

Case Officer: Matthew Chadwick

Applicant: Mrs Theresa Goss (on behalf of Adderbury Parish Council)

Proposal: Erection of sports & community pavilion with associated car parking and sport facilities (outdoor pitches and MUGA) following planning consent for change of use of agricultural land to sport/recreation and community use (18/00220/F)

Ward: Adderbury, Bloxham And Bodicote

Councillors: Councillor Andrew McHugh
Councillor Chris Heath
Councillor Mike Bishop

Reason for Referral: Called in by Councillor Heath due to public interest

Expiry Date: 8 June 2020

Committee Date: 4 June 2020

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Proposal

Planning consent is sought for the erection of a sports and community pavilion, MUGA, outdoor pitches and formation of hardstanding to provide car parking.

Consultations

The following consultees have raised **objections** to the application:

- OCC Highways (but see main report for clarification)

The following consultees have raised **no objections** to the application:

- CDC Building Control, CDC Conservation, CDC Environmental Protection, CDC Landscape Services, CDC Planning Policy, OCC Minerals and Waste, Thames Valley Police Design Adviser

The following consultees are **in support** of the application:

- Adderbury Parish Council (which is the applicant), Sport England

40 letters of objection and 71 letters of support have been received, as well as 48 other representations making comments.

Planning Policy and Constraints

The application site is located outside the Adderbury Settlement Boundary but it is allocated by the Adderbury Neighbourhood Plan for new sports and community facilities. The site has some naturally occurring contamination, is within a minerals consultation area and there are records of notable and protected species within vicinity of the site. The site is outside but close to the edge of the Adderbury Conservation Area and the site has some archaeological potential. The land slopes from south west to north east.

The application has also been assessed against the relevant policies in the NPPF, the

adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

Conclusion

The key issues arising from the application details are:

- Principle of development
- Landscape impact and site layout
- Neighbouring amenity
- Transport
- Drainage and Flood Risk
- Ecology
- Heritage
- Other matters

The report considers the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

1.1. The application site ("the site") is located to the west of Adderbury and to the north of the Milton Road. The land gently slopes down from south to north with a maximum drop of approximately 5m across the site. The site is currently agricultural in character, is enclosed by field hedgerows and is accessed by a field gate to the western side of the southern boundary. The site is bounded to the east by the recently constructed Nicholas King Homes ("NKH") residential development, to the west is Ball Colegrave, a horticultural business, and to the north by open countryside. To the south on the other side of the Milton Road is open countryside and another new residential development.

2. CONSTRAINTS

2.1. In terms of recorded site constraints, the site is close to the Adderbury Conservation Area boundary, there is potential for archaeology, there are some records of biodiversity in the local area and naturally occurring contaminants are also recorded. The land is also identified within the Adderbury Neighbourhood Plan. Third party representations have identified that the site is used informally by local residents.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

3.1. Planning consent is sought for the erection of a sports and community pavilion, which would have a multi-purpose sports hall and events space for badminton, as well as function/meeting rooms, dance studio, office, events bar, clubroom and bar, kitchen, toilets and changing facilities. This building would be centrally located at the front of the site. To its east would be the main car parking area for the site and to its west would be a MUGA. To the north of this would be two full size football pitches and a cricket wicket.

3.2. Ballstop fencing is proposed on both the east and west boundaries of the site. Lighting is proposed within the car park and around the perimeter of the MUGA.

4. RELEVANT PLANNING HISTORY

4.1. The following planning history is considered relevant to the current proposal:

10/00508/F - Change of use from agricultural use to recreational use – Application Permitted

18/00220/F - Change of use of agricultural land to sport/recreation and community use – Application Permitted

19/00004/DISC - Discharge of Conditions 3 (details of surface water drainage scheme) and 4 (archaeological written scheme of investigation) of 18/00220/F – Application Permitted

19/00124/DISC - Discharge of Condition 5 (programme of archaeological evaluation and mitigation) of 18/00220/F – Application Permitted

4.2. The application was a full application, however the layout approved was effectively indicative and approved the change of use of the land.

5. PRE-APPLICATION DISCUSSIONS

5.1. The following pre-application discussions have taken place with regard to this proposal:

5.2. 19/00166/PREAPP - Proposed Sports and Community Pavilion. The principle of development was considered to be acceptable given the extant approval for change of use and, subject to further details on the proposed cladding, the design of the building was considered to be acceptable. It was stated that regard should be had for the proposal's impact in terms of noise and light pollution on the neighbouring properties at Henge Close and on Ball Colegrave to the west. Further information was also required with regard to ecology, highway safety and potentially archaeology.

6. RESPONSE TO PUBLICITY

6.1. 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. The final date for comments was **18 March 2020**, although comments received after this date and before finalising this report have also been taken into account.

6.2. 40 letters of objection and 71 letters of support have been received, as well as 48 other representations making comments. The comments raised by third parties are summarised as follows:

6.3. Design/Visual impact – The location of the swale should be reconsidered. The design of the building is not acceptable. The new pedestrian access should not go through Henge Close (this element of the scheme was amended). The pitches should be on a north-south orientation. The development would have a significant landscape impact.

6.4. Impact on residential amenity – The lighting of the MUGA and car park would cause harm to neighbours. The car parking area should be moved away from the houses. The MUGA would result in light pollution. The balls from sports may cause damage to properties on Henge Close.

