

**Applicant:** D J Oakley & Son, Grange Farm Estates

**Site Address:** Grange Farm, Godington

**Proposal:** Erection of tennis court

**1. Site Description and Proposal**

- 1.1 The site is within an agricultural field associated with Grange Farm. The farm complex consists of the main house, with a range of former agricultural buildings set at the rear which have been converted to holiday lets with some stabling. A range of operational agricultural buildings exists further to the south east of the main house. The main house has a large area of hardstanding to the front and rear, with landscaped land to the north and north west.
- 1.2 Grange Farm is located at the end of a no through road, set within open countryside. A bridleway (BR225/8) runs east to west through the centre of the site, running past the southern end of the proposed tennis court.
- 1.3 The proposal involves the erection of a 24 x 11 metre tennis court, surrounded by a tubular steel fence measuring 3 metres in height around the main sides and ends, stepping down to a 1 metre high access gate on the south eastern side. The agent has stated that an indigenous landscape strip will be planted along the north eastern side of the court..

**2. Application Publicity**

- 2.1 The application was advertised by way of a site notice. The final date for comment was 30<sup>th</sup> December 2011.
- 2.2 No representations have been received.

**3. Consultations**

- 3.1 **Godington Parish Meeting** raises no objection to the proposal, but requests that a condition be imposed to prevent floodlighting around the court.
- 3.2 **The Council's Environmental Protection Officer** – no comments received.
- 3.3 **The Council's Landscape Officer** has concerns about the location of the development on the grounds that it would extend the mass of the complex of buildings in an inappropriate way.
- 3.4 **The Council's Rights of Way Officer** – notes that the agent did not declare the existence of the public right of way (BR225/8) passing through the site. The bridleway runs along the access track identified in the application, but does not cross the proposed tennis court. No diversion or mitigation will be required.
- 3.5 **The County Council's Archaeologist** raises no objection to the proposal, subject to the imposition of an informative to notify the County Archaeologist if archaeologically significant finds are discovered during the course of construction.

<b>4</b>	<b>Planning Policy</b>	
4.1	Adopted Cherwell	C8 – Sporadic development in open countryside C28 – Standards of layout, design and external

	Local Plan 1996	appearance
4.2	Non-Statutory Cherwell Local Plan	EN34 – Character and appearance of landscape
4.3	South East Plan 2011	CC6 – Character of the Environment C4 – Landscape and Countryside Management
4.4	National Policy	PPS1: Delivering Sustainable Development PPS7: Sustainable Development in Rural Areas

## 5. Appraisal

5.1 The assessment of this application is based on the following criteria;

- The principle of the development and national policy
- Landscape and visual impact

### 5.2 Principle

The proposed site lies within an agricultural, arable field, approximately 85 metres to the north east of the main house. The site is not within the curtilage of the dwelling and is considered to lie within the open countryside.

5.2.1 One of the main objectives of Planning Policy Statement 7 is to promote more sustainable patterns of development, through continued protection of the open countryside for the benefit of all. Specifically, paragraph 1 iv) states that new building development in the open countryside away from existing settlements, or outside areas allocated for development in development plans, should be strictly controlled.

5.2.2 The Policies contained in the South East Plan, Adopted Local Plan (ALP) and equivalent policies within the Non Statutory Plan all echo this requirement. In particular, Policy C8 within the ALP states that sporadic development in the countryside must be resisted if its attractive, open, rural character is to be maintained.

5.2.3 The parcel of land is open, flat and rural in character. It is bound to the north west by a mature hedgerow, to the east by a sparse, immature hedgerow with the land to the south being open with no boundary treatment. The proposed location of the tennis court is such that it is divorced from the relatively tight knit collection of existing buildings associated with the main house and agricultural operations. The location of the bridleway (directly to the south of the proposed court) renders the site highly prominent and visible from this public vantage point.

5.2.4 Several alternative locations for the proposed tennis court have been explored with the applicant's agent. The land to the north/north west of the main house was discounted given that the land has been substantially landscaped with trees that are now maturing and the agent states that there is nowhere else within the garden to place a tennis court. Similarly, the land immediately to the south of the main house was dismissed due to the presence of a ground source heat pump (GSHP). The tennis court contractors have advised against construction in this location due to all of the GSHP underground apparatus.

5.2.5 The Council's Landscape Officer has also suggested a further alternative location in line with the barn to the SW of the farm. This would locate it away from the bridleway and would be screened by an existing hedge on the SE side and some additional planting would be required to partially screen it on the north western side. The applicant's agent has confirmed that they do not wish to relocate the tennis court to this position and would prefer the current application to be determined.

5.2.6 It is therefore considered that due to the open, rural nature of the site and proposed siting of the tennis court beyond an established group of existing and former agricultural buildings, the proposal represents sporadic development within the open countryside and thus fails to comply with national, regional and local planning policy which seeks to protect the countryside from such development.

### 5.3 Landscape and visual impact

5.3.1 As noted above, the site is situated on a flat, open area of agricultural land which is highly prominent and visible from the public bridleway running through Grange Farm and to the south of the proposed tennis court. The Council's Landscape Officer has noted that the proposal would extend the mass of the complex of buildings in an inappropriate way. This not only causes harm to the rural character of the area through the encroachment of built development into the open countryside, but also sets an undesirable precedent for further applications of a similar nature, which in equity, would be difficult to resist.

5.3.2 The visual impact of the development is further compounded by the introduction of high, steel mesh fencing around the perimeter of the court, measuring 3 metres in height. Whilst the applicants intend to plant an indigenous hedge along the north eastern side of the court, this will take time to mature and provide an effective screen. Furthermore, it will not screen views of the court from the bridleway to the south or approaching from the road side (to the north west).

### 5.4 **Conclusion**

It is considered that the principle of erecting the tennis court in the proposed location is contrary to established planning policies which seek to protect the countryside from sporadic development. Due to the nature of the surroundings and the prominence of the site from the public bridleway, the structure would be visually jarring and at odds with the open, flat, rural character of the site. Notwithstanding the fact that each application is assessed on its own merits, the approval of this application is likely to set an undesirable precedent for further encroachment into the open countryside, with consequential incremental erosion of the rural landscape. Given the foregoing conclusions it is recommended that the application be refused for the reason set out hereto.

## **6. Recommendation**

**Refusal**, for the following reason:

1. The proposed development on this area of open agricultural land will extend built development into the surrounding open countryside and will harm the rural character and appearance of the area which contributes to the rural setting of the public bridleway running to the south of the proposed site (BR225/8). As such, the proposal is contrary to central Government guidance contained in PPS1: Delivering Sustainable Development, PPS7: Sustainable Development in Rural Areas, Policies CC6 and C4 of the South East Plan 2011, Policy EN34 of the Non Statutory Cherwell Local Plan 2011 and Policies C8 and C28 of the Adopted Cherwell Local Plan 1996.

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