

**Site Address: Proposed Sports Pavilion  
and Sport Field, Whitelands Way,  
Bicester**

**15/01615/F**

**Ward: Ambrosden and Chesterton District Councillor: Cllr Pratt**

**Case Officer: Linda Griffiths Recommendation: Approval**

**Applicant: Cherwell District Council**

**Application Description: Development of the South West Bicester Sports Village in two phases comprising Phase 2: Construction of a two storey sports and functions pavilion including vehicular access and parking; Phase 3A: Construction of a 3G synthetic grass rugby pitch, tennis courts and associated fencing and floodlights and the erection of a cricket hut**

**Committee Referral: Cherwell District Council Application**

**1. Site Description and Proposed Development**

- 1.1 The Sports Village site comprises 17 hectares, within the wider 116 ha South West Bicester mixed use development, which was granted outline planning consent including 1585 new houses in 2008, (application number 06/00967/OUT refers). It is located at the southern edge of the site and is bounded by the perimeter road to the south which was constructed as part of this SW Bicester development and Whitelands Farm Public Open Space to the north.
- 1.2 The Sports Village development has been divided into three phases, the provision of the grass sports pitches being the first. Consent relating to the provision of these sports pitches was granted in August 2011 (11/00565/CDC refers). These have now been laid out but are not yet in use. Phases 2 and 3 relate to the provision of the sports pavilion and the all- weather pitches.
- 1.3 Phase 2 comprises the provision of a pavilion immediately adjacent to Whitelands Way, together with car and cycle parking and a recycling centre for local residents. Phase 3A comprises the construction of a floodlit 3G synthetic grass all-weather rugby pitch and the formation of floodlit tennis courts on the existing tables constructed as grass pitches adjacent to the sports pavilion proposal. The erection of a cricket hut is also proposed adjacent to the cricket pitch which will include a score board, together with refreshment and WC facilities. A further application will be submitted at a later date for Phase 3b adjacent to the secondary school.

**2. Application Publicity**

- 2.1 The application has been advertised by way of neighbour letter, site notice and a notice in the local press. The statutory consultation period ended on 12<sup>th</sup> November 2015.

10 letters have been received. The following issues were raised

- The balcony should face away from houses on the estate and look towards the sports pitches
- The pavilion should be next to Vendee Drive
- The entrance should be from vendee Drive not Whitelands Way
- The pavilion should be away from the estate in order to maximise its potential revenue from using it as a venue

- The proposed access is on a bend in the road at a point which narrows and would have restricted visibility when trying to exit the car park.
- Additional traffic along Whitelands Way which is already busy and has a bus route through Kingsmere, and will only get busier as the development grows. The consultants proposing the scheme mention that ‘the peak car parking accumulation would be 152 vehicles between 1500-1600 hours’
- It is also next to the bus drop off & turning point for the proposed secondary school. This will create a traffic choke point and potential accident black spot
- In terms of design, it would appear no thought has been given to the Oxfordshire 2030 Priority Objective 3 to reduce Greenhouse Gas Emissions or to Bicester as an eco-town
- Floodlighting and general site lighting, if not implemented correctly, could cause significant light pollution to nearby residents
- Should be located closer to Vendee Drive to minimise the noise disturbances to nearby houses. Signage should be included to encourage people leaving the premises to reduce their noise volume
- Opening hours of the pavilion function room should be conditioned for early closure in the evening and on weekends to mitigate the effect of noise on local residents
- At the very least double yellow lines would need to be implemented to deter people parking their cars on Whitelands Way

Kingsmere Residents Association have submitted comments on behalf of residents as follows:

- Fully supportive of the development of the sports pitches and associated pavilion and believe it will be an asset for Kingsmere residents, schools and the wider Bicester community. However there are concerns in respect of the access for the pavilion and position of the pavilion in the context of the various pitches.
- Access to the main car park would be off Whitelands Way on a tight bend in the road at a point which narrows and would have restricted visibility when trying to exit – this presents serious safety concerns. Whitelands is already busy and is a bus route through the Kingsmere Estate, which is only going to get busier as the development grows
- Understand from OCC that there is the intention to use the Sports pavilion car park as a drop off point for the planned secondary school. This plan would create a traffic choke point and potential accident black spot where school children, parents, cars HGVs and buses will be fighting for the same piece of narrow road every morning and afternoon at peak times
- Strongly suggest an alternative access would be from Vendee Drive. A footpath with effective crossing point over Whitelands Way, could then provide access to and from the school, allowing the pavilion car park to continue offering a drop off point for school children and allow easy access to the sport facilities for the school
- Position of the pavilion seems to favour a single pitch, and could be moved more central to the area along Whitelands Way where the pitches are and closer to Vendee Drive, which could support the alternative access point off the B4030.
- Final point flagged was the potential for indoor court availability for tennis, basketball, football etc to ensure all weather/season accessibility of facilities for the Bicester community

