

# **Bicester Hotel Golf and Spa Akeman St, Chesterton**

**13/01492/F**

**Ward:** Ambrosden & Chesterton

**District Councillor:** Cllr Andrew Fulljames

**Case Officer:** Rebecca Horley

**Recommendation:** Approval

**Applicant:** Bicester Hotel Golf and Spa Ltd, c/o agent

**Application Description:** Change of use for the formation of an assault course

**Committee Referral:** Major

**Committee Date:** 28 November 2013

## **1. Site Description, Background and Proposed Development**

- 1.1 Bicester Hotel Golf and Spa is located to the southwest of Bicester town and on the edge of Chesterton. The main facilities offered at the Club include golf, health & fitness and tennis though it also caters for events such as weddings and conferences. Also with the siting of the Club being so close to other tourist attractions like Bicester Village and Oxford, there is increased demand to stay for short breaks. The hotel currently provides accommodation for 50 bedrooms, though a recent planning approval for an extension will effectively double its capacity (13/01102/F refers).
- 1.2 This planning application proposes to change the use of 4 hectares of land at the south west corner of the wider site (which extends to 46 hectares) to form an assault course. The red line site forms a triangle of land bound by the M40 to the west and Akeman Street to the south with the eastern boundary formed by an established hedge line dividing it from the rest of the golf course. The proposal requires no covered built development and comprises a series of outdoor obstacles to be used in conjunction with the existing leisure facilities at the complex.
- 1.3 There are no notable planning constraints identified at this site.

## **2. Application Publicity**

- 2.1 The application has been advertised by way of site notice and press notice. The final date for comment was 7 November 2013. No letters/emails have been received.

## **3. Consultations**

- 3.1 **Chesterton Parish Council:** No objection.

### **Cherwell District Council Consultees**

- 3.2 None

## **Oxfordshire County Council Consultees**

- 3.3 **Highways:** No objection. The application proposes no change to access and parking. It is intended for use by existing leisure members and the application proposes no additional vehicular trips on the highway network. The application is unlikely to have a significant highway impact.

## **Other Consultees**

- 3.4 **Highways Agency:** No objection. The application will not adversely affect the M40 Motorway at this location. The HA does not intend to issue a direction.

## **4. Relevant National and Local Policy and Guidance**

### **4.1 Development Plan Policy**

Adopted Cherwell Local Plan (Saved Policies) (ACLP)

C7: Landscape conservation

C8: Sporadic development in the open countryside

C9: Development beyond limits of towns incompatible with rural locations

C28: Layout, design and external appearance of new development

### **4.2 Other Material Considerations - Policy and Guidance**

National Planning Policy Framework 2012

Cherwell Local Plan - Proposed Submission (August 2012) and Focussed Consultation (March 2013) (PSLP)

The Proposed Submission Local Plan was published for public consultation in August 2012. A further consultation on Proposed Changes to the draft plan was undertaken from March to May 2013. On 7 October 2013, the draft Submission Plan was approved by the Council's Executive. The Plan was presented to Full Council on 21 October 2013 and Full Council endorsed it as the Submission Local Plan. Submission to the Secretary of State for Communities and Local Government is anticipated by the end of November 2013. The Submission Plan supersedes previous stages of the emerging Local Plan.

Full Council also endorsed the recommendations to:

- Note that the Infrastructure tables in the draft Local Plan are to be replaced in due course by a full Infrastructure Delivery Plan (IDP) prior to Examination.

- Delegate approval of minor text changes (including updating the thematic maps and final Monitoring Framework) to the draft Submission Local Plan text to the Head of Strategic Planning and the Economy in consultation with the Lead Member for Planning and its transfer in its publication format for Submission.

At the present time the emerging Plan carries weight, however it will not form part of the statutory Development Plan until the Examination process is complete and the Plan is formally adopted by the Council (anticipated mid 2014).

The policies listed below are considered to be material to this case and are not replicated by saved Development Plan policy:

ESD13: Local Landscape Protection & Enhancement

ESD16: The Character of the Built & Historic Environment

## **5. Appraisal**

5.1 The key issues for consideration in this application are:

- Policy principle
- Visual amenity/landscape impact
- Highway Safety

### **The Policy Principles**

5.2 The National Planning Policy Framework re-emphasises the Government's view of what sustainable development means in practice for the planning system. There are 3 dimensions: an economic role with the emphasis on contributing to building a strong, responsive and competitive economy; a social role reflecting the community's needs by supporting strong, vibrant and healthy communities and an environmental role by contributing to protecting and enhancing the natural, built and historic environment. To achieve sustainable development these economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

5.3 There is clearly a presumption in favour of sustainable development and applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan is the starting point and proposals should accord with it. Where the development plan is absent, silent or out of date permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

5.4 The NPPF also seeks to ensure that a prosperous rural economy is supported in order to create jobs where development is sustainable. In particular, sustainable rural tourism and leisure development should be supported where they benefit businesses in rural areas and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.

5.6 At a more local policy level and with regard to local development plan principles, the adopted local plan has no policies which specifically address this type of proposal. In accordance with the NPPF, therefore, permission should be granted unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits. An assessment can be made against other relevant policies in the local plan, namely C7, C8 and C28 but overall the development should be considered positively and subject to the specifically identified issues listed in paragraph 5.1.

### **Visual amenity/landscape impact**

5.7 The site is in the far corner of the golf grounds and not readily visible from the public domain of the surrounding road network. A public footpath crosses to the west side of the main hotel building complex but it passes towards the northwest, away from the

proposed development at the site. For the whole of the public footpath route, the dividing hedgerow along the sites eastern boundary will screen the new development. Short range views will be possible from the south on Akeman Street but will be confined to the gated access and therefore restricted. Along the motorway, the site is fenced and there is a landscape bund.

- 5.8 The new equipment varies in height from 0.2m to 3.6m and is proposed to be constructed of timber and rope laid out as an obstacle course. It is proposed to be a complementary leisure use with the existing health and fitness spa so there will be no future need for separate changing room facilities as these will be available in the main complex.
- 5.9 It is considered that the proposed siting and nature of the assault course is sympathetic to its environment, appropriately screened, and will not appear at odds with the landscape.

### **Highway Safety**

- 5.10 It can be noted that both the Highways Agency and the Highway Authority have no objections to the proposal. There are no changes proposed to access and parking and the proposal is intended for use by existing leisure members so there will be no additional vehicular trips on the highway network. It is considered, therefore, that the application will not raise concerns regarding highway safety.

### **Engagement**

- 5.11 With regard to the duty set out in paragraphs 186 and 187 of the Framework, no problems or issues have arisen regarding the submission during the application. It is considered that the duty to be positive and proactive has been discharged through the efficient and timely determination of the application.

### **Conclusion**

- 5.12 Based on the assessment above, it is concluded that the proposed development accords with Local Plan policy and government guidance and represents sustainable development having demonstrated that there would be no harm caused to the interests identified including visual amenity and landscape impact, design and layout and highway safety. This application is therefore recommended for approval subject to conditions in line with the details below.

## **6. Recommendation**

**Approval**, subject to the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Location and block plans numbered SK.13-617-01 Planning, Design and Access Statement, Assault course details and application forms received with the application.

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

3. That the assault course hereby approved shall be operated as an ancillary function and in connection with the Bicester Hotel Golf and Spa only.

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 to sustain a satisfactory overall level of parking provision in the interests of highway safety and in accordance with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

#### **STATEMENT OF ENGAGEMENT**

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No 2) Order 2012 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way as set out in the application report.