
SUBJECT **COMMITTEE SITE VISIT REPORTS** **ITEM 7**
 20 OCTOBER 2010
 Attendance – Verbally updated at Committee

REPORT OF Head of Planning & Building Control

APPLICATION NO.	P10/W1159
APPLICATION TYPE	MAJOR
REGISTERED	30.07.2010
PARISH	GREAT MILTON
WARD MEMBER(S)	Mr Nowell-Smith
APPLICANT	Mr Robert Marchbank
SITE PROPOSAL	Chilworth House Thame Road Wheatley Demolition of existing store buildings. Erection of replacement buildings as additional school accommodation in connection with special day school
AMENDMENTS	As amplified by additional information from Oxfordshire County Council dated 23 September 2010. As amplified by additional information – Tree Survey dated September 2010.
GRID REFERENCE OFFICER	463340204726 Mrs E Hamerton (W)

1.0 **INTRODUCTION**

- 1.1 This application has been referred to Planning Committee at the discretion of the Development Manager. A site visit has been arranged for Members on Monday 18th October.
- 1.2 The application site, which is shown on the OS extract **attached** as Appendix 1, is located between the A40 and A418, adjacent to Waterstock Golf Course. The site falls within the Parish of Great Milton, but it is close to the village of Waterstock. This entire area is within the Green Belt.
- 1.3 **BACKGROUND**
- 1.4 Chilworth House School is a co-educational special needs school. Planning permission was granted in 2004 for the change of use of Chilworth House from a house to a special day school for primary aged children with complex educational needs, communication difficulties and challenging behaviours. The school formally opened in 2005.
- 1.5 In 2008 planning permission was refused and an appeal dismissed in relation to an extension to Chilworth House to create an additional classroom building. The Inspector stated that whilst he understood the wish of the school to expand to provide for older pupils, he was not convinced that these reasons carry sufficient weight to outweigh the harm that the proposal would have on the Green Belt. The school had only been

operational for a short time and the Inspector concluded that the school should have regard to the site's location within the Green Belt and the limitations such a location could have on the development of school facilities.

- 1.6 In 2009 planning permission was granted for the change of use of the adjacent Grooms Farm site from a house to a special school for secondary aged children in connection with Chilworth House School. The school therefore now operates its overall facility with primary aged children in its original site as a lower school, and the secondary age children in its new site as an upper school. The two sites remain physically and functionally linked overall and are known collectively as Chilworth House School. Both schools share the use of various common facilities such as sports pitches, some teaching rooms and teaching resources.
- 1.7 To the south of the Grooms Farm building there is a collection of outbuildings, including some stables and a former agricultural shed. It is these buildings that are the subject of this application.

2.0 PROPOSAL

- 2.1 This application seeks permission for the demolition of the existing outbuildings and the erection of a replacement building that will include two resource rooms, a medical room, dining room, shower and WC at ground floor. At first floor there will be a staff room.
- 2.2 The replacement buildings comprise two main parts with a lobby area linking them. The dining room with the staff room above is the tallest part of the building measuring approximately 4.5m high. The resource rooms are 3.4m high. The buildings occupy the footprint of the existing outbuildings. The new building will be constructed from a combination of cedar boarding and red facing brick with a tiled roof. A copy of the plans is **attached** at Appendix 2.

3.0 CONSULTATIONS & REPRESENTATIONS

3.1 Great Milton Parish Council

- Approve
- The new buildings would not prejudice the openness of the Green Belt as they would have the same footprint as those they would replace and are not materially greater in volume than the existing buildings
- The buildings would not harm the visual amenities of the Green Belt, they would be an improvement on the dilapidated outbuildings and metal-clad barn they would replace
- The impact on the open nature, rural character and visual amenity of the Green Belt would be minimised by virtue of the size and design of the new buildings and the use of materials sympathetic in appearance to those of the farmhouse, leading to a positive change in the overall view.
- This will allow the school to fulfil the special educational needs of an extra six to eight vulnerable young people, whilst also enhancing facilities available to the pupils already attending the school
- The school grounds are already used by some local primary schools for outdoor activities and the Head Teacher is keen to expand local community use.

