

**Dewey Sports Centre  
Barley Close  
Bloxham  
Banbury  
OX15 4NJ**

**18/01252/F**

**Applicant:** Bloxham School

**Proposal:** Erection of 12 floodlights, extension of existing car park, relocation of long jump, and associated landscaping

**Ward:** Adderbury, Bloxham And Bodicote

**Councillors:** Cllr Mike Bishop  
Cllr Chris Heath  
Cllr Andrew Mchugh

**Reason for Referral:** Major Application

**Expiry Date:** 12 October 2018      **Committee Date:** 20 September 2018

**Recommendation:** Approve

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### **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

The application is reported to the Planning Committee, as the application site is owned by Cherwell District Council.

#### **Proposal**

Erection of 12 floodlights, extension of existing car park, relocation of long jump, and associated landscaping.

#### **Consultations**

No Statutory or non-statutory consultees have raised objections to the application.

Letters of both support and objection have been received from third parties

#### **Planning Policy**

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance.

#### **Conclusion**

The key issues arising from the application are:

- Principle of development
- Impact on the landscape
- Impacts on the neighbouring residents
- Other matters including highway safety

The report looks into the key planning issues in detail, and officers conclude that the proposals are acceptable, subject to conditions. The scheme meets the requirements of relevant CDC policies.

**RECOMMENDATION – GRANT PERMISSION SUBJECT TO CONDITIONS.**

**Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.**

## **1. APPLICATION SITE AND LOCALITY**

- 1.1. The application site comprises a pair of courts with multi-use surfaces, currently used as a hockey pitch and tennis courts that are in the ownership Bloxham School. The pitches and some surrounding land which are the subject of this application are situated on the edge of the built up limits of Bloxham and just outside the Bloxham Conservation area. The northern edge of the courts borders the school playing fields, The Ridgeway, a track largely gravelled, runs parallel with the southern boundary. There are residential properties surrounding the wider sports complex.

## **2. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1. The proposal involves the installation of 12 floodlights each 12.5m in height. These are required to provide enough lighting for ball games such as tennis and hockey. The floodlights would provide approximately 300-400 lumens at ground level. The proposed floodlights have asymmetric lighting profiles and would be used to direct the light to only the pitches and away from areas outside of the pitch. Whilst this will allow for pupils at the school to play for longer during winter months, the applicant has produced an indicative timetable committing to a total of 21 hours of use for external users to allow local residents to make use of the facilities.
- 2.2. In addition to the floodlights it is proposed to provide further car parking, with the loss of part of the adjacent playing fields. This is sought in order to relieve the pressure on the local road network by discouraging patrons from parking on the surrounding street. The expanded area of car parking would be 15m by 65m. The extension of the car park will lead to the loss of the long jump track in its present location, the sports field layout would be altered to allow for its repositioning.
- 2.3. The proposal also includes the landscaping of the area around the car park, with the addition of planting along the northern boundary.
- 2.4. The applicant undertook a public exhibition to explain the proposal to the local community on the 13<sup>th</sup> February 2018. They also sought public feedback via a questionnaire.

## **3. RELEVANT PLANNING HISTORY**

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

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
93/00530/N	Installation of 14 metre high floodlighting to existing all-weather hockey pitch	Application Refused
94/00617/N	Installation of 14 metre high floodlighting to existing all-weather hockey pitch	Application Refused
06/00334/F	Provision of floodlights to the playing	Application

	surface	Refused
07/02628/F	21 No. Lowland Luminaires to car park perimeter.	Application Permitted

- 3.2. The school has attempted to gain planning permission for floodlighting at the all-weather pitches on three previous occasions over the last 25 years. The initial 1993 and 1994 applications, which would have seen 8 x 14m high floodlight masts on the pitch nearest to the indoor centre, refused on the basis that the light levels would be detrimental to the nearby residents. They were also refused on the increased levels of noise and the impact on the adjacent Area of High Landscape Value.
- 3.3. A 2006 application, for 8 x 15m floodlight masts serving just the further pitch from the main gymnasium building, was also refused – and the decision upheld at appeal. The application was resisted on the grounds that it would have an adverse impact it would have on the Area of High Landscape Value.

