

Part Land SW of Bicester Golf & Country Club Adj to M40 and Akeman St, Chesterton

14/01598/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: Erection of new building to house activity hall adjacent to assault course plus 6 No. covered driving bay ranges

Committee Referral: Major

Committee Date: 18th December 2014

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. 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 and is yet to be implemented).
- 1.2 In support of the Club's focus on leisure and recreational activities with a focus on tourism, this planning application proposes to erect a new building with a footprint of 30m x 18.3m. Since the original submission, the height has been reduced from a height of 10.3m to 8.8m (revised eaves height from 7.65m to 6.5m) for use as an activity hall for the assault course which was approved over half of the site last year (13/01492/F refers). 6 No. covered driving bay ranges are also proposed to be attached to the activity hall which will be sited to the northwest corner of the site. The red line site is an irregular shape with the west side being bound by the M40 and Akeman Street to the south. Part of the east boundary is formed in part by an established hedge line and the north boundary opens out towards the rest of the golf course.
- 1.3 The site is identified as being of archaeological interest. There are no other relevant site constraints.

2. Application Publicity

- 2.1 The application has been advertised by way of site notice and press notice. The final date for comment was 6th November 2014. 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 objections. It is recommended that this application should be granted subject to a condition requiring a Construction Traffic Management Plan (CTMP).

General Observations

A site visit has been carried out. The proposal seeks the erection of new building to house activity hall adjacent to assault course plus 6 no. covered driving bay ranges.

Given the characteristics of the site, vehicular traffic and speeds are likely to be low.

The proposal is unlikely to result in any significant intensification of transport activity at the site. No change is proposed to the existing access arrangements. The proposal is unlikely to have a significant adverse impact on the highway network.

As the proposal will result in construction works taking place a CTMP has been recommended to lessen the impact of the proposal will have on the highway network.

3.4 **Archaeology:** No objection. The proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme.

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) (ACLPL)

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

ENV1: Pollution Control

4.2 Other Material Considerations - Policy and Guidance

National Planning Policy Framework 2012

Planning Practice Guidance

Submission Local Plan (January 2014) (SLP) has been through public consultation and was submitted to the Secretary of State for examination in January 2014, with the examination beginning in June 2014. The Examination was suspended by the

Inspector to allow further work to be undertaken by the Council to propose modifications to the plan in light of the higher level of housing need identified through the Oxfordshire Strategic Housing Market Assessment (SHMA), which is an objective assessment of need. Proposed modifications (August 2014) to meet the Objectively Assessed Need were subject to public consultation and the examination is set to reconvene in December 2014. Although this plan does not have Development Plan status, it can be considered as a material planning consideration. The plan sets out the Council's strategy for the District to 2031. The following policy is considered to be material to this case.

SLE3: Supporting Tourism Growth

BSC10: Open Space, Outdoor Sport and Recreation Provision

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 With a presumption in favour of sustainable development, 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. Views to the site can be obtained from the bridge over the motorway on Akeman Street and also from the motorway itself. A public footpath crosses to the west side of the main hotel building complex in a north south direction leading away from the proposed development at the site. For some of the public footpath route, the dividing hedgerow along the sites eastern boundary or intervening development 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 amended application now shows a reduction in the height of the building but it remains a sizable structure which will be visible over relatively short and longer range views. However, it is considered that the impact can be effectively mitigated by the choice of materials and a landscaping scheme. The choice of materials are intended to show the appearance of an agricultural building which would feature quite normally in a rural area. It is, therefore, proposed that the building be constructed of concrete blockwork walls to be overclad in horizontal timber boarding with cladding in dark green above and for the roof. Also a robust landscaping scheme to support the existing bund along the motorway is currently being agreed, the details of which can be determined through the use of conditions on a planning permission. The amended layout already shows the intentions to used mixed species of deciduous trees along the southern aspect. The activity building will sit well next to the other rural activities of the golf course and the more recent change of use of the area near the motorway as an assault course.
- 5.9 It is considered that the proposed siting and revised scale of the building is acceptable and that the final materials and landscaping scheme will enable an effective result which would be sympathetic to its environment and will not appear at odds with the landscape such that there would be no substantial harm to the visual amenities of the area in accordance with policy and government advice.

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 subject to a condition requiring a Construction Traffic Management Plan which is recommended.

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 effective negotiation of an acceptable scheme in an efficient and timely way such that the determination of the application is enabled within the statutory timeframe.

Conclusion

- 5.12 Based on the assessment above, it is concluded that the proposed development accords with Local Plan policy and government guidance and is acceptable in

principle. The proposal 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 plan received with the application; drawing no. SK.14-652-01B received on 1 December 2014 and drawing nos. SK.14-652-02B, 03A, 04A and 05B received on 2 December 2014.

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, samples (including colour) of the cladding to be used on the walls of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

4. Prior to the commencement of the development hereby approved, samples (including colour) of the cladding to be used on the roof of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.

Reason - To ensure the satisfactory appearance of the completed 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 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.

6. 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.

7. A Construction Traffic Management Plan (CTMP) will be required to be submitted for approval and the approved CTMP shall be implemented prior to any works being carried out on site.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times in accordance with policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Guidance.

8. That the activity building and driving bay ranges 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.

PLANNING NOTE

With regard to condition 7, a CTMP typically would be expected to contain some or all of the following in detail:

- The CTMP must be appropriately titled, include the site and planning permission number.
- Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
- Details of and approval of any road closures needed during construction.
- Details of and approval of any traffic management needed during construction.
- Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.

- Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
- The erection and maintenance of security hoarding / scaffolding if required.
- A regime to inspect and maintain all signing, barriers etc.
- Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
- The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
- No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final correspondence is required to be submitted.
- Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
- Any temporary access arrangements to be agreed with and approved by Highways Depot.
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

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 through the effective negotiation of an acceptable scheme in an efficient and timely way such that the determination of the application is enabled within the statutory timeframe.