- 6.5. Transport impacts – The proposed use would increase traffic and cause harm to highway safety. The parking provision is inadequate. There should be traffic calming measures introduced. The site access is too close to existing accesses.
- 6.6. Other impacts – Noise pollution. There is a lack of a business plan for the site. The development would cause harm to the local bat population. The development would result in the loss of a footpath across the site.
- 6.7. Benefits – Existing village facilities inadequate and unfit for purpose. The development would provide upgraded sports and community facilities, of benefit to the village. The development would allow for healthy and active lifestyles. There is little provision in the village for younger age groups. The facility has strong support from the village.
- 6.8. Lack of benefits – Adderbury already has sufficient community facilities.
- 6.9. Conditions that should be imposed on any permission given – Hours of operation restriction to ensure the development does not cause harm to neighbours. Tree planting should be considered to help screen the site. New boundary fencing should be considered.
- 6.10. Other matters raised – (i) No need demonstrated for the sports pitches and facility. (ii) The land could be better used as a community woodland. (iii) A Community Governance Review has been submitted requesting for West Adderbury to be a separate parish. (iv) The development would be a misuse of Section 106 money. (v) Concerns regarding the viability of the building. (See para 9.66 below.)
- 6.11. The comments received can be viewed in full on the Council's website, via the online Planning Register.

7. RESPONSE TO CONSULTATION

- 7.1. 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 AND NEIGHBOURHOOD FORUMS

- 7.2. ADDERBURY PARISH COUNCIL: **Supports the application.** NB. The parish council is the applicant.

CONSULTEE RESPONSES

- 7.3. CDC ARBORICULTURE: Trees on the boundaries should be protected.
- 7.4. OCC ARCHAEOLOGY: **No objections**, subject to conditions requiring a written scheme of investigation and a programme of evaluation and mitigation.
- 7.5. CDC BUILDING CONTROL: Development would require a building regulations application.
- 7.6. CDC CONSERVATION: Concerns with the floodlighting and the impact this would have on the setting of the conservation area.
- 7.7. OCC DRAINAGE: **No objections**, subject to conditions relating to a detailed drainage design and management plan, a surface water drainage scheme and a condition that no building shall be occupied until the drainage scheme has been completed.

- 7.8. CDC ECOLOGY: No comments received at time of writing this report.
- 7.9. CDC ENVIRONMENTAL HEALTH: **No objections**, subject to conditions requiring a Construction Environment Management Plan and the provision of EV charging infrastructure.
- 7.10. OCC HIGHWAYS: Objected to the original submission on the basis of the route of the proposed new footpath i.e. that it went through Henge Close rather than adjacent to Milton Road. No other objections subject to conditions relating to access details, no other access being used, vision splay protection, parking and turning area details, footpath details and cycle parking provision. A section 278 agreement would need to be entered into to secure highway improvement works.
- 7.11. CDC LANDSCAPE SERVICES: Commented on the original submission that there was a lack of detail for the MUGA and the new access. Ball stop fencing should be used along the east and west boundaries. There should be restrictions on the lighting.
- 7.12. OCC MINERALS AND WASTE: **No objections**.
- 7.13. CDC RECREATION: No comments received at time of writing this report.
- 7.14. SPORT ENGLAND: **Supports the scheme**, but did raise concerns regarding the cricket wicket and stated that the pavilion should have two changing rooms for officials.
- 7.15. THAMES VALLEY POLICE DESIGN ADVISER: **No objections**, subject to a condition requiring an application to be made for Secured by Design accreditation.

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. 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)

- PSD1 – Presumption in Favour of Sustainable Development
- BSC10 – Open Space, Outdoor Sport and Recreation Provision
- BSC12 – Indoor Sport, Recreation and Community Facilities
- ESD13 – Local Landscape Protection and Enhancement
- ESD15 – The Character of the Built and Historic Environment
- ESD17 – Green Infrastructure
- Policy Villages 4 – Meeting the need for open space, sport and recreation

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

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

8.3. Under Section 38 of the Planning and Compulsory Purchase Act 2004, a Neighbourhood Plan that has been approved at referendum also forms part of the statutory development plan for the area. In this case, the application site falls within the Adderbury Neighbourhood Plan and the following Policies of the Neighbourhood Plan are considered relevant:

- AD1 – Adderbury Settlement Boundary
- AD2 – Green Infrastructure
- AD3 – Local Green Spaces
- AD4 – Local Open Spaces
- AD18 – New Community Facilities

8.4. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- The Planning (Listed Buildings and Conservation Areas) Act 1990
- EU Habitats Directive
- Natural Environment and Rural Communities Act 2006
- Conservation of Habitats and Species Regulations 2017
- Circular 06/2005 (Biodiversity and Geological Conservation)
- Human Rights Act 1998 (“HRA”)
- Equalities Act 2010 (“EA”)

9. APPRAISAL

9.1. The key issues for consideration in this case are:

- Principle of development
- Impact on the character and appearance of the area
- Neighbouring amenity
- Transport
- Drainage and Flood Risk
- Ecology
- Heritage
- Archaeology
- Other matters

Principle of Development

Policy Context

9.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that any application for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.

