

Your ref: H16
Our ref: [REDACTED]
DD: [REDACTED]
E: [REDACTED]
Date: 14 December 2023

By email: planningpolicy@oxford.gov.uk

Dear Sir/Madam,

REPRESENTATION TO SUBMISSION DRAFT OXFORD LOCAL PLAN 2040

This representation is made to the 'Submission draft' Oxford Local Plan by Bidwells on behalf of Wychwood School, Oxford. This representation is made to draft Policy H16 (Boarding school accommodation) of the Plan.

We **OBJECT** to draft Policy H16 and have outlined our justification below.

National Planning Policy Framework

The representations should be assessed against the National Planning Policy Framework (NPPF) which outlines how Local Plans should be prepared and examined. Relevant paragraphs of the NPPF are shown below.

Paragraph 35 (examining plans) requires that Local Plans are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are 'sound' if they are:

- a) Positively prepared: Providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs
- b) Justified: An appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence
- c) Effective: Deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy: Enabling the delivery of sustainable development in accordance with the policies in the Framework and other statements of national planning policy, where relevant.

Paragraph 95 (Promoting healthy and safe communities) states that, it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- a) Give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and



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- b) Work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

Wychwood School

Wychwood School became co-educational in September 2023. This brought with it an ambitious plan for expansion to safeguard the future of the school and ensure it will adapt and flourish. Given the limitations of north Oxford in terms of conflicting land uses, environmental factors and land values, it is vital that the school is given the opportunity to expand in an environment which is not constrained by restrictive or prescriptive planning policies.

Wychwood School operates across a small 1.46 acre site, made up of a number of Victorian villas and associated properties at 72-74 Banbury Road and 3-4 Bardwell Road. An assessment has been commissioned to assess overall flow and configuration of the Banbury Road site with a view to adapting it for the next generation of students. This identified a capacity of 250 pupils plus teaching and operational staff.

To achieve its objectives, Wychwood School has retained a single boarding house on the main site with a capacity of 40 boarders. This space is targeted for conversion back to academic and office space pending determination of application 23/02411/FUL for boarding accommodation, off Charlbury Road. It was noted during the above assessment that adhering to the changes in the national minimal standards for boarding was hard to meet in the retrospective conversion of older buildings at the school. The boarding accommodation space is currently full and the school has been identifying solutions to meet capacity in the longer term.

The location of Wychwood School in north Oxford presents significant challenges for expansion. The Banbury Road site has the physical capacity to accommodate the desired 250 capacity for teaching and learning, but this would be at the expense of the existing boarding provision at the site, which is fundamental to the school's unique offering. The school needs further space to meet its requirement to provide a minimum of 125 spaces which is compliant with rigorous national minimum standards for boarding.

Alternative options are limited to acquiring a series of existing buildings along the Banbury Road which is subject to availability, market factors and land values. To date, Wychwood School has not been successful in acquiring land in close proximity to its Banbury Road site, despite bidding on several properties in the locality. It has also considered maximizing currently underutilised parts of the existing school estate for boarding accommodation. However, given the limited size of the Banbury Road site and associated environmental constraints and taking into account education and operational requirements, this is not realistic or practical. As such, Wychwood School needs to look further afield for prospective sites for boarding accommodation to allow planned expansion.

In October 2023, Wychwood School submitted an application for boarding accommodation off Charlbury Road, which is approximately 15 minutes away by foot (23/02411/FUL). This application has not yet been determined but our engagement through pre-application enquiry and the planning application itself, demonstrates that a dedicated policy for boarding accommodation is not necessary and that any such application should be determined on its own merits. This is discussed below.

Policy H16 (Boarding school accommodation)

Wychwood School **OBJECTS** to Policy H16 as we do not consider it to be justified, effective or consistent with national planning policy. Our justification is set out below.

Local Plan vision and strategy

Paragraph 1.2 (Vision and strategy) of the Plan sets out the overarching vision, as follows:

“In 2040 Oxford will be a healthy and inclusive city, with strong communities that benefit from equal opportunities for everyone, not only in access to housing, but to nature, employment, social and leisure opportunities and to healthcare. Oxford will be a city with a strong cultural identity, that respects our heritage, whilst maximising opportunities to look forwards to innovation, learn and enable businesses to prosper. The vision is one which supports research and development in life sciences and health sectors which are and will provide solutions to global challenges. The environment will be central to everything we do; it will be more biodiverse, better connected and more resilient. We will utilise resources prudently whilst mitigating our impacts on the soil, water and air. The city will be net zero carbon, whilst our communities, buildings and infrastructure will be resilient to the impacts of climate change and other emergencies.”

