

**Case Officer:** Gemma Magnuson

**Recommendation:** Approve

**Applicant:** Bicester Hotel, Golf and spa

**Proposal:** Conversion of existing building into additional bedrooms for the existing hotel use

**Expiry Date:** 15 November 2022

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

- 1.1. The application relates to a building that forms a part of the Bicester Hotel Golf and Country Club that is situated to the west of the village of Chesterton. It is an existing leisure and tourist facility situated in the open countryside to the west of the village of Chesterton. There are no listed buildings within the site or in close proximity, and the site is not in a Conservation Area. A public right of way runs along the access to the site and continues through the car park and across the golf course to the north-west. Protected and notable species the great crested newt has been identified in the vicinity of the site, and there are a number of ponds in close proximity.



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

- 2.1. The application seeks planning permission to convert the existing building (previous approved use for golf cart storage and offices) to form 10 no. units of hotel accommodation, each set over two floors and containing one bedroom at first floor. The works would involve associated external alterations, to include the removal of dormers, the removal of a single storey projection, the installation of openings and the infilling of existing openings. The external alterations would be undertaken using materials to match those of the existing building.

## **3. RELEVANT PLANNING HISTORY**

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

**Application: 02/00182/F** Permitted 17 May 2002

Reapplication of a partially implemented permission CHS 344/90 to show the redesigned extension to the existing golf clubhouse including fitness gym, swimming pool, health and beauty suite, 52 bedrooms, and ancillary service yard;

**Application: 03/01050/F** Permitted 25 July 2003

Reapplication of partially implemented permission CHS.344/90 to show redesigned extension to existing golf clubhouse inc. fitness gym, swimming pool, health and beauty suite, 52 No. bedrooms. Ancillary service yard, access road, alterations to existing golf course and landscaping.

Amendments to 02/00182/F (as amended by plans received 12.06.03 also plans received 04.07.03)

**Application: 04/01399/F** Permitted 17 September 2004

Two storey extension to golf club and erection of stable office and golf cart store building

**Application: 05/01542/F** Refused 16 September 2005

Non Compliance with condition 7 of planning permission 03/01050/F to allow occupation of the overnight accommodation by other than golf club members, their guests or members of visiting golf societies.

**Application: 09/01357/F** Permitted 22 December 2009

Removal of condition 7 of 03/01050/F. The overnight accommodation shall be occupied only by members of Bicester Golf and Country Club, their guests and members of visiting golf societies.

**Application: 13/01102/F** Permitted 4 October 2013

Two storey extension to existing hotel with roof accommodation to form 51 new bedrooms

**Application: 15/01068/F** Permitted 12 February 2016

Erection of two storey extension to existing hotel to form 62 new bedrooms (60 net increase)

#### **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, expiring **21 October 2022**, by advertisement in the local newspaper expiring **20 October 2022** and by letters sent to properties adjoining the application site that the Council has been able to identify from its records. The overall final date for comments was **21 October 2022**. 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. Chesterton Parish Council – support the application and comment as follows:  
*Chesterton Parish Council doesn't have any problems with this planning application.*

### CONSULTEES

- 6.3. Thames Valley Police – no comments received.
- 6.4. OCC Highway Authority – no objection.
- 6.5. CDC Economic Development – no comments received.
- 6.6. CDC Environmental Health – no comments to make.
- 6.7. CDC Licensing – no comments received.
- 6.8. CDC Planning Policy – no comments received.

## **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)

- PSD 1 – Presumption in Favour of Sustainable Development
- SLE 1 – Employment Development
- SLE 2 – Securing Dynamic Town Centres
- SLE 3 – Supporting Tourism Growth
- SLE 4 – Improved Transport and Connections
- ESD 1 - Mitigating and Adapting to Climate Change
- ESD 3 – Sustainable Construction
- ESD 5 – Renewable Energy
- ESD 6 – Sustainable Flood Risk Management
- ESD 7 – Sustainable Drainage Systems
- ESD 10 – Protection and Enhancement of Biodiversity and the Natural Environment
- ESD 13 – Local Landscape Protection and Enhancement
- ESD15 - The Character of the Built and Historic Environment

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

- TR7 – Development attracting traffic on minor roads

- T5 – Proposals for new hotels, motels, guest houses and restaurants in the countryside
- C28 – Layout, design and external appearance of new development
- ENV1 – Development likely to cause detrimental levels of pollution
- ENV12 – Development on contaminated land

### 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
- Design, and impact on the character of the area
- Residential amenity and environmental pollution
- Highway safety and right of way
- Biodiversity

#### Principle of Development

- 8.2. Government guidance contained within the NPPF seeks to support a prosperous rural economy, with planning decisions being required to enable the sustainable growth and expansion of all types of business in rural areas, sustainable rural tourism and leisure development which respect the character of the countryside and the retention and development of accessible local services and community facilities, such as sports venues.
- 8.3. Policy SLE1 of the CLP 2015 states that employment development will be focussed on existing employment sites, and that on existing operational or vacant employment sites in the rural areas employment development, including intensification will be permitted subject to compliance with other policies in the Plan and other material considerations. I consider the proposed development to constitute the intensification of an existing use that provides employment opportunities in a rural area.
- 8.4. Government guidance contained within the NPPF seeks to support the role that town centres play at the heart of local communities, requiring a sequential approach to be applied to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. However, this sequential approach should not be applied to applications for small scale rural offices or other small scale rural development.
- 8.5. Policy SLE2 of the CLP 2015 seeks to direct retail and other 'Main Town Centre Uses' (MTCU's) towards the town centres of Banbury, Bicester and the village centre of Kidlington. A sequential test will be applied to retail and other MTCU's not in the town centres. The proposed development, consisting of a leisure development, is considered to be a MTCU. However, I do not consider the sequential test to be applicable in this case, given the Government guidance contained within the NPPF regarding rural development, and the fact that the development would involve the expansion of an existing established hotel facility.
- 8.6. Policy SLE3 of the CLP 2015 states that the Council will support proposals for new or improved tourist facilities in sustainable locations, where they accord with other policies in the plan, to increase overnight stays and visitor numbers within the

District. The proposed development would improve the offering with regard to an established tourist facility, which accords with the thrust of this Policy. It is for the above reasons that I consider the principle of the proposed development to be acceptable.