9.3. Policy BSC10 of the Cherwell Local Plan 2011 states that the Council will encourage partnership working to ensure that sufficient quantity and quality of, and convenient access to open space, sport and recreation provision is secured through the following measures:

- Protecting existing sites

- Addressing existing deficiencies in provision through qualitative enhancement of existing provision, improving access to existing facilities or securing new provision, and
 - Ensuring that proposals for new development contribute to open space, sport and recreation provision commensurate to the need generated by the proposals.
- 9.4. Policy BSC10 also states that in determining the nature of new or improved provision the Council will be guided by the evidence base and consult with town and parish councils, together with potential users of the green space wherever possible, to ensure that provision meets local needs.
- 9.5. Policy AD18 of the Adderbury Neighbourhood Plan allocates the application site for sport and community uses. The policy goes on to state that proposals for these uses of the land will be supported, provided:
- i. Any buildings are ancillary to the operation of the uses and are located within the site and are designed in such a way that has regard to the countryside location of the site;
 - ii. Vehicular access is made from Milton Road, with a minimum loss of the existing site boundary hedgerow, and sufficient car parking spaces are provided;
 - iii. Safe pedestrian and cycle access is provided to the site;
 - iv. The landscape scheme contributes to the delivery of Policy AD2 by making provision for ecological connectivity from Milton Road to the proposed Local Green Space off Horn Hill Road in Policy AD3;
 - v. The scheme will result in a biodiversity net gain; and
 - vi. The layout and any lighting have regard to the proximity of the adjoining residential and employment uses.
- 9.6. The Adderbury Neighbourhood Plan Policies also defines the green infrastructure network around and within the village (AD2) and confirms that any development proposals on land within or immediately adjoining the defined network must demonstrate how they maintain or enhance its integrity and green infrastructure value. It also defines local green spaces (AD3) and local open spaces (AD4), which includes the current development site.

Assessment

- 9.7. The site is allocated under Policy AD18 of the Adderbury Neighbourhood Plan for sports and community uses. The land forming the application site was transferred to the Parish Council's ownership for the purpose of sports and community uses for the benefit of the local community through a S106 agreement relating to the completed development site at Aynho Road, Adderbury. In addition, S106 agreements from other sites in the locality have sought contributions towards the provision and enhancement of local outdoor sport facilities.
- 9.8. Planning permission was first granted for the use of the land for recreational uses under 10/00508/F (this has since expired). The site subject of that permission was slightly larger than the current site. The approved plans identified the use of the site for the provision of two full size football pitches, with the land on the NKH site proposed to accommodate a sports pavilion and car parking as well as a landscape

buffer, and that land secured for transfer to the Parish Council. In 2017 planning permission was granted (ref. 17/00813/F) for additional housing on this small area of land, with a contribution secured towards the provision of sports and community facilities specifically on the land subject to the current planning application.

- 9.9. In 2018, planning consent was again granted (ref. 18/00220/F) for the change of use of the current application site to sport and recreation use. Although this was a full application and the permission included a site layout, due to the lack of detail accompanying the application various conditions were imposed which included a requirement for prior approval of a final layout. The permission was only for change of use and did not include buildings, though the officer report to Planning Committee stated:

“Space is also demonstrated for a building (potential for a new village hall/ pavilion type accommodation) that is not part of the current application but the future intention is likely to include a building on the land and so it is important to understand whether sufficient room is available for this for the future.”

- 9.10. In addition to the above, the Cherwell Local Plan (and in particular Policy BSC10) supports the provision of sufficient quantity and quality of, and convenient access to open space, sport and recreation provision. This includes addressing existing deficiencies in provision through qualitative enhancement of existing provision, improving access to existing facilities or securing new provision. Local Plan Policy ESD17 also seeks to maintain and enhance the district's green infrastructure network. Policy Villages 4 notes that the Playing Pitch and Green Space Strategy estimated that additional provision is required in the Rural North of the District (which includes Adderbury), including junior pitches, cricket pitches and other amenity/open space to address existing deficiencies and future predicted shortfalls.

Conclusion

- 9.11. The principle of the use of the land for sport/recreation and community use has been established through the 2018 permission, but irrespective of that permission and for the reasons set out above the principle of development complies with Policy BSC10, ESD17 and Villages 4 of the Cherwell Local Plan 2011 – 2031 and Policies AD2, AD3, AD4 and AD18 of the Adderbury Neighbourhood Plan, and is therefore considered to be acceptable. The 2018 permission did not include buildings but the decision clearly anticipated buildings on the site and the principle of the erection of buildings to provide the approved use is also considered acceptable.

Impact on character and appearance of the area

Policy context

- 9.12. Policy ESD13 of the Cherwell Local Plan 2011 - 2031 advises that development will be expected to respect and enhance local landscape character and a number of criteria are highlighted including that development is expected not to cause visual intrusion into the open countryside, must be consistent with local character and must not harm the setting of settlements, buildings or structures.
- 9.13. Policy ESD15 of the Cherwell Local Plan 2011 – 2031 states that new development proposals should contribute positively to an area's character and identity by creating or reinforcing local distinctiveness.
- 9.14. Policy C28 of the Cherwell Local Plan 1996 exercises control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context.

9.15. The Adderbury Settlement Boundary defined by Policy AD1 aims to avoid harm to local landscape character. In the policy wording for the site (AD18), the countryside location of the site is recognised by requiring that buildings are ancillary to the use of the site and designed to have regard to their location. In addition, it requires that the layout and any lighting has regard to the proximity of the adjoining residential and employment uses.

