

**Bicester and Ploughley Sports Centre,
Queens Avenue,
Bicester,
OX26 2NR**

15/00021/CDC

Ward: Bicester West

District Councillor: Cllr Bolster, Hurle, Sibley

Recommendation: Approval

Applicant: Cherwell District Council

Application Description: Material Amendment to 13/01598/CDC – Extension of the chimney flue by 600mm

Committee Referral: CDC application

Committee Date: 19.03.2015

1. Site Description and Proposed Development

- 1.1 Bicester and Ploughley Sports Centre is centrally sited and is adjacent to Bicester Community College, St Mary's Catholic Primary School, Brookside Primary School and associated playing fields. The Sports Centre is accessed off a road some 200 metres from the main entrance off Queens Avenue on its north east side. This vehicular access road is also a public footpath. The sports centre is constructed from brick and steel cladding.
- 1.2 The application follows a previous approval for the construction of a biomass boiler house and fuel silo (see 13/01598/CDC). The purpose of this is to provide the sports centre with green renewable energy. The applicant has submitted a revised application for the biomass boiler house and silo, which shows a minor alteration to the height of the chimney flue. The chimney flue is proposed to be 0.6 metre higher than the chimney flue which has been approved.
- 1.3 The building is not listed and no listed buildings are in close proximity to the site. The site is not within a Conservation Area. A Public Footpath (FP 129/1) runs to the south of the site.

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 19th February 2015. No correspondence has been received as a result of this consultation process.

3. Consultations

- 3.1 Bicester Town Council: No objections but would ask that chimney height rules are checked prior to permission being given.

Cherwell District Council Consultees

- 3.2 Anti-Social Behaviour Manager: No objections.
- 3.3 Scientific Officer: *"I have no objections to the above application. I understand that an increase in chimney height is proposed in order to improve dispersion of pollutants and resolve issues with poor dispersion".*

Oxfordshire County Council Consultees

3.4 Highways Liaison Officer: No objections.

Other Consultees

3.5 None.

4. Relevant National and Local Policy and Guidance

4.1 Development Plan Policy

Adopted Cherwell Local Plan (Saved Policies)

- C28: Layout, design and external appearance of new development
- C31: Development compatibility within residential areas
- ENV1: Pollution levels from a new development

4.2 Other Material Policy and Guidance

National Planning Policy Framework

Planning Practice Guidance (2014)

Submission Cherwell Local Plan (January 2014)

Submission Local Plan (October 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, from 22nd August to 3rd October 2014. Although this plan does not have Development Plan status, it can be considered as a material planning consideration. The examination reconvened and closed in December 2014 and the Inspectors report is likely to be published in Spring 2015.

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

ESD16: The Character of the Built and Historic Environment

5. Appraisal

5.1 The key issues for consideration in this application are:

- Relevant Planning History;
- Changes to the Plans.

Relevant Planning History

5.2 The principle of the development including the biomass boiler house and fuel silo has been established by the approval of 13/01598/CDC. The recommendation report for this previous application includes a full assessment of the merits of the scheme and

therefore does not need to be repeated here. The only alteration to the scheme is the increase of the chimney flue by 0.6 metre therefore the principle and merits of the scheme remain the same. The issues of highway safety and impact upon neighbour amenity in terms of overdomination and loss of light has been considered and the assessment has not changed by the submission of this application.

Changes to the Plans

- 5.3 Whilst the chimney flue would be visible from the public domain of the highway, Officers consider that the proposal would have a negligible visual impact given the minor nature of the amendment. Officers therefore consider that the amended scheme would not cause detrimental harm to the visual amenities of the locality.
- 5.4 The Cherwell District Council Scientific Officer has no objections to the amended scheme and is of the opinion that the higher chimney would improve dispersion of pollutants and would resolve issues with poor dispersion. For this reason and the fact that the proposal would be some 125 from the nearest properties it is considered that the amended proposal is would not cause adverse health impacts or detrimental harm in terms of pollution to the neighbouring properties.
- 5.5 It is considered the change made to the chimney is acceptable and the proposal continues to comply with Saved Policies C28, C31 and ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

Engagement

- 5.6 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 approval of development that accords with sustainable development principles as set out in the NPPF.

Conclusion

- 5.7 As has been discussed, the proposal is considered to continue to comply with the policies outlined in section 4 of this report and will cause limited additional harm. The proposal is recommended for approval and planning permission should be granted subject to appropriate conditions.

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 condition, the application shall be carried out strictly in accordance with the following plans and documents: Application Forms, Site Plan and Drawing No's: Bicester 003, Bicester 008, Bicester 013 and Bicester 014 submitted 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 to comply with 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.