### **3. Consultations**

- 3.1 Bicester Town Council: has yet to comment  
Ambrosden Parish Council: has yet to comment  
Chesterton Parish Council: has yet to comment

#### **Cherwell District Council Consultees**

- 3.2 Environmental Services Waste and Recycling Officer: has yet to comment  
3.3 Arboricultural Officer: has yet to comment  
3.4 Ecology Officer: has yet to comment  
3.5 Environmental Protection Officer: has yet to comment  
3.6 Landscape Officer: comments as follows

Existing trees and Hedgerows – the root protection areas of the northern, eastern and south eastern boundary hedgerows and trees are to be indicated on the construction layout and (hard and soft) landscape proposals to ensure that there are no damage to tree and hedgerow roots and canopies by constructor's plant and ground level changes. The fence protection measures are to accord with BS5837. The introduced hedgerow on the north eastern boundary is unnecessary because one already exists. Cross-sections and proposed ground levels in relation to the retained north eastern hedgerow and trees is necessary to ensure that ground levels within the RPZ are not changed.

Approved Landscape Proposals – the hard and soft landscape drawings are to include all previously consented details that is not affected by the inclusion of the car park and highway access, for example, the individual Scots Pine trees to the area between the tennis courts and vendee Drive, and the existing and proposed hedgerows and trees should be accurately drawn on the construction layout and landscape proposals.

Footbridge Details Drawing no. SK12 Rev A – details of how the surface is going to cope with regular cleaning/hosing down/application of salt during icy conditions. A more robust surface material may have to be considered. Concern that the bridge is too narrow at 1.8m for the numbers of players and visitors that will need to get across at any one time. This width should be increased to allow persons three abreast, at least.

Landscape Frontage to Whitelands Way – with the transfer of the land to CDC from Countryside, the Oak Tree character of Whitelands way is to be retained. With the failure of existing trees it is the intention that replacement Oaks are to be planted in accordance with Countryside's specification (tree sizes, tree pit details and tree pit drainage) all of which must be indicated on the drawings.

Introduced Hedgerow to north of parking bays – the hedgerow is drawn too wide (5.5m) for the space provided. There will be insufficient space for people to access vehicles and park adequately unless there is enough clear space between the front or rear of vehicle and the kerb edge to allow for this. There should be a 1m wide grassed verge between the kerb and a barrier, such as robust 6" ascot rail fencing. The fence will prevent vehicle and pedestrian access onto the field and direct pedestrians to the designated exits off the car park. The ascot rail fence will help localised intervisibility between the car park and the playing field which is essential for public safety. However, from Vendee Drive visual receptors, the parking would benefit

from the addition of a row of clear-stemmed trees, planted on the northern side of the ascot rail.

Surface treatments – all ground surfaces treatments to be indicated: the surface should be amenity grass to car park edges, wildflower meadow area edges, footpath/cycleways, path/bin store to pavilion, highway grass verges, areas adjoining the swale and verges to service area/staff parking. The existing sward adjoining and northeast hedgerow is to be identified as being retained and, if necessary, enhanced with native herbaceous woodland edge species. A grass seeding specification is to address the matter of close mowing over kerb and path edges.

Introduced defensive hedgerow to swale – delete this hedgerow because it obscures surveillance of both the swale and playing field and prevent de-silting operations to the swale where contractor's access will be required from the service area/staff parking. A timber post and rail is recommended along the entire edge of the swale to prevent public access with a field gate installed to allow contractor's access. Additional post and rail fencing to the tops of the swale is necessary to prevent public access from the triangular area west of the pavilion.

Tree planting – additional tree planting for landscape mitigation (and amenity) of the service area, the pavilion, car park and flood lighting:

- Area south west of tennis courts/adjacent to overflow car park – plant Scots Pine with occasional groups of Silver Birch (leaf drop to tennis courts will be less significant with prevailing winds)
- Informally groups of native trees adjacent to the existing south eastern boundary hedgerow, 3m wide maintenance access permitting
- The triangular area to the west of the pavilion is the grassed (regularly mown) with three trees planted
- An informal group of trees to narrow northeast corner, between the swale and the existing hedgerow, 3m wide maintenance access permitting
- An irregularly spaced row of native trees to the western edge of the service area/staff parking
- Three trees to the south east elevation of the pavilion
- Delete any reference to Ash trees because of Chalara fraxinea (Ash Dieback)

Landscape Maintenance Access – landscape maintenance of grass, wildflower meadow and hedgerow flailing must be accommodated with dropped kerb/demountable bollard controlled access with 'grasscrete' drive-ons from the visitor and service area/staff car parks. All planting proposals are to take account of 3m wide grassed tractor/flail access near the hedgerows.

