

Banbury Golf Club, Aynho Road, Adderbury

14/01143/F

Ward: Adderbury

District Councillor: Cllr Nigel Randall

Case Officer: Laura Bailey

Recommendation: Approval

Applicant: Mr K Sahni

Application Description: Replacement storage building and wash down and welfare facility and associated access roads, service yard and remove existing buildings.

Committee Referral: Major

Committee Date: 2 October 2014

1. Site Description and Proposed Development

- 1.1 The application site is located to the south east of Adderbury, accessed directly from the B4100 (Aynho Road). It forms part of the Banbury Golf Course, which is under new ownership. The owners wish to improve existing facilities and the golf course generally. The site comprises an area of planted amenity woodland, located fairly centrally within the golf course site.
- 1.2 The site lies within an Area of High Landscape Value; no other landscape designations apply. A public footpath lies to the west of the site (FP 101/18), running north/south.
- 1.3 Planning permission is sought to demolish the existing maintenance buildings located adjacent to Waterbridge House and erect two new buildings within the woodland; a machinery store, with ancillary office and mess room (25.5m x 16.5m x 5m) and a PTO driven equipment and sand store (15.5m x 5.5m x 4.2m). Three new access routes (from within the site) are proposed to access the stores.
- 1.4 Planning permission was granted in 2007 (07/02545/F refers) for a new clubhouse (to replace existing facilities), new maintenance and grounds facilities, car parking and access road. An extension of time to this application was granted under 11/00670/F. The 2007 permission relates to a parcel of land further to the north of this site, siting opposite the Banbury Business Park, in a much more prominent position.
- 1.5 A screening opinion (14/00048/SO refers) concluded that an EIA was not required for the proposed development.

2. Application Publicity

- 2.1 The application has been advertised by way of neighbour letter, site notice and press notice. The final date for comment was the 28th August 2014.

2.2 No representations have been received as a result of this process.

3. Consultations

3.1 **Adderbury Parish Council:** No comments to make.

Cherwell District Council Consultees

3.2 **Environmental Protection Officer:** We have no adverse comments to make in respect of contaminated land effects on the above proposal to relocate the storage building and associated maintenance services.

3.3 **Tree Officer:** The affected woodland is relatively young woodland, planted by the golf course. The proposals would involve the removal of at least 70 trees and however many would need to be removed to form the access roads to the new facility. The access roads should be constructed using no dig techniques as referred to in the submitted Summary of Arboricultural Constraints and Opportunities and highlighted on the Tree Protection Plan to limit the impact on the roots of the trees to be retained. The location of the access roads should, as highlighted in the Arboricultural Constraints and Opportunities report, be determined by the project arboriculturist based on the principles highlighted in section 5.3.2. As identified in the Summary of Arboricultural Constraints and Opportunities an arboricultural method statement should be produced to include all the items listed in Section 6.4 of the report.

Oxfordshire County Council Consultees

3.4 **Highways Liaison Officer:** No objection subject to a condition restricting the use as specified in the application.

3.5 **Minerals:** This application is for a replacement building and other ancillary development at an existing golf club. The proposed development does not have any additional impact on mineral resources; and it does not have any waste planning implications. The County Council therefore has no minerals or waste planning comments to make on this application.

3.6 **Rights of Way:** The proposal should not significantly impact on the public footpath (Adderbury Footpath 18 (101/18)) which runs through the site. However, the proposed new access will run off the access road that the footpath follows. It will therefore be important to have the footpath well signed at this point to ensure that it is clear where it runs. We have supplied waymarks to the Golf Club in the past but if further disks are required the applicants should contact this office.

The construction traffic will use the access road which the footpath runs along and I would therefore suggest that the following conditions are attached to ensure that the route remains convenient to use and to ensure that walkers are safe while using it.

Temporary obstructions. No materials, plant, temporary structures or excavations of any kind should be deposited / undertaken on or adjacent to the

Public Right of Way that may obstruct or dissuade the public from using the public right of way whilst development takes place. Reason: To ensure the public right of way remains available and convenient for public use.

