

Whitelands Farm Sports Ground
Whitelands Way
Bicester
OX26 1AJ

17/01488/F

Applicant: Mr Tom Darlington

Proposal: Installation of two height restricting (2.1m) barrier gates at the entrance to the main car park and service yard of Whitelands Farm Sports Pavilion. These replace the previously approved gates under application 15/01615/F

Ward: Bicester South And Ambrosden

Councillors: Cllr David Anderson
Cllr Nick Cotter
Cllr Dan Sames

Reason for Referral: CDC Application

Expiry Date: 4 October 2017

Committee Date: 28 September 2017

Recommendation: Approve

1. APPLICATION SITE AND LOCALITY

- 1.1. This application relates to the sports pavilion which is currently under construction and being delivered as part of the Sports Village at Kingsmere. The Sports Village site comprises 17 hectares, within the wider 116 ha South West Bicester mixed use development. 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 the 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. Phases 2 and 3 relate to the provision of the sports pavilion and all-weather pitches. The sports pavilion, together with the construction of a 3G synthetic grass rugby pitch, tennis courts and associated floodlights and fencing was granted permission in 2015 (15/01615/F refers).

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. This application seeks consent for the erection of two height restricting (2.1m) barriers at both entrances into the Sports Village either side of the sports pavilion, replacing the previously approved gates.

3. RELEVANT PLANNING HISTORY

- 3.1. The following planning history is considered relevant to the current proposal:

Application Ref.

Proposal

Decision

06/00967/OUT	Outline - Up to 1585 no. dwellings; health village to include health and employment uses and elderly persons nursing home; B1 and B2 employment uses; local centre comprising of shops, a pub/restaurant, children's day nursery, offices and a community centre; 2 no. primary schools and 1 no. secondary school; a hotel; a sports pavilion; formal and informal open space; a link road between A41 and Middleton Stoney Road/Howes Lane junction; associated new roads, junctions, parking, infrastructure, earthworks and new accesses to agricultural land (as amended by plans and documents received 24.10.06).	Application Permitted
15/00011/SO	SCREENING OPINION - Phase 2 - Erection of a two storey sports and function pavilion together with the provision of two vehicle accesses, car and cycle parking, landscaping and a recycling centre; Phase 3A - Construction of a 3G synthetic grass all-weather rugby pitch and the formation of tennis courts together with associated fencing and floodlights and the erection of a cricket hut	Screening Opinion not requesting EIA
15/01615/F	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	Application Permitted
16/00435/DISC	Discharge of Conditions 3a,3b,3c (Landscaping), 5 (Arboricultural) 6 (Tree pits), 7 (Access), 8 (Parking details), 10 (Event management plan) and 14 (Bat and bird boxes) of 15/01615/F	Application Permitted
17/01488/F	Installation of two height restricting (2.1m) barrier gates at the entrance to the main car park and service yard of Whitelands Farm Sports Pavilion. These replace the previously approved gates under application 15/01615/F	Pending Consideration

4. PRE-APPLICATION DISCUSSIONS

- 4.1. No pre-application discussions have taken place with regard to this proposal

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was 08.09.2017, although comments received after this date and before finalising this report have also been taken into account.
- 5.2. No comments have been raised by third parties

6. RESPONSE TO CONSULTATION

- 6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 6.2. Bicester Town Council have yet to comment

STATUTORY CONSULTEES

- 6.3. None

NON-STATUTORY CONSULTEES

- 6.4. OCC – Highways – No objection

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the 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. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- ESD15 - The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Kingsmere Design Code 2008

8. APPRAISAL

8.1. The key issues for consideration in this case are:

- Principle of development
- Design and appearance
- Highway Safety

8.2. Principle of Development

8.3. This site forms part of the original development proposed for South West Bicester. 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 laid out and constructed. The sports pavilion (phase 2) was granted consent in 2015 and is nearing completion with an opening date set for the end of September 2017 (15/01615/F refers). This application relates to that permission, seeking to amend the approved entrances into the development by inserting height restriction barriers.

8.4. 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). The Cherwell Local Plan 2011-2031 is consistent with the NPPF.

8.5. Design and Appearance

8.6. 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’.

8.7. Policy ESD15 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 the built development. 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’.

8.8. This application seeks to install two height restricting barriers 2.1m in height at both the entrance to the main car park and the service yard. The pavilion and sports ground is served by two separate accesses either side of the pavilion building. This proposal is an amendment to the gates approved as part of the original submission. These barriers are not dissimilar to those seen at the entrance to most car parks and are considered acceptable.

8.9. Highway Safety

8.10. The application has been assessed by OCC as highway authority who raise no objection but comment that 'presumably the barrier is intended to swing open to allow oversize vehicles through when necessary. However, the detail shown in the calculations for the lower end of the strut will not allow the barrier to rotate, and it is noted '2 bolts lower to avoid rotation'. If a hinge detail is introduced at the base of the strut, then some means of locking barrier in position will be necessary'. The applicant has been asked to respond to this and will be reported verbally at the meeting.

9. PLANNING BALANCE AND CONCLUSION

9.1. Having regard to the above, it is considered that the proposed height restriction barriers are acceptable and will not impact upon the visual amenities of the locality or street scene and will not impact upon the functioning of the Sports Village and the efficiency of the car parking arrangements. The proposal is therefore in accordance with the Development Plan and Government advice as set out in the National Planning Policy Framework.

10. RECOMMENDATION

That permission is granted, 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: Drawing numbers SK23 Rev B Location Plan; SK24 Rev A Proposed Site Plan; al(9)95 Cross Section through the Site and Height Restriction Barrier and Structural Calculations by Barry Eames and accompanying sketch plans.

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