Assessment

9.16. The site is located on the edge of the village and it is an existing agricultural field surrounded by field hedgerows. The development of the site would change the character and appearance of the site and the street scene, by virtue of the provision of a vehicular access and the proposed development on site. However, the site is located between new residential development (which has been completed since the approval of 18/00220/F) and Ball Colegrave, and within this context the proposal's impact is considered not to be significant or harmful.

9.17. The proposed site layout is broadly similar to that shown in the plans approved under 18/00220/F¹. As before, the sports pitches are in the north of the site and the parking areas, MUGA and sports building are in the south of the site. The arrangement of the pitches to the north of the site and the built development close to the southern boundary of the site is acceptable as it ensures that built development has a closer relationship with the village and the new development adjacent to it.

9.18. The proposed layout of the built development has been altered since the approval of 18/00220/F, which had shown² the MUGA to be to the east of the site, the sports pavilion building in the middle and the car parking for the site to be to the west. The submitted layout has been amended to switch the positions of the parking and the MUGA, with the pavilion building remaining in the middle. The layout was amended in response to pre-application advice given by the local planning authority, expressing concerns regarding the impact that the development would have on neighbours; this will be discussed in more detail later in this report.

9.19. The building is proposed to be single storey in scale and to be externally faced in ironstone and metal profiled cladding. The building would have part pitched roof and part flat roof. The building has been designed this way in order to accommodate the height of the main hall element, so that inside sports can be played in the building, whilst minimising its scale and its consequent visual impact. The building would be visible from the public domain on Milton Road and is located in close proximity to the access to the site.

9.20. The building would have a relatively typical form for a sports pavilion, with a significant footprint but single storey in scale. The form and scale of the building is functional but compact. The use of materials, with metal cladding and ironstone in gabions, would result in the development having a more contemporary appearance and design than most buildings of its type. However, the materials are considered to be suitable in this context with ironstone being traditional and metal cladding being seen commonly on agricultural buildings in this part of the district, and would contribute positively to the character of the area by reinforcing and creating local distinctiveness.

¹ Some earthworks have recently been carried out pursuant to the 2018 permission. It goes without saying that this does not preclude determination of the application, but Planning Committee is advised that the Council's enforcement team are monitoring compliance.

² Albeit indicatively, since conditions of that consent required an amended layout

- 9.21. Concerns have been raised during the consultation process regarding the light spill from the site (in particular the MUGA) and the impact that this would have on the rural character of the area. A lighting assessment has been submitted with the application, which shows the light spill from the MUGA and the parking area in the southeast corner of the site. The lighting assessment shows that the light spill would generally be contained within the site, albeit with some spill from the MUGA into the front of the Ball Colegrave site and onto Milton Road. That said, the light spill would be mitigated somewhat by the vegetation on the boundaries of the site. The lighting from these elements of the scheme would be clearly visible from the public domain and unless managed would have some adverse impact the rural character of the area. However, on balance, and through the use of planning conditions, it is considered that this impact can be made acceptable and overall that the proposals would not cause significant harm to the character and appearance of the area.
- 9.22. The site currently has mature vegetation on its boundaries with Milton Road to south, Ball Colegrave to the west and Henge Close to the east. With the exception of a small area of hedgerow that would be removed to make way for the access onto Milton Road, the existing hedgerows would remain and the eastern boundary with Henge Close would be strengthened by new planting. The reinforcement of this boundary would provide further screening of the development from the east of the site and further minimise its visual impact.

Conclusion

- 9.23. The proposed development would, subject to conditions, not cause significant harm to the character and appearance of the area and would therefore comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031, Saved Policy C28 of the Cherwell Local Plan 1996, Policy AD18 of the Adderbury Neighbourhood Plan and Government guidance contained within the NPPF.

Neighbour amenity

Policy context

- 9.24. Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1 states that new development proposals should consider the amenity of both existing and future development, including matters of privacy outlook, natural lighting, ventilation, and indoor and outdoor space.
- 9.25. Saved Policy ENV1 states that development which is likely to cause materially detrimental levels of noise, vibration, smell, smoke, fumes or other type of environmental pollution will not normally be permitted.

Assessment

- 9.26. Concerns have been raised by third parties regarding the potential impact of the proposed development on neighbours, with the closest residential properties being those on Henge Close to the east. These concerns relate to lighting, noise and balls going into the rear gardens of neighbouring properties.
- 9.27. As set out earlier in this report, the layout of the built development in the south of the site has been designed so as to minimise its impact on both the residential properties to the east and Ball Colegrave to the west. The lighting proposed for the car park was amended during the course of the application in response to concerns raised by the Thames Valley Police Design Adviser – lights with a height of 6 metres replacing low-level bollard lighting – that the latter had the potential for increasing anti-social behaviour. The submitted lighting scheme for the car park, based on the

revised proposal, shows that the light spill would be well-contained within the site and the operation of the lights can be controlled further by conditions. The Environmental Protection Officer (EPO) has offered no objections to the lighting scheme and the car park lighting is therefore considered to be acceptable.