Waterstock Parish Meeting

- Object
- Whilst the services provided by the school may be of public benefit, the proposal would be damaging to the Green Belt, to local amenity and to highway safety on both the A418 and A40 diversion route to Milton Common.

- Demand for the school's services is not a special circumstance to override Green Belt constraints, as the school could have been and could be sited anywhere
- The Parish Council were opposed to the original conversion of Chilworth House and are concerned about the continued expansion

Countryside Officer

- There is unlikely to be any significant ecological impacts if planning permission is granted

Environmental Protection Team

- As the site has formerly been used as agricultural land, potentially there are a range of contaminants that could be present. Therefore a condition is recommended for further investigation work in accordance with PPS23.

Forestry Officer

- The Tree Survey lacks details methodology on mitigation measures
- The mitigation measures are not in accordance with BS 5837 and are not considered to offer practical solutions to mitigate the impact to trees shown for retention.
- The proposal is likely to result in significant damage and potentially the complete loss of trees due to the excavation required for the new development
- In order to minimise this impact and compensate for the loss of the trees a tree management and replacement planting condition is recommended

Highway Officer

- No objection
- The increase in floor area is small and not significant for the size of the site in highway terms.

4.0 RELEVANT PLANNING HISTORY

4.1 P09/W0330 – (Grooms Farm) Change of use from dwelling to special day school for secondary aged children in connection with Chilworth House School. Planning Permission 2009.

P08/W0807 – (Chilworth House) Construction of single storey timber framed classroom building. Refusal of Planning Permission 2008. Appeal Dismissed 2009.

P07/W0489 – (Chilworth House) Alterations & extensions to Coach House to create dining and meeting facilities with associated covered walkway. Planning Permission on 2007

P04/W1030 – (Chilworth House) Change of use from dwelling to special day school for primary aged children with complex mental health needs including construction of additional parking area and outdoor play area. Planning permission 2004.

5.0 POLICY & GUIDANCE

5.1 Adopted South Oxfordshire Local Plan 2011

- G2 Protection and enhancement of the environment
- G4 Development in the countryside and on the edge of settlements
- G6 Promoting good design
- C9 Landscape features
- C8 Species protection
- GB2 New buildings in the Green Belt

GB4 Visual amenity
EP8 Contaminated land
D8 Energy, water and materials efficient design
CF2 Provision of community facilities and services
E9 Institutions in the countryside
T1 Transport requirements for new developments

South Oxfordshire Design Guide

PPG2
PPS23

6.0 **PLANNING CONSIDERATIONS**

6.1 The relevant planning considerations are:

- Impact on the Green Belt and whether there are any very special circumstances
- Highway safety and convenience
- Impact on trees
- Design

6.2 **Impact on the Green Belt and whether there are any very special circumstances**

This site lies within the Green Belt. Within the Green Belt there is a presumption against inappropriate development. Policy GB2 of the adopted Local Plan identifies the forms of development, which under certain circumstances, may be acceptable within the Green Belt. This policy reflects advice set out in PPG2. Policy GB2 does not identify extensions to schools as acceptable forms of development within the Green Belt, therefore by definition this proposal is inappropriate development.

6.3 Policy E9 of the adopted Local Plan is linked to Green Belt policy; extensions to institutions within the countryside to meet the operational requirements of institutions will not be permitted if the site is within the Green Belt.

6.4 In 2009 a planning application for a classroom extension at Chilworth House was dismissed at appeal. The Inspector concluded that whilst he understood the school's reasons for wishing to expand they did not carry sufficient weight to outweigh the harm that the proposal would have on the Green Belt. He went on to state that the school had only been operational for a short time and the appellant, when considering the suitability of the site should have had regard to its location within the Green Belt. Also at that time there were no children attending the school that lived within Oxfordshire, all the pupils were coming from outside the County.