The proposed vision does not afford sufficient weight to education and the knowledge-intensive economy in Oxford. This applies as much to the numerous schools within the city as it does to the universities. The omission of all forms of education and the knowledge economy reflects an under-estimation of the potential of the city and its region. As an area of high productivity and a global hub of learning, Oxford and its region can drive and deliver educational excellence and can drive the national innovation economy.

As it stands, the vision and strategy and associated objectives outlined chapter 1 of the Plan do not fully acknowledge the importance of schools and educational institutions in Oxford. Given the presence of numerous schools and two world-renowned universities in the city, it would be expected that this would form a significant role in forming the vision and strategy for the drafty Plan, yet it is widely silent on the matter. This is a significant oversight and this needs to be acknowledged and assessed by the Council.

Policy H16

Policy H16 is a restrictive and prescriptive policy. It reflects the fact that the Plan does not fully acknowledge and appreciate the vital importance of educational institutions and facilities in promoting the economy of the city and wide region. In this respect it is not consistent with paragraph 95 of the NPPF which is clear that local authorities should take a proactive, positive and collaborative approach to promoting availability of school places. The NPPF is clear that great weight should be given to these components and this is not reflected in the wording of the policy and indeed, that the policy exists in the first place. In this respect, Policy H16 is not consistent with national planning policy.

The premise for Policy H16 appears to be misinformed. In particular:

- Paragraph 2.74 of the Plan states that many of the boarding schools in Oxford are campus based, so that the children live in accommodation on the teaching campus
- Paragraph 2.74 refers to many boarding school sites as “relatively large sites” which are able to provide continuous supervision for the children, with no need to travel to reach lessons in the school day
- Paragraph 2.75 states that *“if boarding accommodation comes forward outside of the main school site, this could have a variety of negative implications. It may prevent the site for coming forward for alternative residential uses for which there is a greater need. It could lead to children being accommodated in a location removed from the school, with a potential drop in supervision and their safety, and with an increased need to travel to reach lessons. There may also be a negative impact on the amenity of surrounding residents if the new accommodation is a conversion of a property not designed for the purpose”*

- Paragraph 2.76 refers to minimising potential conflicts and negative impacts and ensuring a good living environment for the children.

The supporting text is based on generalised information which is not true across all boarding schools in the city. The Plan assumes that pupils live in accommodation at the main school site, yet given that many of the sites are not, in fact, relatively large sites, it is important that schools have the option to identify sites for boarding accommodation which is not located at or adjacent to the main school site.

Wychwood School became co-education in September 2023 and along with ambitions for expansion it needs to accommodate additional pupils of both sexes. The Wychwood School site on Banbury Road accommodates the school buildings and is constrained with no room left for expansion. Existing boarding facilities at the site are outdated and there is the need to provide modern, fit-for purposes facilities to promote expansion of the school. Such new boarding space must meet the high demands required for national legislation and around safeguarding. It is not reasonable to assume that such boarding expansion can always be accommodated at or adjacent to the site. The pressures of land use, land values and the fact that the school is located in a built-up area means that they need to be pragmatic about the location of boarding accommodation. There is no room for expansion at the existing site and there are no suitable sites adjacent to the campus and as such, the school has to look further afield for suitable sites for accommodation. It is not reasonable for the Council to assume the daily pattern of schools with no need to travel to reach lessons. The supporting text and policy is predicated on a number of assumptions over management of school pupils and availability of sites for boarding accommodation, which is not reasonable and does not take into account the availability of suitable sites for boarding accommodation.

It is not reasonable for the Council to assume that boarding accommodation would have negative implications and not reasonable to assume that residential development is more appropriate than boarding facilities. Each should be assessed on their own merits and should not be addressed by a policy which is prescriptive and restrictive.

The Council does not appear to recognise that facilities such as boarding houses are subject to rigorous statutory and regulatory controls and are not significant generators of traffic. The management of such facilities means that a house parent or teacher would be resident at the boarding accommodation at all times and would be responsible for pastoral care of pupils, as well as managing any excessive noise and enforcement of school rules. In this respect, the Council is not justified in its assertion that boarding accommodation has negative implications. Any planning permission for boarding accommodation (wherever it may be) would be subject to a site management plan and this would outline how matters such as noise and amenity would be implemented and monitored. It would also manage car parking, deliveries and drop/off pick up. In this respect and traffic generation in particular, it would have less of an impact than residential (C3) development and therefore it is not clear why the Council considers boarding accommodation to have a negative impact on amenity. This is not based on established fact or evidence and may pertain to perception more than anything else.