- 9.28. The MUGA floodlights would be 8m high. As noted at para 9.21, the lighting assessment shows that there would be some light spill from these lights outside of the application site, but given their location away from the houses it is considered that they would not cause harm to the amenities of neighbouring occupiers, subject to a condition securing the hours of operation of the floodlights.
- 9.29. The proposed layout would assist in reducing the noise impacts on neighbours. The MUGA is the part of the scheme that would have the most significant noise impacts on neighbours and this is proposed in the west of the site, approximately 125m from the nearest dwelling. The EPO has offered no objections to the noise impacts of the scheme and a condition would need to be imposed on any permission to control the hours of use of the MUGA to ensure that it does not cause harm to neighbours. The noise impacts of the car parking area and sports pavilion can also be mitigated through conditions controlling the hours of use of the site.
- 9.30. Some residents of Henge Close raised concerns regarding the potential for sports balls to enter their rear gardens from the pitches to the north of the site. The scheme was amended during the course of the application to include ball stop fencing on both the east and west boundaries of the site, which would be 6m in height and constructed from green powder coated aluminium fence posts and netting between. It is considered that this fencing would sufficiently protect neighbouring properties and Ball Colegrave so as to avoid harm in this regard.
- 9.31. The EPO has requested that a condition is imposed securing a Construction Environmental Management Plan. Given that the site is in close proximity to residential properties, it is considered that this condition is reasonable to impose.

Conclusion

- 9.32. It is considered that, subject to conditions, the development would not cause harm to the amenities of neighbours and would comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031, Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance within the NPPF.

Transport

Policy context

- 9.33. Policy SLE4 of the Cherwell Local Plan 2011 – 2031 states that all development where reasonable to do so, should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. Encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Development which is not suitable for the roads that serve the development and which have a severe traffic impact will not be supported.
- 9.34. Policy AD18 of the Adderbury Neighbourhood Plan states that vehicular access should be made from Milton Road, with a minimum loss of the existing site boundary hedgerow, sufficient car parking spaces should be provided and safe pedestrian and cycle access should be provided to the site.

Assessment

- 9.35. A transport statement has been submitted with the application. In terms of traffic impact, this has tested two scenarios which are based on assumptions regarding how the site could be used (one at its maximum and a second at a more realistic level). In the maximum scenario, it notes that the maximum number of cars that could be parked at the site at any one time would be 141, which is the total number of car parking spaces at the site.
- 9.36. The Highways Officer initially objected to the scheme, as the proposed footpath between the site and the village linked through Henge Close rather than being adjacent to Milton Road. This has been amended, so that the footpath runs adjacent to Milton Road and the Highways Officer was reconsulted, but to date no formal comments have been received (and the end of the consultation period passed some time ago).
- 9.37. This was the only element of the scheme to which the Highways Officer objected. Aside from this, the Highways Officer requested conditions requiring the following:
- full details of the proposed access;
 - that no other access shall be used;
 - the protection of vision splays;
 - full parking and turning area specification details;
 - full details of the footpath;
 - full details of cycle parking provision; and
 - the requirement to enter into a S278 agreement to secure highway mitigation and improvement works.
- 9.38. The Highways Officer advised that the internal layout of the site was logical and demonstrated that a refuse collection vehicle could safely enter and exit the site.

Conclusion

- 9.39. It is considered that subject to conditions, the proposed development would provide a safe access, sufficient parking and turning areas and would not cause harm to the safety of the local highway network and would comply with Policy SLE4 of the Cherwell Local Plan 2011 – 2031, Policy AD18 of the Adderbury Neighbourhood Plan and Government guidance contained within the NPPF.

Drainage and flood risk

Policy context

- 9.40. Policy ESD6 of the Cherwell Local Plan 2011 – 2031 states that the Council will manage and reduce flood risk in the District through using a sequential approach to development; locating vulnerable developments in areas at lower risk of flooding. Development proposals will be assessed according to the sequential approach and where necessary the exceptions test as set out in the NPPF and NPPG. Development will only be permitted in areas of flood risk when there are no reasonably available sites in areas of lower flood risk and the benefits of the development outweigh the risks from flooding.

- 9.41. Policy ESD7 of the Cherwell Local Plan 2011 – 2031 requires the use of Sustainable Urban Drainage Systems to manage surface water drainage systems.

Assessment

- 9.42. Condition 3 of the 2018 permission required details of a surface water drainage scheme for the pitch area of the site, and these details have since been approved. A drainage strategy for the site had been approved with the 2018 permission.
- 9.43. Condition 9 of the 2018 permission requires details of a surface water drainage scheme for the remainder of the site.
- 9.44. A flood risk assessment and drainage management strategy have been submitted with the current application, the latter effectively superseding the details referred to above.
- 9.45. The flood risk assessment finds that the site is within flood zone 1 and that the development proposed is classified as water compatible development. The site is at low risk of fluvial flooding from main rivers and from other potential forms of flooding. The FRA has anticipated the total impermeable area proposed and has found that approximately 3% of the total site would be impermeable. The SUDs techniques proposed include permeable hardstanding and to maximise soft permeable landscaped areas as well as soakaways and pervious paving to manage surface water runoff from roofs and roads at their source. In terms of the pitch areas, the proposal is for perforated pipe land drainage below ground to maintain a useable pitch surface all year round. The SUDs proposed have been sized to cope with the 1 in 100 year flood event plus a 40% allowance for climate change. In addition, the proposals would result in some betterment of the existing situation as less water would be discharged to the existing drainage ditches and main rivers, which would result in a reduction in flood risk overall.
- 9.46. It is considered that the development would be at low risk from flooding and there are opportunities for surface water management that would result in improvements over the existing green field run off rate. The Drainage Authority initially objected to the scheme due to a lack of information but following the submission of more information removed this objection. The Drainage Authority have requested more information to be submitted through conditions and these conditions are considered to be reasonable to impose.