Woodland on Southeast boundary – the woodland is proposed in an area of consented landscaping which is under the care of Countryside Properties. This woodland area should be deleted from the drawing because of this. The implementation of the landscaping is to be achieved under current British Standards. A landscape maintenance specification will be required to ensure that the scheme is successfully established.

## **Oxfordshire County Council Consultees**

### **3.7 Transport: No objection subject to conditions**

#### Key Issues

- Traffic generated by the development will not have a significant adverse effect on the capacity surrounding road network junctions
- On site vehicle provisions are generally acceptable
- Overspill parking on Whitelands Way would be disruptive to traffic flow and must be avoided

- The Event Management Plan will require amendment
- Cycle parking should be relocated
- Drainage proposals are generally acceptable
- Legal agreement required to provide funding for double tallow lines with supporting signage on a section of Whitelands Way to be agreed

#### Detailed Comments

The principle of this development in this location has been permitted through previous granting of planning permission under application nos. 06/00967/OUT and 11/00565/CDC.

The planning application is accompanied by a Transport Assessment (TA). The TA presents estimates of trip generation for a development peak hour. The methodology is acceptable, and the resulting estimates demonstrate that the development trip generation will not have a significant adverse effect on the surrounding road network.

There are two separate points of access proposed, one for the main car park and one for the service area. This approach is acceptable. The visibility splays demonstrated for each access meet standards. The access design seems suitable and should be constructed to the relevant specifications.

Swept path analysis is presented for a refuse vehicle, fire tender and minibus accessing and egressing the service area and car park respectively. The analysis demonstrates that these facilities are fit for purpose.

In response to OCC advice, the car park now has an overspill area to cope with demand at peak use periods. The layout of the car park when the overspill facility is in use is shown in figure 10 of the TA. This requires reconfiguring the car park to lose some permanent spaces in order to give access to the overspill area. As such the overspill area can only be made available when specific permanent spaces are not occupied. This requires anticipation of the need for overspill in advance.

Car park accumulation analysis is presented for peak use period and demonstrates that the car park and overspill provision should be sufficient.

It is intended that coaches carrying patrons to the sports village will use the drop-off/pick-up facility on the south side of Whitelands Way which is primarily intended for use by the school. This is an acceptable arrangement since peak school hours and peak sports pavilion hours are unlikely to coincide.

However, it should be noted that this facility is intended for drop-off and pick-up not for coach parking. This leaves a residual problem of where coaches will park whilst waiting for a sports team to complete its match. It is suggested in the application that coaches could use the new Bicester park and ride facility, but a review of the proposed layout for this facility reveals that this would be difficult.

This planning application is accompanied by an Event Management Plan (EMP). The EMP sets out actions and measures that will be undertaken before, during and after an event to minimise its traffic impact. In overall terms the plan is acceptable. However, it would benefit from two specific amendments as follows.

- Provision of parking in the spaces that give access to the overflow area to be prevented in advance to allow for their availability
- Replace the suggestion that coaches could park in the nearby park and ride site with a form of words to instruct coach operators to make and agree coach parking arrangements prior to events

#### Public Transport

Whitelands Way is the main spine road for the Bicester South West, Kingsmere

development. The developer is obliged to make arrangements for bus services to serve Kingsmere, using Whitelands Way as a route for local and inter-urban buses.

Whitelands Way is currently served by bus services 26 (Bicester local) and S5 (Oxford inter-urban). The current level of provision reflects the partly completed Kingsmere development. During the full build-out phases of 1 and 2 of the development, this level of bus service will increase. The intended eventual level of bus service at Kingsmere is two inter-urban buses per hour in each direction and two local bus services per hour along Whitelands Way.

Whitelands Way has been constructed to quite restrictive geometric standard, a maximum of 6 metres wide, with various narrowed sections which make it difficult to operate bus services in practice.

Parked vehicles on Whitelands Way pose a particular threat to the effective operation of bus services through the development, and it is essential that parking does not take place along this narrow road, which would cause a long section of shuttle working with consequent delays for all road users. At full build-out of Kingsmere, there will be a much higher flow of traffic. A line of cars parked for a tournament would cause a significant deterioration in performance of this spine road and would create significant delays to buses and their passengers. If such occurrences became regular, then the bus operator would then be required to reduce the frequency of the local bus service, to reflect inflated journey times. This would also act as a major disincentive to the operator in providing the intended level of inter-urban bus service, and would represent a significant loss for current and future Kingsmere residents.

Parked vehicles on Whitelands way must therefore be avoided at all times. There is considerable concern that at busy times, such as Tournament days, some cars may be tempted to park on Whitelands way rather than queue for a parking space. The EPA must address this issue, providing a marshal at busy times to discourage any parking on the main carriageway of Whitelands Way.