#### **4. PRE-APPLICATION DISCUSSIONS**

- 4.1. The following pre-application discussions have taken place with regard to this proposal:

<u>Application Ref.</u>	<u>Proposal</u>
18/00096/PREAPP	Erection of 12 floodlights and extension of car park

- 4.2. The pre-application report concluded that the submission did not contain sufficient information for officers to be in a position to support an application, but that it was nonetheless acknowledged that it may be possible for the applicant to overcome the officer's reservations through the submission of additional information.
- 4.3. Additional commentary was sought on the impact on the landscape and the Bloxham Conservation Area, noise reducing baffling, traffic issues and community usage of the site – including timetabled slots. There were also ongoing questions about the impact on protected wildlife, with further investigations required complimented by appropriate mitigation.

#### **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 06.09.2018, although comments received after this date and before finalising this report have also been taken into account.

- 5.2. Letters of objection, summarised as follows

- The proposed floodlights are LED white light at 5000K which is the equivalent of bright daylight resulting in light pollution on the edge of the village affecting the night sky, residential amenity of nearest properties and not in-keeping with the rural nature of the open countryside location, further urbanisation of Bloxham, and impact upon the nearby conservation area
- The lighting will adversely affect nocturnal wildlife in the area including Bats, which are protected species

- No difference of proposed lighting from previous refused scheme
- AECOM have used the existing lighting in the Dewey car park and on the buildings of the Dewey Centre itself as its baseline for measuring the incremental impact of the floodlight installations. However, both of these are in breach of current planning regulations, the previously compliant low level soft car parking luminaires having been replaced by Bloxham School last year (2017) with mid height, high powered floodlighting directed across the AstroTurf pitches
- The height of the columns will mean that floodlights will be seen for a significant distance beyond the immediate surroundings and will affect views on public rights of way.
- There is no proven need for additional floodlit facilities, given that similar facilities already exist within a reasonable distance in Banbury.
- Increased noise from use of pitches into the night in this quiet area will have an enormous detrimental effect on the quality of our home life, offering very little respite from either noise or direct intrusive light, although bafflingly the documentation deems the floodlighting impact to be 'medium'.
- The current and proposed timetables submitted by Bloxham School, I note completely omit these 7am sessions, but do mention a timetable of use increasing over time. Bearing in mind that users generally arrive early and it takes around 30 minutes for the venue to be vacated, this leaves local residents with approximately 1 hour a day of respite in waking hours during the week
- Cause additional traffic congestion, which is already high
- The Bloxham Neighbourhood Plan states; 'Development outside the conservation area should protect, enhance and contribute to the rural character of the village as a whole'. This proposal does not meet that objective
- The Oxfordshire Badger Group has carried out a site visit and met local residents to assess how the lighting and increased noise and disturbance will impact on the badgers in the area.

We would like to raise our concerns regarding the impact on badgers of this scheme which we believe has been underestimated by CSA Environmental in their ecological appraisal on behalf of Fisher German LLP, in relation to Bloxham School. The appraisal recognises that 'the introduction of lighting may result in disturbance to badgers in the area' but fails to mention the badgers or any mitigation for potential loss of foraging and wildlife corridor through increased disturbance, in its conclusion.

The report states that there is evidence of badger activity only on the eastern side of the playing fields whereas we have had reports that badger activity also takes place along the southern and western borders. The badgers do have access to open countryside but the impact of the lighting and increased noise and activity should be given more consideration.

### 5.3. Letters of support, summarised as follows;

- Needed resource for the school and wider community

- Lack of leisure facilities in the area – especially after dark. This would help this situation
- I am not opposed to the flood lights, so long as the ‘residual light’ is kept to a minimum. I believe there is a benefit for the students and wider community to be had
- As a Tennis Coach at Bloxham School for 6 years, and Club Coach and long standing member at West End Adderbury, where floodlights were installed in 1992, I can vouch for the real benefits enjoyed by young players as part of the year round coaching programme, and adult league team and recreational players who all come from the local community
- Banbury Hockey Club hires the Dewy Sport Facilities most Saturdays throughout the season for league games for both junior and senior games. The introduction of floodlights would also enhance the playing experience on match days, particularly on those dark days in winter, both from a player perspective but also from an officiating perspective too. Hockey is a high paced game and player safety is paramount and therefore floodlights are essential in the modern game.
- The excellent facilities at Bloxham School, there are by far superior to other facilities in the local area. The two pitches are of a good quality which has allowed the ladies to train and play regional level fixtures on both pitches.
- I am writing to confirm that Bloxham football club fully supports your impending planning application for floodlight to be introduced to Bloxham schools all-weather sports pitches behind the Dewey sports centre.
- An increase and direct access to suitable hockey facilities is critical in providing hockey with a strong platform from which to deliver England Hockey’s strategic priorities on a National scale. Clubs and facility providers are the backbone of our sport and we need to ensure they have the facilities to expand and grow their membership
- The obesity rate of children at Primary school has risen alarmingly recently and the obesity level for adults is far too high. Inactivity/lack of exercise is a major contributing factor. The Bloxham community needs more available time after 6pm to do sport – FLOODLIGHTS would enable this to happen

