

Application 10/00508/F	No:	Ward: Adderbury	Date Valid: 06/04/10
Applicant:	KB Benfield Group Holdings Ltd, Coventry		
Site Address:	Land North of Milton Road, Adderbury		

Proposal: Change of use from agricultural use to recreational use

1. Site Description and Proposal

- 1.1 This application is for the change of use of the land from agricultural use to recreational use. The site is situated directly to the east of Colegrave Seeds site, to the west of the application site for 35 dwellings (10/00512/OUT), and to the north of Milton Road.
- 1.2 The site is currently used for agricultural purposes. The main portion of the site measures approximately 190 metres by 190 metres. There is a small section of site which incorporates the access that is also within the red line area for the scheme on the adjacent site to the east. The access to the site is on the eastern most boundary of the red line area.
- 1.3 The plan submitted with the application shows that the site can be laid out to accommodate two full size football pitches with space for parking and a sports pavilion. Although this is shown on the plan the layout of the site, the design of the building and the specific number of parking spaces is not being considered as the application has been submitted solely for the change of use of the land.
- 1.4 This application has been submitted independently from the application for houses on the adjacent site but in the event of both applications being approved the two schemes will be linked through a section 106 agreement to ensure that the land is transferred to the District Council for eventual transfer to the Parish Council.

2. Application Publicity

- 2.1 The application was advertised by way of site notice, press notice and neighbour notification letters. The final date for comment was 13 May 2010. However letters received after this date have also been considered.
- 2.2 4 letters of objection has been received in relation to this application, the reasons for objecting are set out below;
 - Site is outside the built up limitsNeed for two pitches is questioned
 - Proposal may lead to future floodlighting resulting in increase in light pollution
 - Sufficient parking would need to be provided
 - The use would never be reversed
 - The motive of developing the land to the east is questionable
 - Adderbury does not need another pitch, the existing facilities are satisfactory for the standard of football played

- Adderbury's sports facilities must be ranked in top two or three villages in Cherwell – proposed pitches should be targeted at less fortunate villages
- Many of the players do not live in Adderbury
- Long term interest is questionable – village could be left with costly white elephant plus a housing estate
- The pavilion and its financing have not been specified
- A recent survey made it clear that majority of residents do not want any development along Milton Road
- Traffic through the village would increase significantly
- Location of complex would make it haven for vandals
- Noise pollution
- Playing and spectating would be difficult as a result of the prevailing winds across the site
- History of community rejecting the requirement for additional pitches
- The existing sports clubs are not able to sustain themselves look to other villages to supplement the teams
- Cannot see that the betterment of facilities is sufficient to justify the loss of landscape with the last approaching rural views over the historic village
- Existing location is central and easy to access by foot and traffic is kept to a minimum
- General public disillusioned with political figures due to the extent of those who have shown themselves to be acting in a self serving interest manner rather than public spirited manner
- Would result in major 'green field' development
- Site is an extension beyond built up limits of village resulting in ribbon development

2 letters of support have been received, the reasons for supporting the proposal are set out below;

- Existing facilities confined to one pitch
- Existing pitch frequently becomes waterlogged
- Existing clubhouse dilapidated
- Access to existing playing field is poor with limited parking
- Existing facilities may not meet the standards set down Oxfordshire Playing Fields Association
- Proposed scheme will overcome each of these concerns
- Will enable junior and youth teams to develop
- New location will improve relationship with neighbours
- The Adderbury facilities are the worst in the league
- Youths would be kept off the streets
- Scheme has evolved and been supported over several years

1 letter has expressed general support for the proposal but raises concerns that the scheme may become a commercial venture to the detriment of the village and local community

3. Consultations

- 3.1 **Adderbury Parish Council** supports the change of use providing it is under the control of the Parish Council, who would lease the site to the football club.