6.5 Oxfordshire County Council (Learning Difficulties and Disabilities) have written in support of this proposal. A copy of the letter is **attached** at Appendix 3. Oxfordshire County Council purchases places for children with special educational needs in independent special schools. They prefer to use schools which are within or as close to Oxfordshire as possible to make it easier for families and other professionals to maintain links. Oxfordshire County Council have an inclusion strategy 'Included in Success' which recognises the need to strengthen in-county options as well as develop closer relationships with local independent providers. Due to these strategic developments Oxfordshire County Council have started to place several children at the school. This option is also more cost effective than sending children to schools outside of Oxfordshire.

- 6.6 The extension to the school will be provided through the replacement of the existing outbuildings. By keeping to a similar footprint and height as the existing buildings the proposal aims to minimise the impact on the visual amenity of the area. Policy GB4 of the adopted Local Plan states that where new development is permitted within the Green Belt, it should be sited in such a way that its impact on the open nature, rural character and visual amenity of the Green Belt is minimised. As the size of the replacement building is very similar to the existing building, your officers consider the impact on the visual amenity of the area will be minimal.
- 6.7 I have given weight to the information provided by Oxfordshire County Council and the increased demand for this specialist educational need within the County. It is my view that given that the proposal would replace buildings of a very similar size the harm caused by the development to this part of the Oxford Green Belt would be slight and, given the benefits this development would bring to special education and the provision offered within Oxfordshire, this would amount to very special circumstances.
- 6.8 In addition to this, Great Milton Parish Council, who recommended approval of the application, also consider this application important as other local primary schools also use the site for outdoor activities. The Head Teacher of Chilworth House has discussed with the Parish Council his desire to allow greater local community use of the site.
- 6.9 **Highway safety and convenience**
Waterstock Parish Meeting have recommended refusal of this application. Along with their concerns about the harmful impact of this development on the Green Belt, they are also concerned about the impact on highway safety. They consider the development to be contrary to Policy T1 of the adopted Local Plan in that it will generate new traffic flows, compounding the use of an unsafe access from both the A40 and A418.
- 6.10 The Highway Officer has not raised any objection to this proposal on highway safety grounds. The increase in floorspace of the school is comparatively small and not significant in relation to the small size of the site in highway terms. Therefore this development is not considered to be contrary to Policy T1 of the adopted South Oxfordshire Local Plan.
- 6.11 **Impact on trees**
The applicants have submitted additional information in the form of a tree survey. Whilst the Forestry Officer does not agree with the findings of this report, the loss of some of the trees due to the development can be compensated through replacement planting. Therefore a condition is recommended for a replacement planting scheme to be submitted prior to development commencing.
- 6.12 **Design**
The overall size and mass of the replacement buildings are similar to the existing outbuildings. The new building has been designed to reflect the existing ones in order to reduce the impact on the character and appearance of the area. The design of the building is simple and functional. A condition is recommended requiring sample materials to be submitted. Overall the new buildings will be an improvement in design terms and accord with Policy G6 of the adopted Local Plan.
- 7.0 **CONCLUSION**
- 7.1 This development is inappropriate development which by definition is harmful to the Green Belt. However, the impact on the openness and visual amenities on this part of the Oxford Green Belt would be slight given the size and characteristics of the buildings

to be replaced. Furthermore, the benefits this development would bring in terms of the specialist educational need and the provision within Oxfordshire, constitute very special circumstances that would outweigh the harm.

7.2 The development would not be harmful to highway safety and the design of the replacement buildings are simple and functional and in keeping with the character of the existing building and site.

8.0 RECOMMENDATION

8.1 That planning permission is granted subject to the following conditions

- 1. Commencement 3 yrs - Full Planning Permission**
- 2. Sample materials required (all)**
- 3. Contamination (investigation)**
- 4. Landscaping scheme – including the provision of replacement planting of trees**

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