5.4. The comments received can be viewed in full on the Council’s website, via the online Planning Register.

## **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. BLOXHAM PARISH COUNCIL: Recognise the potential impacts on the rural nature of the village with the additional light pollution and potential impacts on residents but also acknowledges the beneficial impacts on health, well-being and educational attainment of the school’s students and wider community. If minded to approve then a number of conditions/legal undertakings are requested.

## STATUTORY CONSULTEES

Summary of comments made by the consultees below – full comments are available on the Cherwell Website

- 6.3. SPORT ENGLAND: **No objections.** The main issue for Sport England to assess was the loss of part of the playing fields. But as the facilities would be replaced elsewhere on the wider site and the car parking would be in support of additional sports use of the site being therefore ancillary to it, it was adjudged to comply with their policies.
- 6.4. OCC HIGHWAYS: **No objections.** The Highways Officer states that *‘The car park can accommodate 40 – 50 cars at present, while the extension would hold an additional 30 – 40. This significant increase in capacity should be sufficient to cater for the needs of all the sports facilities, and will help to relieve weekday parking on the highway if staff and students can be encouraged to use it rather than the local roads’*. They concluded their comments by requiring that additional lighting for the car park users and provision of a walkway to separate pedestrians was required. This can be secured by condition.

## NON-STATUTORY CONSULTEES

Summary of comments made by the consultees below – full comments are available on the Cherwell Website

- 6.5. CDC ENVIRONMENTAL PROTECTION: **No objections**, commenting as follows:

**Light:** Due to the village location, where background light will be relatively low and the close proximity to residential dwellings. The floodlights should be used only in connection with the sporting activity taking place at the grounds and not at any other time for any other purpose. The lights should also be turned off when that activity has ended and not left on while no activity is taking place.

**The following additional comments were made following the Case Officer’s request that the impact of the light from the floodlights and noise level be reappraised in light of local opposition:**

According to the report the light spill experienced by residents will be significantly lower than the guideline 5 lux for a rural environment; the operating hours are 1800-2100, which is two hours before the recommended curfew. So the only other thing I could put on there was to ensure they turn the floodlights off when the pitches are not in use.

Regarding the noise, I can’t see there being an issue based on the proposed operating hours. I don’t think they can do much more than what they have proposed (i.e. the baffling on the fencing).

- 6.6. CDC LANDSCAPE SERVICES: **No objections**, with the following comments:

Further to consideration of the above planning application. A comprehensive LVIA where there is general agreement with most of the judgments and conclusions.

The assessment of the flood lighting impact and effect appears to appropriate. I agree with following the statement:

The above assessment is based upon an appraisal of winter views. The AECOM Lighting Assessment notes that in summer when the trees in leaf, any winter filtered

views would be reduced by between 50% and 80%, while in winter these filtered views would reduce baseline effects by between 10% and 30%.

As suggested by these figures, where views of the lighting columns are filtered in the winter, during the day light hours, these would be largely screened. As in the winter months, the columns would not be prominent in views from public vantage points. When in use in the summer months when vegetation is in leaf, visibility of the lighting will be reduced where vegetation is present.

Therefore landscape proposals are required indicating the planting of a native thicket with native trees on the northern boundary eastern pitch. It is also important to retain structural planting on the northern boundary, western pitch, and the trees lining the southern boundary to The Ridgeway (information to be included on the landscape proposals). Compliance with the attached planting notes would be appreciated. A chartered landscape consultant should be employed to draw up the landscape proposals.

**Additional comments were then received after the Case Officer brought up the previous refusal of the 2006 scheme which was resisted on landscape grounds:**

Further to our discussion I thought it appropriate to ensure the existing screen trees and hedges on the southern and northern boundaries are retained and maintained under a management plan (to be given planning consent), along with the management of additional screen planting on the northern boundary. Thus ensuring maximum achievable tree cover to reduce the impact of light pollution.