The Ward Member for the Bloxham Division has made the following comments;

- Despite misgivings about the residential scheme in terms of density and parking provision I believe that the offer of recreational facilities represents, on balance, a betterment to the village of Adderbury
- Support the application

The Local Highway Authority has made the following comments;

The proposed recreational use is related to submitted planning application 10/00512/F (proposal for 35 residential units) which has been considered during the assessment of 10/00508/F.

The submitted layout plan for this application is significantly different to that submitted for 10/00512/F i.e. different layout, different access arrangements, less parking spaces provided etc. Due to the correspondence the Local Highway Authority has had with 10/00512/F with the site's access arrangements the plan that will be assessed for the recreational use will be A425-1-C (as agreed with CDC case officer).

The main access into the site via the Milton Road (unclassified road) will be shared with the proposed residential development. This arrangement was assessed acceptable as the required visibility standards can be achieved. An extension to the existing speed limit will be required as will a financial contribution towards a traffic calming scheme – such improvements have been identified for 10/00512/F; however as this is a separate planning application consideration to such measures has to be assessed individually.

Footway and cycle links are to be provided to the recreational use via the infrastructure being provided for the 35 units – if the proposal for 35 units is unsuccessful such pedestrian links will not be provided. Therefore if this application is approved such infrastructure must be provided by this application.

Looking at drawing A425-1-C the sports pavilion is to be provided with around 40 parking spaces – this appears acceptable. However, there appears to be no justification to why this amount is required or if it will be adequate enough. The shared access road into the site is to be provided with measures to deter on-street i.e. high kerbing etc.

It is assumed the proposed sports pavilion will only be used for recreational uses such as football, cricket etc; however if larger private events are to be held i.e. wedding reception this needs to be confirmed as more information will be required to assess if the parking being provided will be acceptable. Perhaps a restriction preventing such private events should be considered by the Local Planning Authority.

There appears to be no cycle parking being provided – I would expect to see 1 cycle stand (Sheffield stand style) per 20m² of the sports pavilion GFA. These facilities are to be sheltered and secure.

It is expected that the football pitches will be lit as will the car park – there appears to be no information on the type of lighting to be used etc. This needs information needs to be provided to deter any lighting spilling over onto the public highway causing a safety issue.

Drainage of the site is essential and must accord with SUDS. Please note new access is likely to require culvert due to ditch along site's frontage (guidance can be sought from OCC's Drainage Engineer Gordon Hunt 01865 815571).

There are a number of issues that require further information; therefore I recommend a "holding objection" is imposed. However if the Local Planning Authority is minded to approve this proposal I would suggest the following conditions are imposed:

1. That prior work commencing on site the proposed means of access (including vision splays) onto the Milton Road is to be formed, laid out and to the approval of the Local Planning Authority and constructed strictly in accordance with the highway authority's specifications and that all ancillary works specified shall be undertaken.
2. That prior work commencing on site the proposed means of access (including vision splays of 2.4m x 33m) onto the proposed access road is to be formed, laid out and to the approval of the Local Planning Authority and constructed strictly in accordance with the highway authority's specifications and that all ancillary works specified shall be undertaken.
3. That the vision splays shall not be obstructed by any object, structure, planting or other material height.
4. That before the sports pavilion is first used the section of the estate roads, footpaths and cycle links shall be laid out, constructed, lit and drained and if required temporary or permanent traffic calming to the Oxfordshire County Council's Specifications.
5. Before the sports pavilion is first occupied the parking and maneuvering areas shall be provided in accordance with the plan (A425-1-C hereby approved and shall be constructed, laid out, surfaced, drained (SUDS) and completed, and shall be retained unobstructed except for the parking and maneuvering of vehicles at all times.
6. That all construction traffic serving the development shall enter and leave the site through the new access; wheel washing facilities on construction sites (for HGVs) should also be requested (when appropriate). Construction travel plan also required i.e. HGVs through middle of village.
7. Prior to the first occupation of the proposed sports pavilion new footway and cycle links are to be provided to the link up to the existing network – will require a Section 278 Agreement.
8. A Transport contribution of £5,000 (index linked to current Baxter indexation prices) towards a traffic calming scheme along the Milton Road, Adderbury is required via a S106 Agreement.