Vehicle access (construction): No construction / demolition vehicle access may be taken along or across a public right of way without prior permission and appropriate safety/mitigation measures approved by the Countryside Access Team. Any damage to the surface of the public right of way caused by such use will be the responsibility of the applicants or their contractors to put right / make good to a standard required by the Countryside Access Team. Reason: To ensure the public right of way remains available and convenient

Other Consultees

3.7 None.

4. Relevant National and Local Policy and Guidance

4.1 Development Plan Policy

Adopted Cherwell Local Plan (Saved Policies)

C2: Development affecting protected species

C4: Creation of new habitats

C7: Landscape conservation

C8: Sporadic development within the countryside

C28: Layout, design and external appearance of new development

C30: Residential amenity

4.2 Other Material Policy and Guidance

National Planning Policy Framework

Planning Practice Guidance

Submission Cherwell Local Plan (January 2014)

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 endorsed at Full Council on 21 October 2013 as the Submission Local Plan.

The Plan has now been formally 'Submitted' to the Secretary of State for Communities and Local Government for Examination, and therefore carries more weight than has been previously attributed that can be attached to the Plan will increase. 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. The following Policies are considered to be relevant:

BSC10: Open Space, Outdoor Sport and Recreation Provision
ESD10: Protection and Enhancement of Biodiversity and the Natural Environment
ESD13: Local Landscape Protection and Enhancement
ESD16: The Character of the Built and Historic Environment

5. Appraisal

5.1 The key issues for consideration in this application are:

- Principle
- Landscape and Visual Impact
- Highway Safety
- Residential Amenity
- Trees

Principle

- 5.2 The National Planning Policy Framework (NPPF) seeks to promote healthy communities. One of the core planning principles set out in paragraph 17 is to *“take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs”*.
- 5.3 Paragraph 70 notes that planning decisions should *“ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community”*. This constructive attitude to social, recreational and cultural facilities and services is reiterated in paragraph 14, which states that any adverse impacts of approving an application, which is considered to be sustainable, would have to significantly and demonstrably outweigh the benefits.
- 5.4 Policy R3 within the Cherwell Local Plan (CLP) specifically related to golf courses and associated buildings, but given its antiquated nature, it is not a saved policy and there are no other specific, saved policies relating to proposals of this nature. However, Policy BSC10 within the Submission Cherwell Local Plan (SLP) specifically seeks to ensure that sufficient quantity and quality of sport and recreation provision is secured, protected and enhanced. This is consistent with the aims contained within the NPPF.
- 5.5 In relation to this proposal, the club requires the ability to store tractors, earth moving, loading and mowing equipment, spare oil and diesel in BS standard containers, golf buggies, sundry signage, cutting and maintenance equipment. Storage of large amounts of soil and sand is also required on the site. There is also a requirement for staff facilities.
- 5.6 The development seeks to improve facilities at the golf course complex, by removing the existing, dilapidated maintenance buildings and replacing them with better equipped structures that are more appropriately located on the site. This will assist with securing the long term future of the golf course.

- 5.7 It is therefore considered that the principle of replacing the existing outbuildings on the site with more modern, appropriately located structure on the site acceptable. However, the appropriateness of the proposal as a whole rests on other relevant material planning considerations, which are outlined in more detail below.

Landscape and visual Impact

- 5.8 The site is set within planted, amenity woodland, located centrally within the golf course complex, approximately 350m south from the access to the club off the Aynho Road. Glimpse views of the outer edge of the woodland are possible during the winter months from the Aynho Road. Similarly, the outer edge is readily visible from the public footpath, which follows the course of the access track through the site.
- 5.9 Approximately 70 young/early mature trees will need to be removed to facilitate the buildings and access track, although these are concentrated within the woodland interior, leaving an approximately 24 metre deep belt of woodland to the north and south of the cleared area. The applicants proposed to reinforce the interior edge with understory planting to provide a wind-firm interior edge and will add to overall planting density at low level.
- 5.10 The buildings will not be prominent from the Aynho Road or public footpath, owing to the retained belt of landscaping to the north and south. The Arboricultural report states that the precise route of the access tracks is to be determined by the project arboriculturist. In order to ensure the health and longevity trees within influencing distance of the proposal, this will need to be undertaken following consultation with the Council's Tree Officer and this is reflected in condition 5 below. As such, the buildings will not be visually intrusive nor would they cause harm to the topography, character or appearance of the landscape.
- 5.11 The proposal therefore complies with policies C7 and C8 of the adopted Cherwell Local Plan, policies ESD10, ESD13 and ESD16 of the Submission Local Plan and central Government guidance contained within the NPPF and Planning Practice Guidance.