Conclusion

- 9.47. The proposed development would not be at risk of flooding or increase the risk of flooding elsewhere and, subject to conditions, would comply with Policies ESD6 and ESD7 of the Cherwell Local Plan 2011 – 2031 and Government guidance contained within the NPPF.

Ecology

Legislative and policy context

- 9.48. The Framework sets out that planning should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and provide net gains in biodiversity where possible. Policy ESD10 reflects the requirements of the Framework to ensure protection and enhancement of biodiversity. Policy AD18 of the Adderbury Neighbourhood Plan seeks to secure a net biodiversity gain. The Authority also has a legal duty set out at Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC 2006) which states that “every public authority

must in exercising its functions, must have regard ... to the purpose of conserving (including restoring / enhancing) biodiversity”.

Assessment

9.49. A preliminary ecological appraisal has been submitted with the application. The appraisal includes a desk study and a Phase 1 Habitat Survey that was carried out on 1st October 2019. The survey found no evidence of animals on the site but does state that there is suitable habitat on the site for badgers, bats and nesting birds. The appraisal makes a number of recommendations for the following:

- A pre-works survey to check that Badgers have not excavated new holes within or immediately adjacent to the working areas. In addition, any excavations during the construction phase of the works should be covered or precautions made (e.g. scaffold boards or baffled slopes) to allow any Badgers a route out of any holes should they fall in.
- A bat tube on each elevation of the sports pavilion building (shown on the submitted plans).
- Enhancement for nesting birds should include the replanting of hedgerow gaps to the north of site, the creation of a new hedgerow along the site's eastern boundary and the installation of at least ten wooden bird boxes on retained trees and the installation of four built in Swift boxes into the new Community Centre building.
- For Great Crested Newts and reptiles, the vegetation on the arable field should be kept short, completing a handsearch of areas of trees prior to them being removed, storing materials on pallets away from features such as the hedgerows, ensuring excavations are protected overnight and excluding any fresh pourings of concrete to prevent, in the unlikely event they are present, Great Crested Newts coming to harm.

9.50. The Council's Ecology Officer has not commented to date on the current application. The site is an arable field, which would have limited ecological potential. The submitted Ecological Appraisal makes a number of recommendations which would protect animals during the construction phase and provide new habitat within the proposed development. The measures in that section of the appraisal would need to be secured through appropriately worded conditions of any permission given.

Conclusion

9.51. It is considered that the development would minimise impacts on ecology, would provide new habitats and would protect ecological assets during the construction phase. The development would therefore comply with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 and Government guidance contained within the NPPF.

Heritage Impact

Legislative and policy context

9.52. The site is located within 50m of the Adderbury Conservation Area at its closest point in the northeast of the site.

9.53. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in carrying out its functions as the Local Planning Authority

in respect of development in a conservation area: *special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*

- 9.54. Likewise Section 66 of the same Act states that: *In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.* Therefore significant weight must be given to these matters in the assessment of this planning application.
- 9.55. Conservation Areas and Listed Buildings are designated heritage assets, and Paragraph 193 of the NPPF states that: *when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.* Policy ESD15 of the CLP 2031 Part 1 echoes this guidance.

Assessment

- 9.56. The Conservation Officer has commented on the application and has advised that given the siting of the sports pavilion, it would have a reduced impact on the setting of the conservation area but the lighting of the MUGA has the potential to cause harm to the setting of the conservation area.
- 9.57. The MUGA would be located approximately 240m away from the conservation area. Due to the site's location and the layout of the village of Adderbury, views of the site from the conservation area would be limited. The most visible that the site would be from within the conservation area would be at the junction of Milton Road, Horn Hill Road and Berry Hill Road to the east of the site.
- 9.58. The light spill from the MUGA would be visible from this viewpoint and it is considered that this element of the scheme would cause a limited amount of harm to the setting of the conservation area. This harm would be *less than substantial* and it is therefore necessary to balance this harm against the public benefits of the proposal.
- 9.59. The provision of a community facility and sports provision for the village, on a site that is allocated in the Adderbury Neighbourhood Plan, would provide significant public benefits. The community and health benefits that the proposed development would provide would significantly outweigh the limited harm that the development would cause to the setting of the Adderbury Conservation Area.

Conclusion

- 9.60. It is considered that the proposed development would cause less than substantial harm to the setting of the Adderbury Conservation Area by reason of the light spill from the MUGA, but that this harm would be outweighed by the public benefits of the proposal and therefore the proposed development complies with Government guidance contained within the NPPF.

Archaeology

- 9.61. The application site has also been identified as being important for archaeology by the OCC Archaeology team. The site was recorded in the 1920s when evidence of a building and paving stones, roofing slates and burnt stones, along with abundant

C2nd pottery was recorded. Mesolithic and Neolithic flint tools have also been recorded in the same area.

- 9.62. A programme of archaeological investigation has recently been undertaken immediately east of the proposed site which recorded a number of possible prehistoric features including a possible henge site and a Bronze Age posthole structure. A third ring ditch, also thought to be a Bronze Age barrow was also recorded. Linear features related to a Roman trackway and field system were also recorded.
- 9.63. A geophysical survey has been undertaken on this site, which has shown that archaeological features related to these sites do continue onto this site. The development has been set out to avoid the most significant archaeological deposits. The proposed development would, however, still impact on archaeological deposits related to the trackway and field system.
- 9.64. As a result, the Planning Archaeologist from the County Council has offered no objections to the scheme subject to conditions requiring a Written Scheme of Investigation and further archaeological evaluation and mitigation to be undertaken. Given the above, and subject to these conditions the proposals are considered acceptable in archaeological terms and to accord with Local Plan Policy ESD15 and the relevant paragraphs of the NPPF in this regard.