3.2 **Cherwell District Council's Head of Recreation and Health** supports the change of use to recreational.

Cherwell District Council's Urban Design Officer has commented on this application in conjunction with the application for residential use. Comments specific to the recreation scheme are set out below;

The application for the sports pitches will extend the village limits as far as Colegrave Seeds complex, which currently sits in open countryside, and will therefore have an urbanising effect, extending the built up character far west along

Milton Road, which would be unfortunate.

Cherwell District Council's Landscape Planning Officer has made the following comments;

- It will extend the urbanisation of Adderbury along Milton Road.
- Even though Colegrave Seeds is a fairly large site and out of character with Adderbury in terms of building style, it is fairly well concealed by planting and topography
- The effect depends to an extent on the exact proposals
- Other factors to consider are possible lighting and adequacy of the parking and access and whether there is a need for the facility
- The land is screened to an extent from Milton Road by a narrow belt of trees. Although this will conceal the pitch fairly well it is still changing the land use to a more intensive one with all the ancillary activity that it brings

The Crime Prevention Design Advisor has no objections to the proposal but asks that if and when more detailed plans are drawn up they take additional factors into consideration for example the level of parking and licencing.

4. Relevant Planning Policies

South East Plan

S1 – Supporting healthy communities

S5 – Cultural and Sporting Activity

S6 – Community Infrastructure

4.1 Adopted Cherwell Local Plan

R12 – Minimum provision of public open space in connection with housing developments

C7 – Topography and character of the landscape

C13 – Seek to conserve and enhance the environment in areas of high landscape value

C31 – Uses compatible with residential character and levels of nuisance or visual intrusion

4.2 Non-Statutory Cherwell Local Plan

R6 – New or extended sporting and recreation facilities

R8 – Minimum provision of public open space in connection with housing developments

R11 – Community facilities

R12 – Noisy sports

5. Appraisal

5.1 The main considerations are planning policy, visual impact, neighbour impact and highway safety.

5.2 Planning Policy

Local and regional planning policies are generally supportive of recreational uses as they can add to community facilities and encourage a healthy and thriving population. However policies also set out that development, including changes of

use, should only be permitted where they do not cause demonstrable levels of harm to the environment or residential amenity.

Policy GB2 of the adopted Cherwell Local Plan allows for changes of use of land within Green Belt for outdoor recreation purposes providing there is no overriding agricultural objection, the visual impact on the rural landscape is not unduly harmful and there are no other conflicts with the plan. Although this application site is not within the Green Belt it is worth noting that Green Belt land has a higher level of protection than this application site and if recreational uses are permitted in the Green Belt there seems no reason not to allow such a proposal in this location providing similar tests are met.

Visual Impact

This application is only seeking a change of use of the land for purposes associated with recreation. The Council's Urban Design Officer and Landscape Officer have commented that the change of use of the land will extend the urbanisation of the village. However the site is partially screened by existing hedgerows and it is common to find recreation pitches on the edge of villages and this is considered to be acceptable in most cases. This application for change of use does not include any built structures therefore it is unlikely that there will be any material change in the appearance of the site as a result of approving this application.

If the land is transferred to the Parish Council certain forms of development will become permitted but these are restricted to buildings, works or equipment not exceeding 4 metres in height or 200 cubic metres in capacity.

If and when the Parish Council progress with the construction of a pavilion an application will be required and negotiations between the Parish and the District Council's can help to ensure that the building is positioned in the least intrusive part of the site, limiting the adverse visual impact and potential impact on the nearby Conservation Area and setting of listed buildings within its proximity.

Neighbour Impact

The closest residential properties are likely to be on the Colegrave Seeds site to the west. However the closest concentrations of residential properties are on St Mary's Road and Horn Hill Road. Based on the indicative plans the access would be approximately 80 metres from the nearest property on St Mary's Road and the pitches would be double this distance from the same property. Whilst the proposed use will result in an increase in traffic movements to and from the site and will cause some noise whilst in use this is unlikely to cause a detrimental impact on the living environment for the residents of nearby properties.