The existing trees and hedges should be subject to arboricultural inspections to ascertain the health and potential risk to site users and members of the public (and users of The Ridgeway)

The additional planting on the northern boundary to include native evergreen and deciduous tree spaces at planting densities that allows for the full height and spread of canopies of each tree to be achieved without being overly competitive for individual trees, for light nutrients and water, which would result in slower growth rates than normal. The landscape consultant should therefore indicate the growth rates of the screen planting at yearly stages of 0, 15 and 25 year. Evergreen trees will provide year-round reduction of light pollution.

The management plan should take account of the current landscape institute and Arboricultural Association guidance, along with current industry (BS) standards and work practices.

6.7. CDC LEISURE AND SPORTS DEPARTMENT: Support the application

6.8. CDC ECOLOGY: After initial concerns the Ecologist offered no objections with suitable conditions to secure the mitigation of impacts on the bat population. A final bat mitigation plan was submitted by the applicant during the application process and was accepted as part of the overall submission. The Ecology Officer made the following comments in response to this document.

I do not object to the idea of compensatory habitat. In short in order to achieve an overall net gain for bats from the proposals I think they need to achieve a little more in addition to the proposed compensatory habitat and justify why additional planting and measures cannot be carried out in the affected field also.

**Concerns have been raised by a county group about the impacts on badgers by the proposals; the Ecologist has made the following comments:**

I would agree with the assessment overall that they are not of particular concern here and that no unlawful activity would occur as regards badgers by the lighting of the pitches.

## **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)

- PSD1 – Presumption in Favour of Sustainable Development
- ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13 – Local Landscape Protection and Enhancement
- ESD15 - The Character of the Built and Historic Environment
- BSC7: Meeting Education Needs
- BSC10 – Open Space, Outdoor Sport and Recreation Provision
- Policy Villages 4: Meeting the Need for Open Space, Sport and Recreation

### CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development
- C31: Compatibility of proposals in residential areas
- ENV1: Development likely to cause detrimental levels of pollution

### BLOXHAM NEIGHBOURHOOD DEVELOPMENT PLAN (2015-2031)

- Policy BL9 – Policy on regard for the amenity of existing residents
- Policy BL11 – Policy on contributing to the rural character of the village
- Policy BL12 – Policy on the importance of space and key street scenes

## **7.3. Other Material Planning Considerations**

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

## **8. APPRAISAL**

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

- Principle of development including loss of part of the playing field



- Design, and impact on the character of the area including the setting of the Conservation Area
- Landscape impacts
- Residential amenity
- Highways safety
- Protected species

Principle of development including loss of part of the playing field

- 8.2. Paragraph 11 of the National Planning Policy Framework states that a presumption in favour of sustainable development. There are three dimensions to sustainable development, as defined in the NPPF, which require the planning system to perform economic, social and environmental roles. These roles should be sought jointly and simultaneously through the planning system.
- 8.3. Paragraph 12 of the NPPF notes that the development plan is the starting point of decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. Cherwell District Council has an up-to-date Local Plan which was adopted on 20th July 2015.
- 8.4. Policy BSC 10 of the adopted Local Plan states *'The Council will encourage partnership working to ensure that sufficient quantity and quality of, and convenient access to open space, sport and recreation provision'*. It goes on to say that *'In determining the nature of new or improved provision the Council will be guided by the evidence base and consult with town and parish councils, together with potential users of the green space wherever possible, to ensure that provision meets local needs'*.
- 8.5. The proposed development would lead to the loss of 975sqm of the playing field for the new parking area plus additional area for the surrounding soft landscaping, in order to provide more parking spaces and the associated landscaping involved with this.
- 8.6. Sport England is a statutory consultee for applications where land has been used as a playing field at any time in the last 5 years and remains undeveloped. Sport England opposes development on playing fields in all but exceptional circumstances. Exception two of Sport England's provisions states the following;
  - The proposed development is ancillary to the principal use of the site as a playing field or playing fields, and does not affect the quantity or quality of pitches or adversely affect their use
- 8.7. The applicant argues that the creation of further parking spaces is required as the current parking area is inadequate. Also there is a relatively unused and unmarked area of the sports pitches to the north of the site which the present marked areas could be moved into to create space for a replacement long jump area. Sport England concluded that the proposal would comply with aforementioned exception and that the extended car park and associated works would be acceptable in principle.
- 8.8. Policy BSC7 of the CLP 2031 Part 1 states that the Council will work with partners to ensure the provision of pre-school, school, community learning and other facilities which provide for education and the development of skills.
- 8.9. The proposals would lead to an increase in capacity for the sports facilities, which the applicant states will benefit their own pupils and the ability to timetable

effectively for them all year round. It is of interest to note that the current roll call of the school shows that 33% of the student body is made up of students with home residences from within the Cherwell area.