Other matters

Environment and Climate Change

- 9.65. Policy ESD1 of the Cherwell Local Plan 2011 – 2031 requires for new development to incorporate suitable adaptation measures in new development to ensure that development is more resilient to climate change impacts.
- 9.66. Policy ESD3 of the Cherwell Local Plan 2011 – 2031 states that all new development proposals will be encouraged to reflect high quality design and high environmental standards, demonstrating sustainable construction methods.
- 9.67. The Environmental Protection Officer has requested a condition requiring the provision of EV charging infrastructure to be provided on the site. Paragraph 110 of the NPPF states that development “should be designed to enable charging of plug-in and other ultra-low emission vehicles” and this condition is therefore considered to be acceptable. Solar panels are shown on the roof of the building, which would comply with Policies ESD1 and 3 of the Cherwell Local Plan 2011 – 2031. Further details of these shall be conditioned.

Local Governance Review

- 9.68. Concerns have been raised during the consultation process regarding the application process continuing at a time when a petition requesting a Local Governance Review has been submitted to the Council by the West Adderbury Residents Association. On 20 May 2020, Council resolved that the terms of reference for the review be approved and that authority be delegated for making Member appointments to a Community Governance Review (“CGR”) working group. The reasons for the request, which are included within the terms of reference, include that Adderbury Parish Council is not reflective of west Adderbury’s needs. The planning application, now presented, is made by Theresa Goss, Clerk to Adderbury Parish Council.

- 9.69. Objectors have stated that the request for this review was, at least in part, inspired by the proposals the subject of this application and report. Objectors consider that the cost involved in constructing the sports & community pavilion and associated works cannot be sustained by the Parish and it would appear that the aim of the CGR is supported by many of those who objected so that the cost would not fall on all current Parishioners.
- 9.70. However, Members are advised that irrespective of the motives behind the requested CGR, the ability or otherwise of the applicant to fund the implementation of the proposal is not in this instance a material consideration. Even if the CGR is material it carries very little weight and certainly not enough to justify refusal or even deferment as there is nothing that would come out of the CGR that could influence the planning balance. If the CGR results in two separate parishes being created it will be for the 'new' authorities to determine their own priorities and spending and to make decisions about the viability and funding of the project. The CGR does not preclude determination of the planning application.
- 9.71. Comments have also been made by third parties in relation to the need for the proposal, the viability of the development (as opposed to just the cost) and suitable alternative uses of the land, but for reasons outlined earlier in this report, especially the allocation of the site for these uses in the adopted Adderbury Neighbourhood Plan and the approval of these uses under 18/00220/F, these are not matters which can weigh significantly against the proposal.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. The principle of the change of use has been previously approved and is considered to be acceptable in accordance with Policy AD18 of the Adderbury Neighbourhood Plan, which allocates the land for sports and community uses. There are several criteria to consider such a proposal against and these have been assessed through this appraisal. It is considered that the proposal meets the requirements, or can be made acceptable through appropriately worded planning conditions to secure additional details. The design of the proposed development is considered to be acceptable and, whilst the development would cause some harm to the setting of the conservation area, which is *less than substantial*, the benefits of the scheme would outweigh this harm. Subject to conditions, the proposed development would not cause harm to highway safety or neighbour amenity. Overall, therefore, the proposal is policy compliant and would result in sustainable form of development.

11. RECOMMENDATION

RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY)

CONDITIONS

Time Limit

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.

Compliance with Plans

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: Site Location Plan (7354(08)00 Rev A); Site Plan as Proposed (7354(08)02 Rev E); Elevations as Proposed (7354(08)04 Rev D); Elevations as Proposed 2 (7354(08)05 Rev D); Ground Floor Plan (7354(08)03 Rev F); Roof Plan (7354(08)06 Rev B); Sections (7354(08)07 Rev A); Tree Works Plan with mitigation planting (7354(08)11) and Proposed Site Layout (220021-002 Rev A).

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 commencement of development, an application shall be made for Secured by Design accreditation on the development hereby approved. The development shall be thereafter carried out in accordance with the approved details, and shall not be occupied or used until confirmation of SBD accreditation has been received by the local planning authority.

Reason – To ensure that the development complies with Secured by Design and creates a safe development and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the NPPF.

4. Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. The means of access shall be constructed in full accordance with the approved details and shall be retained as such thereafter.

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

5. Other than the access hereby approved no other means of access whatsoever shall be formed or used between the land and the highway.

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

6. Prior to the commencement of the development hereby approved, full details of the access vision splays, including layout and construction shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first use of the development the vision splays shall be constructed in accordance with the approved details and the land and vegetation within the vision splays shall not be raised or allowed to grow above a maximum height of 1.5m above carriageway level.

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

7. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the turning area and 141 parking spaces within the curtilage of the site, arranged so that motor vehicles may enter, turn round and leave in a forward direction and vehicles may park off the highway, shall be submitted to and approved in writing

by the Local Planning Authority prior to the commencement of development. Thereafter, and prior to the first occupation of the development, the turning area and car parking spaces shall be constructed in accordance with the approved details and shall be retained for the parking and manoeuvring of vehicles at all times thereafter.