#### Travel Plans

The proposed location of cycle parking is undesirable for security and safety reasons. This provision should be re-located to a site closer to the pavilion building. The production of the EPA is welcomed. The travel plan statement submitted with this application meets OCC criteria and is therefore approved.

3.8 **Drainage** : Proposals in the application are generally acceptable, although the following points should be noted:

- There are no calculations to prove the size of the underground storage is adequate
- No headwall details are provided for the discharge outfalls from the underground storage
- Grills are not required on the large culverts (1.5m x 1.0m).

#### **Other Consultees**

3.9 **Thames Water:** Waste – no objection

Surface water drainage – it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater.

Water Comments – on the basis of the information provided, no objection

3.10 **Environment Agency:** due to increased workload prioritisation we are unable to make a detailed assessment of this application. We have checked the environmental constraints for the location and advise as follows:

- Groundwater Protection – the site lies in a secondary aquifer

If infiltration drainage is proposed then it must be demonstrated that it will not pose a risk to groundwater quality. We consider any infiltration SuDS greater than 3m below ground level to be a deep system and generally not acceptable. All infiltration SuDS requires a minimum of 1m clearance between the base and peak seasonal groundwater levels. All need to meet the criteria set out in our Groundwater Protection: Principles and Practice (GP3) document. In addition they must be constructed in ground affected by contamination.

3.11 **Sport England:** request a meeting to discuss a number of concerns, some of which were raised at the inception of the project, which are endorsed by a number of the sports who may end up having clubs using the site as follows:

- The location of the club house – its proposed location will result in additional structures being built to service other parts of the site, including the tennis courts
- The proposal includes for a 3G rugby pitch – a fundamental concern is which rugby club will use it
- It is not clear that the right mix and types of pitches have been provided
- It is not clear how these facilities are to be run and managed
- There may be a need for additional floodlighting and the lighting levels need to reflect the level of play
- There is a health and safety issue with some types of footwear crossing the cycle track – there may be a need to create covered benching near pitches to change in to appropriate footwear
- There is no indication of maintenance of the pitches, including the Artificial Grass pitch
- No indication of the management structure which is vital if this project has a chance of working
- No business plan, which is a concern by the sports and Sport England showing how the long term sustainability can be achieved
- No indication what football clubs or tennis clubs are going to use the facilities
- How is cricket going to be serviced by the pavilion
- Are the proposed changing facilities big enough – there needs to be a programme to show how the site works
- The proposed changing layout does not adequately address the needs of BME groups or women
- The treatment room/first aid room needs to be relocated with easy access to the outside
- Storage is extremely light if there are a number of sports going to use this site
- Storage for grounds maintenance is unclear, as is for goal posts, nets etc
- There would need to be publicly accessible down stairs toilet provision

There are a number of other technical issues around the design which would be better discussed, round a table with the architect once some of the fundamental issues over the use have been properly established.

This should be a fantastic project for sport, and the planning application should have been straight forward, but unfortunately our advice and that of several NGBs seems to have been misplaced over time. I am sure all these issues can be resolved but some may take longer than others. Unless some of the fundamental ones such as business plans/programming/how the facility is to be run and managed, it is unlikely

public funding could be awarded to this project.

I am aware that some of the issues on the face of it are not primary planning issues, however we would consider them to be other material considerations. And if not addressed could result in additional planning applications coming for more accommodation, which given the current building design and position, may in fact result in new buildings/structures on the site which could result in loss of playing field area.

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

##### **4.1 Development Plan Policies:**

The Cherwell Local Plan 2011-2031 Part 1 was formally adopted by Cherwell District Council on 20<sup>th</sup> July 2015 and provides that strategic planning policy framework for the district to 2031. The Local Plan 2011-2031 Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the Development Plan. Planning legislation requires planning decisions to be made in accordance with the Development Plan unless material planning considerations indicate otherwise. The relevant policies of Cherwell District's statutory Development Plan are set out below:

##### Cherwell Local Plan 2011-2031 Part 1

ESD 7 – Sustainable Drainage Systems (SuDS)

ESD 10: - Protection and Enhancement of Biodiversity and the Natural Environment

ESD13: - Local Landscape Protection and Enhancement

ESD 15 – The Character of the built Environment

##### Adopted Cherwell Local Plan 1996 (Saved Policies)

C14: Seeks to promote additional tree planting and protect the ecological value of a site

C28: Layout, design and external appearance of new development

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

National Planning Policy Framework (The Framework) – National Planning Policy Framework sets out the Government's policies for England and how these are expected to be applied.

Planning Practice Guidance (NPPG) – This sets out regularly updated guidance from central Government to provide assistance in interpreting national planning policy and relevant legislation.