Highway Safety

- 5.12 As noted above, the Local Highway Authority raises no objection to the proposal, subject to a condition to ensure that the buildings are used only as set out in the application submission. I concur with this view and consider that the proposal would not have a detrimental impact on highway safety or convenience, given its scale and intended use.
- 5.13 The proposal therefore accords with Government guidance contained within the NPPF.

Residential Amenity

- 5.14 The nearest residential properties to the development are Nell Bridge Cottages (approximately 300 metres to the north) and Waterbridge House (approximately 170 metres to the south west). Given the depth of the remaining tree belt and distances involved, it is not considered that the proposal would cause detriment to neighbour amenity.

5.15 The development therefore accords with Policy C30 of the ACLP and guidance contained within the National Planning Policy Framework.

Trees

5.16 As noted above, the Council's Tree Officer raises no objection to the proposal on the basis that the trees to be removed are relatively young. She also recommends that an arboricultural method statement be produced to include all the items listed in Section 6.4 of the arboricultural report.

Conclusion

5.17 Given the existing and proposed landscaping and position within the golf course complex, it is considered that the proposal would not be visually intrusive nor would it cause harm to the topography, character or appearance of the landscape. There are no issues regarding highway safety, residential amenity or trees.

5.18 The development is considered to accord with Government guidance contained within the National Planning Policy Framework, the Planning Practice Guidance, Policies C2, C4, C7, C28 and C30 of the adopted Cherwell Local Plan and Policies BSC10, ESD10, ESD13 and ESD16 of the Submission Cherwell Local Plan (January 2014). Accordingly, the application is recommended for approval, subject to the conditions and planning notes outlined below.

Engagement

5.19 With regard to the duty set out in paragraphs 186 and 187 of the Framework, no problems or issues have arisen 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.

6. Recommendation

Approval, subject to:

1. That 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 planning application forms and the following plans and documents:

Drawing no's: 13.225 101 and 13.225 102

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. 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.

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 C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

4. 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 C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

5. Prior to the commencement of development hereby approved, full details of the precise location of the proposed access routes into the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.

Reason – To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

6. Prior to the commencement of the development hereby approved, a schedule of landscape maintenance for a minimum period of 5 years, to include the timing of the implementation of the schedule and procedures for the replacement of failed planting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the landscape maintenance shall be carried out in accordance with the approved schedule.

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 C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

7. Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in accordance with the approved AMS.

Reason – To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

8. a) No retained tree shall be cut down, uprooted, damaged or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998: Recommendations for Tree Works.

b) If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted in the same place in the next planting season following the removal of that tree, full details of which shall be firstly submitted to and approved in writing by the Local Planning Authority.

In this condition a "retained tree" is an existing tree which shall be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) shall have effect until the expiration of five years from the date of the completion of the development.

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 C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

9. No external lighting shall be installed within the site area unless agreed in writing with the Local Planning Authority.

Reason - In order to safeguard the amenities of the area and to ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

10. The buildings hereby approved shall only be used ancillary to the Banbury Golf Club for the purposes as set out in the Design, Access and Planning Statement by Jigsaw Architectural and for no other purpose whatsoever.

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

Planning Notes

1. No materials, plant, temporary structures or excavations of any kind should be deposited / undertaken on or adjacent to the Public Right of Way that may obstruct or dissuade the public from using the public right of way whilst development takes place.
2. No changes to the public right of way direction, width, surface, signing or structures shall be made without prior permission approved by the Countryside Access Team or necessary legal process.
3. Your attention is drawn to the need to have regard to the requirements of UK and European legislation relating to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if protected species or habitats are affected by the development. If protected species are discovered you must be aware that to proceed with the development without seeking advice from Natural England could result in prosecution. For further information or to obtain approval contact Natural England on 01635 268881.
4. Bats are a highly mobile species which move between a number of roosts throughout the year. Therefore all works must proceed with caution and should any bats be found during the course of works all activity in that area must cease until a bat consultant has been contacted for advice on how to proceed. Under the Wildlife & Countryside Act 1981 (as amended) and the Habitat and Species Regulations 2010 it is illegal to intentionally or recklessly disturb, harm or kill bats or destroy their resting places.

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 a result of on-going discussion and negotiation with the applicants throughout the course of the application.