Reason - In the interests of highway safety, to ensure the provision of off-street car parking and to comply with Government guidance contained within the National Planning Policy Framework.

8. Prior to the first use of any new public footpath, the new footpath shall be formed, constructed, surfaced, laid and marked out, drained and completed in accordance with specification details which shall be submitted to and approved in writing by the Local Planning Authority prior to its formation and/or laying out.

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

9. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

Reason - In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.

10. The development hereby approved shall be carried out in accordance with the recommendations set out in section 4.3 of the Adderbury Community Centre Preliminary Ecological Appraisal carried out by Turnstone Ecology on November 2019.

Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

11. No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods (including fully detailed cross-sectional drawings of all SuDS and drainage related features to be provided and a full list of all SuDS features to be employed on site to be provided) has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design prior to the use of the building commencing.

Construction shall be in accordance with the principles set out in documents:
FEDS-220021 SuDS Drainage Calculations Rev A
24926 - Adderbury Milton Road Muga - 191025 REV B
FEDS-220021-001-A Existing Site Plan(1)
FEDS-220021-002-A Proposed Site Plan(2)
FEDS-220021-003-A
Topographical Survey and BRE 365 TP Location
Land north of Milton Road, Adderbury, Oxon - trial trench evaluation report V2

7354(08)02E
7354(08)11
7354(08)06B
7354(08)03F

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 ESD6 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

12. No building or use hereby permitted shall be occupied or the use commenced until the sustainable drainage scheme for this site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. The management and maintenance company details to be provided to both the LLFA and LPA.

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 ESD6 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

13. The development hereby permitted shall not commence until full Detailed Design details of the proposal, implementation, maintenance and management of a surface water drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include:

a) Information about the design storm period and intensity (1 in 30 & 1 in 100 (+40% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;

b) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);

c) Flood water exceedance routes, both on and off site;

d) A timetable for implementation; and

e) Site investigation and test results to confirm infiltrations rates.

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 ESD6 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

14. Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2019)

15. Following the approval of the Written Scheme of Investigation referred to in condition 14, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2019).

16. Prior to the commencement of the development, a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.

Reason - To ensure the environment is protected during construction in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

17. Prior to the first occupation of the development, a scheme for the provision of vehicular electric charging points to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The vehicular electric charging points shall be provided in accordance with the approved details prior to the first occupation of the building they serve, and retained as such thereafter.

Reason - To comply with Policies SLE 4, ESD 1, ESD 3 and ESD 5 of the adopted Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

18. The multi-use games area shall not be used between the hours of 21:30 and 08:00 and not before 09:00 on Sundays and/or Bank or Public Holidays.

Reason - To safeguard the amenities of the occupants of the adjoining premises and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

19. The floodlighting for the multi-use games area shall not be used between the hours of 21:30 and 08:00 and not before 09:00 on Sundays and/or Bank or Public Holidays.

Reason - To safeguard the amenities of the occupants of the adjoining premises and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C30 of the Cherwell Local Plan 1996 and Government guidance

contained within the National Planning Policy Framework.

20. Prior to the commencement of the development hereby approved above slab level, samples of the stone to be used externally in the construction of the walls of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the samples so approved and shall be retained as such thereafter.

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.

21. Prior to the commencement of the development hereby approved above slab level, samples of the metal cladding to be used in the construction of the walls and roofs of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the samples so approved and shall be retained as such thereafter.

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.

22. 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, and

(d) details of the boundary treatments including their materials, appearance and height.

The development shall be carried out in accordance with the approved landscaping scheme and the hard landscape elements and boundary treatments shall be carried out prior to the first occupation of the development and shall be retained as such thereafter.

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 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.

23. 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 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.

24. Prior to any works to change site levels, a plan showing full details of the existing and proposed site levels 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 site levels plan.

Reason - To ensure a satisfactory form of development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

25. Except to allow for the means of access and vision splays, the existing hedgerow/ trees along the Southern boundary of the site shall be retained and properly maintained at a height of not less than 1.5m and any hedgerow/ tree which may die within five years from the completion of the development shall be replaced and thereafter properly maintained in accordance with this condition.

Reason - In the interests of the visual amenities of the area and to comply with Policy ESD15 of the Cherwell Local Plan 2011- 2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

26. Prior to the first public use of the site for pitches, a Management Plan for the site to include hours of use shall be submitted to and approved in writing by the Local Planning Authority. The site shall not be run other than in accordance with the approved Management Plan.

Reason - In order to safeguard the amenities of the area and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

27. Other than those expressly approved under this planning permission, no external lights/floodlights shall be erected on or within the site.

Reason - In order to safeguard the amenities of the area and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

28. Notwithstanding the provisions of Class A of Part 12, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, no buildings, storage containers or areas of hard standing (other than those identified within this application) shall be placed on the land without the grant of further specific planning permission from the Local Planning Authority.

Reason - To enable the Local Planning Authority to retain planning control over the development of this site in order to safeguard the amenities of the area and ensure that future development is of an appropriate design and layout in accordance with saved Policy C28 of the Cherwell Local Plan 1996.

29. Prior to the first use or occupation of the development, the building shall be provided with solar PV in accordance with a scheme which shall firstly be submitted to and approved in writing by the Local Planning Authority.

Reason - To support the delivery of renewable and low carbon energy in accordance with Government guidance contained within the National Planning Policy Framework.

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