#### **5. Appraisal**



5.1 The key issues for consideration in this application are:

- Relevant Planning History
- Principle of Development
- Design
- Transport Assessment and Highway safety
- Landscape and visual Impact
- Flood Risk and Drainage
- Sport England

#### **Relevant Planning History**

5.2 This site forms part of the original development proposed for South West Bicester which was granted outline planning consent in June 2008 under application number 06/00967/OUT. The proposal is therefore included within the allocation of the site for development within Policy H13 of the Non-Statutory Cherwell Local Plan, although the precise location of the sports pitches and recreation facility has changed from that originally envisaged. The land in question was transferred to CDC as part of the Section 106 requirements. Consent for the construction of the sports pitches was granted in August 2011 (application number 11/00565/CDC refers). The sports pitches, known as Phase 1, have now been constructed and laid out although they have not yet been brought into use. The approved landscaping scheme relating to that development has not yet been implemented.

5.3 The application site is identified as the formal open space or recreation land within the Proposals Plan and Design Code approved following the grant of the outline application. The area of the Sports Village exceeds that which was necessary to purely meet the needs of the South West Bicester development and seeks to address, in addition, town wide recreational needs. In 2006 Cherwell District Council, in accordance with PPG17 carried out a study on the existing sports provision across the District and recommended that the shortfall in outdoor sports pitches for Bicester should be addressed. The playing pitch strategy produced in 2008 identified the shortfall in Bicester and advised that some of this shortfall should be met by the SW Bicester allocation. Its principle objective is to provide a high quality outdoor sport facility and is a priority scheme promoted by both Cherwell District Council and Bicester Town Council.

5.4 The Sports Village development has been divided into 3 separate phases. As previously mentioned, Phase 1 has been constructed, this application relates to Phases 2 and 3a which relates to the Sports pavilion building and a 3G pitch and tennis courts on an existing grass pitch with enclosure and floodlighting.

#### **Principle of Development**

5.5 The Development Plan for Cherwell District comprises the saved policies in the adopted Cherwell Local Plan 1996 and the adopted Cherwell Local Plan 2011-2031 (Part 1). Section 72(2) of the Town and Country Planning Act 1990 provides that in dealing with applications for planning permission the local planning authority shall have regards to the provisions of the development plan, so far as is material to the application, and to any other material considerations. Section 38 of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise. This is also reflected in the National Planning Policy Framework (NPPF).

5.6 The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF sets out the economic, social and environmental roles of planning in seeking to achieve sustainable development: contributing to building a

strong, responsive and competitive economy: supporting strong, vibrant and healthy communities; contributing to protecting and enhancing our natural, built and historic environment (paragraph 7). It also provides (paragraph 17) a set of core planning principles which, amongst other things require planning to:

- Be genuinely plan led, empowering local people to shape their surroundings and to provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency
- Proactively drive and support sustainable economic development
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings
- Support the transition to a low carbon future in a changing climate
- Encourage the effective use of land by reusing land that has been previously developed
- Promote mixed use developments
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and to focus significant developments in locations which are, or can be made sustainable
- Deliver sufficient community and cultural facilities and services to meet local needs

5.7 The Cherwell Local Plan has been through Examination and has been considered by Full Council. This plan has now been adopted by the Council. The Local Plan is consistent with the NPPF. The use of this site for sports provision has been approved in principle under the outline consent relating to the wider SW Bicester development, and subject to all other material planning considerations as specified as follows, the proposal is considered, in principle to be acceptable.

5.8 The development at South West Bicester is also subject to compliance with the Design Code which was required by a condition attached to the outline consent and approved in July 2008. The Design Code sets out the key issues to be addressed by developers and their agents, to ensure consistency throughout the development and to ensure that specific requirements are adhered to. Whilst this application has been submitted as a full rather than reserved matters application, it is considered that the key principles behind the Design Code requirements for this site remain important when considering this application.

5.9 The Section 106 Agreement attached to the outline consent and the Design Code requires that over 17 hectares of land is given over to formal sports pitches. The area in question is also specifically identified. Located at the southern gateway into the SW Bicester development site, it will be managed by CDC and Bicester Town Council and will provide outdoor grass sports pitches, sports pavilion and all weather pitch provision in conjunction with the secondary school provision. The Design Code envisaged that there would not be any floodlighting on the grassed sports pitches to the west of the pavilion, but that the floodlighting would be contained on the site to the east where the all-weather pitches were to be provided in conjunction with the secondary school provision.

### **Design and Layout**

5.10 The main part of the formal recreation facility lies to the west of the pavilion site and sits at a slightly higher level. The whole of the Phase 1 area is circled by a 3m wide cycle track. The adjacent secondary school will have direct access to the Phase 3b development, with a further link to the pavilion and sports pitches. It is intended that the school coach drop-off area will also be used in conjunction with the sports pitches and use of the sports pavilion. The application proposes a two storey sports and functions pavilion. The changing facilities are located at ground floor level and a function room to accommodate up to 200 persons at first floor level. The application also proposes a free standing cricket hut with score board, WC and light refreshment

facilities adjacent to the cricket square.