Highway Safety

The Local Highway Authority has responded with a holding objection to the scheme. However when considering their detailed response it seems that a lot of the issues of concern relate to the specific detail of the layout for example provision of sufficient parking spaces. As this application is only for the change of use of the land and the proposed access meets the necessary standards there is no justification for refusing this application for reasons relating to highway safety.

If the land were to be used solely for recreation prior to any building being constructed there would not be any specific parking requirement to meet and hard

standing could be laid to provide a parking area without the need for planning permission, providing it met criteria relating to its permeability. Only at the time of submitting an application for a pavilion building would there be sufficient information on which to assess parking standards.

The proposal on the adjoining site, for residential development, includes footpath links from Horn Hill Road to the proposed access road. However this is not clearly shown on the plans submitted for the change of use but is something that is required by the Local Highway Authority. Therefore an appropriate condition has been included within the recommendation to ensure that this is provided if the scheme were to be implemented in isolation from the residential scheme.

The Local Highway Authority has requested that a contribution towards traffic calming measures be paid in the event of this application being approved. However as this application is solely for change of use and is in isolation to the residential scheme it seems unreasonable to make such a request.

Other Issues

Some residents have disputed the need for such a change of use and some have argued that the existing facilities on Lucy Placket Playing Field, in the centre of the village, are still adequate for the needs of the village. However it would seem appropriate to assume that the Parish Council is best placed to identify the recreational needs of the village and they are in support of the scheme. Furthermore the Council's Head of Recreation and Health supports the proposal. There is a general shortage of sports pitches in the rural areas and this will contribute to their provision.

Whilst this application has been submitted for unspecified recreational purposes there is clear indication from the supporting information that the likely use will be for football. However it is not considered necessary to restrict the types of recreational uses as the majority would be similar in nature to football and more intrusive forms of use are likely to require planning permission as a result of the need for alternative surfacing or structures.

Conclusion

Whilst the transfer of the land, the subject of this application, to the Parish Council is most likely to occur only if the scheme for residential development gets approved and there are links between the two schemes, it is worth noting that the two proposals have been submitted separately therefore this application for recreation should be considered in isolation, although regard can be had to the residential application. As planning permissions runs with the land it is possible that if the applicants (Benfield Group Holdings) did not implement the consent for recreation somebody else might. Having assessed the proposal on its own merits it is considered that the scheme will not cause demonstrable harm to the visual amenities of the area, the residential amenities of neighbouring properties or highway safety. It is therefore recommended that this application be approved subject to the conditions set out below.

6. Recommendation
Approval subject to the following conditions;

1. SC 1.4A Duration limit (3 years) (RC2)
2. SC 3.0A Submit Landscaping Scheme (RC10A)
3. SC 3.1A Carry Out Landscaping Scheme (RC10A)
4. SC3.4AA Retain Existing Hedgerow (with access) (RC11A) 'Sourthern'
5. That prior to work commencing on site the proposed means of access (including vision slays) on Milton Road is to be formed, laid out and constructed in accordance with the Local Highway Authority's specifications and that all ancillary works specified shall be undertaken. (RC13BB)
6. SC 4.6AA Vision splay protection (RC13BB)
7. Prior to the first use of the site for recreational purposes the required footpath link between Horn Hill Road and the site access and other ancillary off site works are to be constructed, laid out and to the approval of the Local Highway Authority and constructed strictly in accordance with the highway authority's specifications and that all ancillary works shall be undertaken. (RC13BB)

SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES

The Council, as local planning authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as the proposal is acceptable in principle and will not cause undue harm to neighbouring or visual amenity or highway safety. As such the proposal is in accordance with PPS1: Delivering Sustainable Development, PPG13: Transport, Policies S1, S5, S6 of the South East Plan 2009, Policies C7, C13, C31 of the Adopted Cherwell Local Plan and R6 and R11 of the Non Statutory Cherwell Local Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.

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