- 8.10. The proposals would look to enhance the existing sporting educational facilities at the school site, allowing for extended hours of use of the artificial playing surfaces for both the school and external users. The principle of development is therefore considered acceptable in general sustainability terms, subject to further considerations with regards to the relevant material considerations discussed below.

Design, and impact on the character of the area including the setting of the Conservation Area

- 8.11. Paragraph 124 of the NPPF states that: *'Good design is a key aspect of sustainable development'* and that it *'creates better places in which to live and work'*. This is reflected in Policy ESD15 of the CLP 2031 Part 1, which states that new development proposals should: *be designed to improve the quality and appearance of an area and the way it functions...contribute positively to an area's character and identity by creating or reinforcing local distinctiveness...(and) respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings.*
- 8.12. Policy ESD15 of the CLP 2031 Part 1 also states that development should *'Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness...and within conservation areas and their setting'*.
- 8.13. The proposed floodlight masts are separated from the Conservation Area by a distance of 90m at the nearest point, and the character of the immediate area around the Sports Centre – from both the Barley Close entrance and along the Ridgeway – does look and feel separate from that of the Conservation Area.
- 8.14. The rural nature of the Ridgeway in particular is important and whilst the floodlight masts will be in relatively close proximity to the boundary the present level of foliage along the boundary between the two offers a clear distinction and this is not considered to be further denigrated by the addition of the masts – which will clearly be within the confines of the existing courts.
- 8.15. From some vantages within the Conservation Area it is possible that the proposed masts would be visible, but the landscape quickly falls away and the built environment would largely shield any views of the masts. There would be a perceived 'glow' on some evenings from the direction of the sports pitches which would have an impact on the Conservation Area, especially given that there is no street lighting in the area. However, views would only be limited and temporary and is not considered to be harmful to the setting of the Conservation Area.
- 8.16. The extended parking area will be a continuation of the existing car parking area and will be largely screened from view by the associated landscaping. It is placed centrally on the wider site and will have little or no impact on the character of the area or the setting of the Conservation Area.
- 8.17. The proposals are therefore considered not to adversely impact on the visual amenity of the area and are thus considered to accord with policies outlined in with Government guidance contained with the NPPF and saved Policy C28 of the Cherwell Local Plan 1996 and Policy ESD15 of the CLP 2031 Part 1.

Landscape Impacts

- 8.18. Policy ESD 13 of the CLP 2011-2031 Part 1 states that '*opportunities will be sought to secure the enhancement of the character and appearance of the landscape, particularly in urban fringe locations, through the restoration, management or enhancement of existing landscapes, features or habitats and where appropriate the creation of new ones, including the planting of woodlands, trees and hedgerows.*'
- 8.19. The application site is located within the existing school sports site but on the edge of the village, with approximately 40-45m separating the site of the nearest masts to the eastern boundary – beyond which are open fields. This open countryside is relatively flat stretching to the east, but falls away to the north and south. There are a number of public footpaths along the ridge to the east. From a number of the public comments and from my experience of these footpaths it is clear they are frequented by dog walkers and local residents regularly.
- 8.20. The photos taken in respect of previous applications demonstrate that the character of the area around the courts has changed, due in large part to the growth of the trees along the southern and northern boundaries of the court site and to a lesser extent along the eastern boundary – where the hedgerow is made up of smaller trees. These have helped screen the courts from wider views and are considered to separate them from the neighbouring landscape, and whilst it is appreciated that cover would be reduced in the winter time, it remains the case that they have an increased separation from the surrounding landscape. The proposals include provision for further landscaped planting along both the northern and southern borders of the courts which will further screen the courts in time.
- 8.21. This assessment is supported by the applicant's landscape and visual impact assessment which concludes that there would be a limited impact from the key receptor points. The Council's Landscape Officer concurred with the conclusions reached.
- 8.22. The 2006 refusal was resisted on the impact it would have on the surrounding landscape. The site fell inside an Area of High Landscape Value (an outdated landscape designation). As discussed above, Officers believe that the change in the level of vegetation cover in the interim, combined with the proposed landscape planting, serves to clearly delineate the separation between the open fields and the all-weather pitches. There have also been a number of approvals for floodlighting at other edge of settlement locations, referred to by the applicant, including the nearby Tudor Hall School and Warniner School. Notwithstanding the improvements to the specifics of the proposal over what was previously submitted, it is the Officer's opinion that the approvals at these sites would weaken any refusal argument based on landscape impact. It is therefore considered that the proposed development complies with Policy ESD13 of the CLP 2031 Part 1.