- 5.11 Pedestrian access between the pavilion and the sports pitches will be provided over the drainage channel by a new footbridge. The 3G rugby pitch will be located parallel to the west-side of the pavilion and the northern part of the proposed car park. It is proposed that this pitch will be floodlit and enclosed by a 3m high weld mesh fence. Six tennis courts will be provided adjacent to the 3G rugby pitch. It is also proposed that these would be floodlit and enclosed by a 3m high weld mesh fence.
- 5.12 Section 7 of the NPPF – ‘Requiring Good Design’ attaches great importance to the design of the built environment and advises at paragraph 56 that ‘good design is a key aspect of sustainable development, is indivisible from good planning and should contribute to making places better for people’.
- 5.13 The NPPF advises at paragraph 58 that planning policies and decisions should aim to ensure that developments achieve a number of results including the establishment of a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit and that developments should respond to the local character and history and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. Paragraph 60 advises that whilst particular styles and tastes should not be discouraged, it is proper to seek to promote or reinforce local distinctiveness.
- 5.14 Paragraph 61 states ‘although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment’.
- 5.15 Paragraph 63 states ‘in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally within the area’.
- 5.16 Policy ESD 15 of the adopted Cherwell Local Plan 2011-2031 advises that design standards for new development, whether housing or commercial development are equally important, and seeks to provide a framework for considering the quality of built development and to ensure that we achieve locally distinctive design which reflects and respects the urban or rural landscape and built context within which it sits. The adopted Cherwell Local Plan 1996 contains saved Policy C28 which states that ‘control will be exercised over all new development, including conversions and extensions, to ensure the standards of layout, design and external appearance, including choice of materials, are sympathetic to the character of the urban or rural context of the development’.
- 5.17 The appearance of new development and its relationship with its surroundings and built and natural environment has a significant effect on the character and appearance of an area. Securing new development that can positively contribute to the character of its local environment is therefore of key importance.
- 5.18 It is considered that the development of this site and the erection of the sports pavilion building, presents a great opportunity to provide an exciting opportunity for the Council to deliver a building of contemporary design which respects both its semi-rural location, on the edge of this new development and the adjacent new residential buildings. The approved Kingsmere Design Code envisages the erection of a landmark building up to 7m in height on this important and prominent gateway site, stating ‘*the Sports Pavilion is an important landmark building on a prominent part of the site. It is a civic building which will be used by a wide cross-section of the community. As such the building must be of the highest quality design*’. It also goes

on to say that it should be designed to fit horizontally into the landscape, facing out principally over the sports pitches but *'it must also have a clearly expressed main entrance which faces the car park and vehicular site entrance'*. A landmark building is defined within the Design Code as *'A strategically important building to convey special importance or of a particular visual significance'*.

- 5.19 The building proposed measures 6.5m to eaves and 11m to ridge and is designed as a two storey building accommodating the sports changing facilities at ground floor level and a function room, of sufficient size to accommodate 200 persons with bar area, kitchen and toilet facilities at first floor level. A number of local residents have expressed concerns about noise from an open balcony area, however, this aspect has since been removed from the scheme following the initial public consultation prior to the submission of the application. This area is now contained within the building under a pitched roof to provide an enclosed plant room.
- 5.20 The proposed sports pavilion building comprises a large rectangular building with wide gable spans and relatively shallow pitched roof. The applicant's agent states its design has been informed by rural buildings such as large agricultural buildings and by new buildings within the urban extension. It will give the appearance of a large barn within a landscape divorced from other buildings. The submission does not clarify or explain further however, this assertion in their submission. It is proposed to be constructed of a Roman brick base, which is a split cream coloured lignacite block (to mimic Oxfordshire stone), with Siberian Larch/Red Western Cedar timber panelling above. Full length PPC aluminium windows with sliding panels will be provided at first floor level, some with Juliet balconies. The roof treatment will comprise PPC coated standing seam panels, either light grey (lead coloured) or zinc coloured. The roof elevation facing towards Whitelands Way will have solar panels installed. The recessed entrances will be finished with highly coloured render for identification emphasis. Entrance doors will be PPC coated steel with heavy gauge ironmongery. In terms of the provision of public art on the building, this will be in the form of work laser cut steel panels on sliding frames to ground floor windows and doors.
- 5.21 The building will be clearly visible from the adjacent perimeter road, open countryside and adjacent residential development and will be a prominent structure on the skyline and when seen against the residential development in the background. It is considered that the design and scale of the building is disappointing, and an opportunity to deliver a well-designed landmark building has not been fully realised. Neither is it clear from the submission how the building has been designed to reflect a simple agricultural building, appearing more industrial in its scale and appearance.
- 5.22 However, notwithstanding the above, it is considered that a reason for refusal on design terms could not be justified in this instance.
- 5.23 The provision of a 3G all-weather pitch and tennis courts enclosed with 3m high weld mesh fencing and floodlighting adjacent to the pavilion as proposed is also regrettable. This area was specifically envisaged as open grass pitches with the all-weather floodlit pitches on the land adjacent to the school site. The reason for this was to retain the more rural character of this area, to provide a transition between the development and the open countryside and to protect the setting of the village of Chesterton. However, as above, it is not considered that a reason for refusal on the grounds of visual impact can be justified in this instance.