#### Design, and impact on the character of the area

- 8.7. Government guidance contained within the NPPF requires development to function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Development should be visually attractive, sympathetic to local character and history, and establish or maintain a strong sense of place. Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions.
- 8.8. Policy ESD 13 of the CLP 2015 expects development to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Policy ESD 15 of the CLP 2015 requires development to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards.
- 8.9. Saved Policy C28 of the Cherwell Local Plan 1996 seek a standard of layout, design and external appearance, including the choice of external finish materials, that are sympathetic to the character of the context of the development.
- 8.10. The proposed development would make use of an existing building within the site, reducing the footprint through the removal of a single storey lean-to projection. External alterations are proposed, although these are sympathetic to the appearance of the existing building and wider site, and the number of new openings are not excessive. The use of matching materials to those existing is welcomed. Drainage would connect to an existing system within the site.
- 8.11. A public footpath runs to the south/south-east of the building and as a result the development would be clearly visible from public vantage points. However, I do not consider that the proposed development would represent a harmful addition to the area, particularly considering the back-drop of the remainder of the leisure complex. It is for the above reasons that I consider the proposal to accord with the above Policies in terms of visual impact.

#### Residential amenity and environmental pollution

- 8.12. Government guidance contained within the NPPF requires development to create places that are safe, inclusive and accessible, promoting health and well-being, and with a high standard of amenity for existing and future users. Policy ESD 15 of the Cherwell Local Plan 2011-2031 requires all development to consider the amenity of both existing and future development. Saved Policy ENV1 of the Cherwell Local Plan 1996 seeks to ensure that the amenities of the environment, and in particular the amenities of residential properties, are not unduly affected by development proposals which may cause environmental pollution, including that caused by traffic generation.
- 8.13. The building is positioned within the existing leisure complex away from neighbouring properties, thus avoiding any harm in terms of a loss of amenity or privacy. I note that the Environmental Health Team has no comments to make on the proposal in this regard. I therefore consider the proposal to accord with the above Policies.

### Highway safety and right of way

- 8.14. Government guidance contained within the NPPF seeks to achieve safe and suitable access to sites for all users and requires development to be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Further, planning decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users.
- 8.15. Policy SLE4 of the CLP 2015 echoes this, with all development where it is reasonable to do so, being required to facilitate the fullest possible use of sustainable modes of transport including walking and cycling. Policy ESD15 of the CLP 2015 states, amongst other matters, that new development proposals should be designed to deliver high quality safe places to live and work in.
- 8.16. The existing leisure complex benefits from a spacious car park and I agree with the assessment of the Highway Authority that the existing parking arrangements are sufficient and will cope with the additional demand, avoiding harm to highway safety. The proposal therefore accords with the above Policies in terms of highway impact.

### Biodiversity

- 8.17. Government guidance contained within the NPPF requires the protection and enhancement of biodiversity. If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Policy ESD10 echoes Government guidance, requiring relevant habitat and species surveys to accompany applications which may affect a site, habitat or species of known or potential ecological value, seeking net gains in biodiversity, the protection of existing trees and the protection, management, enhancement and extension of existing resources along with the creation of new ones.
- 8.18. The Council's Ecology Officer has not provided comments on the scheme and I must therefore assume that no objections are raised. However, given that the application relates to a contemporary building in a good state of repair with existing loft accommodation, I do not consider an ecology survey to be necessary in this case. Due to the nature of external alterations, I do not consider this appropriate for the incorporation of integral biodiversity enhancement measures. I consider the proposal to accord with the above Policies in terms of biodiversity.

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

- 9.1. For the reasons set out in this report, the proposed development would represent the intensification of an existing leisure and tourism facility in a rural location. The development is anticipated to create additional employment opportunities, resulting in both economic and social benefits whilst avoiding harm to the environment. The development is therefore considered to constitute sustainable development that accords with relevant local and national planning Policies

## **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 application forms and the following plans and documents: Drawing No's: 2, 3

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.

3. The natural stone to be used on the walls of the development shall be of the same type, texture, colour and appearance as the stone used on the existing building and shall be laid dressed, coursed and pointed to match that of the existing building.

Reason - To ensure that the development is constructed and finished in materials which are in harmony with the building materials used on the existing building and to comply with saved Policy C28 of the Cherwell Local Plan 1996, Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

4. The materials to be used for the roof of the development hereby approved shall match in terms of colour, type and texture those used on the existing building.

Reason - To ensure that the development is constructed and finished in materials which are in harmony with the building materials used on the existing building and to comply with saved Policy C28 of the Cherwell Local Plan 1996, Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

5. The development hereby permitted shall be used only for the purpose of hotel accommodation and for no other purpose whatsoever, including any other purpose in Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended.

Reason - To enable the Local Planning Authority to retain planning control over the development of the site and in order to safeguard the amenities of the area in accordance with saved Policies ENV1, T5 and C28 of the Cherwell Local Plan 1996, Policies SLE1 and ESD 15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Gemma Magnuson

DATE: 14 November 2022

Checked By: Paul Ihringer

DATE: 15/11/22

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