscape.

8.12. The landscape impact of the development has been considered as part of the Design and Access Statement submitted with the application. Glimpses of the new buildings may be seen from Wykham Lane to the north east, however there are a number of existing mature trees to the north and east of the site that would screen the development. The Landscapes Officer has no objections to the scheme and due to the scale and siting of the development; it is considered that it is appropriate with regard to its landscape impact.

Arboriculture

8.13. A Tree Survey and Arboricultural Method Statement has been submitted with this application. The Arboricultural Officer has commented that the tree report is more than 4 years old and that the report does not relate to the current British Standard 5837:2012 and that a new Arboricultural report should be submitted. The proposals would involve the removal of some trees and shrubs on the site and the comments of the Arboricultural Officer are noted. However, the trees are not protected by a Tree Preservation Order, nor are they within a conservation area so they can be removed without consent. The trees do not have any particular amenity value and the removal of the trees has previously been accepted as part of the consent granted in 2012. Therefore officers remain of the opinion that the removal of the trees in order to facilitate the development is acceptable.

Highway safety

8.14. The Highways Liaison Officer has offered no objections to the scheme, subject to a condition requiring a Construction Traffic Management Plan. Given the location of the school, it is considered important that construction traffic does not clash with the vehicular movements of parents and staff. It is considered that the completed development would not have an adverse impact on traffic and highway safety on the local highway network and the development is acceptable in this regard.

9. PLANNING BALANCE AND CONCLUSION

9.1. The principle of development is considered to be acceptable given that the new buildings would be located within the existing complex of buildings at Tudor Hall School and would support the continued operation and expansion of the school. The design and scale of the development proposed is considered to be appropriate and would not detrimentally impact upon the setting of the Grade II Listed Buildings on the site. The buildings would sit comfortably within the site and the wider context of the area and subject to a condition requiring a Construction Traffic Management Plan, would not have a detrimental impact open the local highway network.

10. RECOMMENDATION

That permission is granted, subject to the following 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 conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans

and documents: Design and Access Statement dated July 2016, D200A, D202F, D230P, D231P, D232M, D233N, D240M and D241G.

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

3. Prior to the commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) for the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the CTMP shall be implemented in accordance with the approved details.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times.

4. Prior to the commencement of the development, 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 ESD13 of the Cherwell Local Plan 2011-2031 Part 1 and Policy C28 of the Cherwell Local Plan 1996.

5. 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; and that 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, unless the Local Planning Authority gives written consent for any variation.

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 ESD13 of the Cherwell Local Plan 2011-2031 Part 1 and Policy C28 of the Cherwell Local Plan 1996.

6. Prior to the commencement of the development hereby approved, an up-to-date 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 ESD13 of the Cherwell Local Plan 2011-2031 Part 1 and Policy C28 of the Cherwell Local Plan 1996.

7. Prior to the commencement of the development hereby approved above slab level, samples of the materials to be used for the covering of the roofs 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 ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

8. Prior to the commencement of the development hereby approved above slab level, samples of the render to be used for the walls 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 ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

9. Prior to the commencement of the development hereby approved above slab level, a stone sample panel (minimum 1m² in size) shall be constructed on site in natural ironstone which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development shown on the approved plans to be stone shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

10. Prior to the commencement of the development hereby approved above slab level, full details of the doors and windows, including a cross section and colour/finish, together with cill and lintel details shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the door and windows shall be installed in accordance with the approved details.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

11. Full details of any external lighting required in association with the development shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. Thereafter the lighting shall be installed, operated and retained in accordance with the approved details.

Reason - To ensure the satisfactory appearance of the completed development

and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Planning Notes

1. Birds and their nests are fully protected under the Wildlife and Countryside Act 1981 (as amended), which makes it an offence to intentionally take, damage or destroy the eggs, young or nest of a bird whilst it is being built or in use. Disturbance to nesting birds can be avoided by carrying out vegetation removal or building work outside the breeding season, which is March to August inclusive.