#### **Transport Assessment and Highway Safety**

- 5.24 A vehicular access from Whitelands Way is proposed in a position opposite the existing coach drop-off area, with the Phase 3b and Secondary School sites beyond. This access will be used for staff parking, servicing the pavilion and a public recycling centre to be positioned adjacent to the boundary with Whitelands Open Space. The

site at this point is at a lower level than Whitelands Way, so the access will need to be graded.

- 5.25 The proposed car and cycle parking area is to be provided to the south of the pavilion building, running parallel to the table that will accommodate the 3G rugby pitch and tennis courts. An existing hedge, which it is proposed to enhance, separates the car park from a balancing pond and the adjacent public footpath to the east. It is proposed that the car park will be lit. This car park will be served by a second separate vehicular access located on a bend in Whitelands Way. This new access will need to be constructed over the existing drainage channel which was constructed by Countryside as part of the overall drainage strategy for the southern part of the development site and which flows into the balancing ponds which were constructed adjacent to the A41 roundabout. This access will also provide the main pedestrian link to the pavilion and sports pitches from Whitelands Way. Again, due to the changes in land levels, the access will need to be graded.
- 5.26 A transport Assessment is submitted as part of this planning application and seeks to demonstrate that the proposed development will not have an adverse impact on the highway network. This has been assessed by the Highway Authority who considers that the methodology used to estimate trip generation for the development peak hour is acceptable, and demonstrate that the development trip generation will not have a significant adverse effect on the surrounding road network. In terms of the two proposed vehicular access points, these are acceptable to the Highway Authority who also advise that the visibility splays demonstrated for each access meet standards, have been suitably designed and should be constructed to the relevant specifications. The swept path analysis for emergency, refuse and minibuses accessing the site is also acceptable to the highway authority.
- 5.27 The plans submitted indicate the provision of 120 car parking spaces, 10 of which are disabled, 22 covered and secure cycle parking spaces and 4 mini-bus spaces. It is also proposed to provide additional overspill car parking provision should the need arise. To enable the overspill car park to be used effectively however, the highway authority require the car park to be reconfigured, which would result in the loss of some permanent spaces but would allow access to the overspill car park area when necessary.
- 5.28 The application is also accompanied by an Events Management Plan which sets out actions and measures that will be undertaken before, during and after an event to minimise its traffic impact. The highway authority has assessed this Plan and considers that it is acceptable but would benefit from two specific amendments relating to the provision for parking in the spaces that give access to the overflow area to be prevented in advance to allow their availability and to replace the suggestion that coaches could park in the nearby park and ride site with a form of words to instruct coach operators to make and agree coach parking arrangements prior to events. Whitelands Way is also a main bus route through the Kingsmere development and therefore in order to avoid any disruption to bus services, parked vehicles on Whitelands Way must be avoided at all times. There is considerable concern that at busy times, such as Tournament days, that some cars may be tempted to park on Whitelands Way rather than queue for a parking space. The Event Management Plan must also therefore address this issue. It is suggested by the Highway Authority that this could be done by providing a marshal at busy times to discourage parking on the main carriageway. A Section 106 or 278 Agreement is also suggested to provide funding for double yellow lines with supporting signage on a section of Whitelands Way to be agreed.
- 5.29 The concerns raised by local Kingsmere residents regarding the proposed access to the Sports Pavilion and Pitches have been taken into consideration, however, access to this facility was envisaged from Whitelands Way and is a requirement of the

approved Design Code, albeit a single access point rather than two separate vehicular access points was indicated. Furthermore, subject to the requirements above, no objections are raised by the Highway Authority in terms of highway safety and the proposal is in accordance with advice within the NPPF which states that: 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.