#### Residential amenity

- 8.23. Paragraph 127 of the NPPF includes, as a core planning principle, a requirement that planning should have a *high standard of amenity for all existing and future users*. This is reflected in Policy ESD15 of the CLP 2031 Part 1, which states that new development proposals should: *consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space.*
- 8.24. There are five dwellings within 40-70m of the proposed floodlights and which have elevations with windows which face onto the site to some degree; three are along The Ridgeway – Ridgeway house, Ridgcroft and Conacre - and two along Waters Court – No.1 and No.2.

- 8.25. The 1993 and 1994 applications were refused on the grounds that the proposed lights would adversely impact the amenities of the neighbouring residents. The floodlight masts in these cases were 14m in height and the light spill they would have caused was much greater than that under the current proposals or indeed the 2006 application. Nonetheless the Environmental Protection Officer was asked to double check their assessment in the light of the local opposition to the scheme – they reaffirmed their original position in respect of the lighting and indeed noise. The Environmental Protection Officer supported the proposed additional baffling which would reduce the noise caused by hockey balls hitting the boards surrounding the courts.
- 8.26. The proposal therefore accords with Government guidance contained with the NPPF and saved Policies ENV1 and C31 of the Cherwell Local Plan 1996 and Policy ESD15 of the CLP 2011-2031 Part 1 that requires appropriate standards of amenity and privacy.

#### Highway safety

- 8.27. Policy BL9 of the Bloxham Neighbourhood Plan states that *'the impact of any additional traffic likely to be generated by the development has been satisfactorily mitigated and will not adversely affect the highway network'*.
- 8.28. The proposals for the extension of the car park facilities at the Dewey Centre will enable the applicant to reduce the impact of weekday parking on nearby public. This is considered a benefit to the local residents, a number of whom have raised issues in their comments about the level of parking in the streets around the Bloxham School. The Highways Officer has not raised any concerns about potential increases in the volume of traffic using the surrounding roads. The development therefore accords with Policy ESD15 of the CLP 2031 Part 1.

#### Protected Species

- 8.29. The NPPF states that *'the planning system should contribute to and enhance the natural and local environment by...minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity'*.
- 8.30. The methods and content of the submitted report(s) on the impact on protected species at the site have been largely accepted by the Council's Ecology Officer. There remains a question about the mitigation and whether it would lead to a net-positive impact on bat numbers. Whilst it is accepted that mitigation at the Dewey Centre itself would not be able to fully overcome the impacts of the lights on the bat population and the off-site proposals are welcomed, it is considered that further mitigations to improve north and south corridors on the site could be easily added and could adequately mitigate the impacts on the bat population. A condition has therefore been recommended to further improve the mitigation at the site itself.
- 8.31. The Ecology Officer was directed to the comments made by the Oxford Badger Group and noted that badgers are not a protected species and whilst there might be some limited impacts upon them, there are no known setts that would be affected by the proposals. The scheme therefore complies with Policy ESD10 of CLP 2031 Part 1.

## **9. PLANNING BALANCE AND CONCLUSION**

- 9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three

dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.

- 9.2. In respect of the floodlights, whilst Officers are mindful of the 2006 appeal decision, particularly as this only sought to illuminate one of the two pitches, it is nonetheless concluded that the impact of the floodlights on the surrounding landscape are on balance acceptable. This assessment is based on further improvements in floodlight technology, the screening afforded by existing landscaping and the approval of other similar edge of settlement schemes within the locality. The extended car park is also considered to be acceptable in the absence of an objection from the Local Highways Authority and Sport England. The commitment to allow the local community access to the pitches also weighs in favour of the development. Based on the appraisal above, the application is therefore recommended for approval.

## **10. RECOMMENDATION**

Delegate to the Assistant Director of Planning Policy and Development to grant planning permission, subject to the conditions set out below (and any amendments to those conditions as deemed necessary): and subject to a unilateral undertaking relating to the community use

1. Time
2. Plans
3. Landscaping details
4. Increased mitigation along the north south corridor along the eastern boundary of the playing fields site
5. Layout of the proposed car parking to include sufficient low level lighting and walkways for pedestrian access
6. Times the sports pitches can be used and floodlights must not be left on when unused

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