The supporting text refers to a greater need for housing in Oxford, than boarding accommodation in locations which do not meet the stipulations of Policy H16. We do not contest the need for housing in Oxford, but the Council does not appear to recognise that boarding accommodation needs to be in reasonable distance of the school campus. In the case of Wychwood School, it is not reasonable to claim that there is a greater need for housing as it does not account for the requirement for boarding accommodation to be located nearby and in locations where pupils of a sufficient age can use public transport to travel into the city centre etc. The matter of housing needs to be balanced against this requirement and it is not true to say that housing *needs* to be located in north Oxford. Housing can be more appropriately be located in locations further away from Oxford, including in neighbouring districts, whilst there is a clear functional and operational need for boarding accommodation to be located near to

the 'host' school. The comment pertaining to the need for housing is not justified or evidenced and is not considered to be reasonable.

Policy H16: Criteria

The supporting text informs the wording of Policy H16. Given the assumptions and generalisations in the supporting text, we do not consider that Policy H16 is justified at all. The policy is unduly restrictive and does not take into account the operational requirements of the school, availability of sites and the fact that such facilities are closely managed and monitored.

Policy H16 does not reflect national planning policy, which requires decision makers to take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education. Paragraph 95 gives great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications (our emphasis). The clear emphasis in the NPPF is to facilitate such change and Policy H16 does not reflect this aspiration. It is based on numerous preconceptions, assumptions and is prescriptive and restrictive in its nature. We do not consider that a policy to manage the location of boarding accommodation is necessary in the first place and any pre-application enquiry or planning application should be determined on its own merit. Matters such as noise, amenity and traffic generation can be suitably implemented and managed by an appropriately-worded planning condition.

Planning application 23/02411/FUL

Wychwood School has submitted a planning application for boarding accommodation and associated development on land at Charlbury Road, which is approximately 15 minutes away from the Banbury Road site. The planning application was subject to pre-application enquiry which endorsed the principle of the proposed development and addressed design and site-specific matters. The application is not yet determined but is clearly being determined on its own merits. This is an appropriate approach for a type of development which remains in reasonable proximity to the Banbury Road site and can be appropriately managed. In respect of the criteria outlined in Policy H16 and in light of planning application 23/02411/FUL, we would comment as follows:

Criterion (a): Adjacency

This principle of development at the site is accepted by the Council which acknowledges that there is a clear and functional link between the site and Banbury Road site. As such, there is no need to introduce an 'adjacency' criteria.

Criterion (b): Appropriate environment

It is important that the proposed development is safe, well-designed and appropriate to its context etc. but these matters are covered by other policies in the Plan – notably draft policy HD7 (Principles of high-quality design). However, the Council needs to acknowledge that matters as safety, safeguarding and supervision etc. are subject to rigorous statutory and regulatory requirements which will be upheld by the school and are not directly a planning matter.

Criterion (c): Amenity

Matters of overlooking and loss of sunlight are best dealt with by other policies in the Plan – notably draft policy R7 (Amenity and environmental health impacts of development). There is no reason to think that boarding accommodation would have any significant impact on amenity of neighbours through noise etc. Indeed, for application 23/02411/FUL, the Council is minded to grant a condition requiring a site management plan. This would safeguard amenity far more rigidly than a residential or commercial

development and there is no reason that it should be subject to a specific policy which pertains to boarding school accommodation.

Criterion (d): Traffic generation

Traffic generation should be determined on its own merits, as it would be for any other planning application. For application 23/02411/FUL the Council has been clear that the proposed development would be subject to a Travel Plan and the site management plan address traffic movements to/from the site. It is clear that, of its nature, a boarding accommodation would have a lesser impact on traffic generation and there is no reason to think that any application for boarding accommodation cannot be determined on its own merits in respect of traffic generation and highways safety.

Criterion (e): Management regime

As with application 23/02411/FUL it is reasonable to apply a management plan to any boarding accommodation facility and there is no clear reason why any application cannot be determined on its own merits.

Given the progress of application 23/02411/FUL we consider that all matters raised by policy H16 can be determined on their own merits and the matters raised by the criteria in the policy can be subject to appropriately worded conditions or a legal agreement. This being the case, there is no reason why a dedicated policy is necessary or justified for boarding accommodation.

Conclusion

We do not consider that Policy H16 is justified, effective or consistent with national planning policy. It is restrictive and prescriptive in its nature and does not reflect the requirements of the NPPF. The Local Plan does not appear to acknowledge the importance of educational establishments to Oxford's economy in its strategic ambitions and this is a significant oversight. The NPPF is clear that great weight should be afforded to the provision and expansion of schools and this is not reflected in the Plan. In order to retain this flexibility, it is not appropriate or necessary that the Plan includes a policy which restricts the expansion of Wychwood School, does not reflect the realities of expansion within the existing campus and the pressing need to facilitate expansion beyond the boundaries of the existing school.

Given the above, we **OBJECT** to draft policy H16.

We would be grateful if you could acknowledge receipt of this representation. In the meantime, please do not hesitate to contact us if you have any questions or would like to discuss matters further.

Yours faithfully,

Ben Pridgeon
Principal Planner