#### **Landscape and Visual Impact**

- 5.30 A Landscape and Visual Statement produced by Hyland Edgar Driver Limited was submitted with the application which seeks to assess the likely significant landscape and visual effects that are expected to result from the proposed scheme.
- 5.31 The report concludes by stating that the development would realise a combination of positive and negative effects with the landscape effects tending to be adverse due to the introduction of new urbanising developments in this rural edge landscape. The introduction of new built features, such as floodlit playing areas and cricket pavilion, would have a locally urbanising effect on the baseline landscape, as this rural edge is essentially 'dark' at night. However, the landscape character changes represent an incremental rather than a step change and although adverse, would realise moderate to minor adverse effects as the planting around matures. Although an open site, views of it are contained within a relatively small area and would be viewed against the wider development.
- 5.32 The submitted Landscape and Visual statement has not been criticised by the Council's landscape Officer. The submitted landscaping scheme is not acceptable for a number of reasons as specified by the Landscape Officer in his consultation response. It is therefore proposed that the submission of a revised landscaping scheme for approval be conditioned.

#### **Flood Risk and Drainage**

- 5.33 The application is accompanied by a Flood Risk Assessment and drainage information. The surface water strategy approved and subsequently constructed for the southern part of the South West Bicester development incorporates a new drainage ditch from the existing Whitelands Farm ditch which runs along the northern boundary of the pitches and then cuts across the site to the attenuation basin which has been constructed adjacent to the A41 roundabout. OC as Drainage Authority have advised that the drainage proposals are generally acceptable although further details and calculations are required to ensure that the underground storage is adequate. It is proposed to condition this request.

#### **Sport England**

- 5.34 As detailed in the consultation responses above, Sport England have raised a number of concerns regarding the proposal and have requested a meeting to discuss. A meeting has been arranged for 23<sup>rd</sup> November. Members will be updated verbally the outcome of those discussions at the meeting.
- 5.35 It is accepted that many of the issues raised are not specifically planning matters. However, as the concerns raise issues about the potential need for further buildings and structures on the site and until there is a clear understanding about who and how the sports pitches and pavilion will be used, it is considered that the matters raised should be addressed now, to avoid the need for further amendments which could delay the delivery of the facility.
- 5.36 The Director of Community and Environment has responded to the concerns raised by Sport England. He advises that funding is not being sought from Sport England. The lack of a business plan demonstrating how the long-term sustainability of the development can be achieved is in hand with cost estimates, proposed funding, operating arrangement etc prepared. The lack of a management structure can be

quickly and easily explained. With regard to the technical issues raised, Sport England are quoting what their high spec level is, normally associated with a grant aid condition which does not apply here and carries a cost premium. We are very comfortable that we have addressed the appropriate level, specification and detail of the proposed facilities in a way which provides a durable and fit for purpose facility but not necessarily according to their precise specifications.

### **Engagement**

- 5.37 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.

### **Conclusion**

- 5.38 Having regard to the above assessment, it is concluded that the proposal is acceptable and will not have a significant adverse effect on the locality and is therefore in accordance with the Development Plan and Government advice as set out within the National Planning Policy Framework.

## **6. Recommendation**

**Approval, subject to:**

a) 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 AR2
2. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and documents: applications forms (to be added)  
Reason AR4
3. Notwithstanding the details submitted, prior to the commencement of the development hereby approved, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include  
Reason CR1
4. C2 – Carry out the landscaping  
Reason CR1
5. C9 Submit an Arboricultural Method Statement  
Reason CR2
6. C21 – details of tree pits for soft landscaped areas  
Reason CR1
7. Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.  
Reason DR1
8. Prior to the commencement of the development hereby approved, full

specification details (including construction, layout, surfacing and drainage) of the parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.

Reason DR1

9. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

Reason DR4

10. Notwithstanding the details submitted, prior to the commencement of the development hereby approved, an Event Management Plan shall be submitted and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed EMP and run in accordance with the agreed details thereafter.

Reason DR5

11. The operational use of the premises shall be restricted to the following times:-  
Monday-Friday 8.30am to 10pm  
Saturday- 8.30am to midnight  
Sunday and public holidays 9am-6pm

Reason GR9

12. The sports pavilion and cricket hit shall be used only for the purposes specified within the application and for no other purpose whatsoever.

Reason HR17

13. The floodlights hereby approved shall be used only in connection with the sporting activity taking place at the grounds and not at any other time for any other purpose and shall be turned off when that activity has ended and shall not be left on overnight.

Reason JR4

14. Prior to the commencement of the development hereby approved, full details of a scheme for the provision and location of bat and bird boxes or bricks within the structure of the building shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the building the boxes/bricks shall be installed and thereafter maintained in accordance with the approved details.

Reason KR2

15. The building hereby approved shall be constructed to at least a BREEAM 'Very Good' standard.

Reason LR7

### **Planning Notes**

1. PN 9 - Thames water and Environment Agency consultation responses
2. PN 22 – Construction Sites
3. PN 24 – Biodiversity/protected Species



4. PN 26 – Nesting birds

**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.