

CHERWELL DISTRICT COUNCIL

Pre-Application Report – Interim Response

Pre-application Reference No:	18/00058/PREAPP
Proposal:	Redevelopment of existing 9 holes of the wider 18 hole course at Bicester Hotel Golf and Spa to provide a new leisure resort (sui generis) incorporating waterpark, family entertainment centre, hotel, conferencing facilities and restaurants with associated access, parking and landscaping
Site Address:	Land To The East M40 And Land To The South Of The A4095

SUMMARY OF ADVICE

Based on the information provided to date I do not consider that I would be in a position to support a planning application for the proposal. The scheme would bring some economic benefits, which would weigh in favour of the development. However, the three overarching objectives of the planning system to achieve sustainable development as outlined in the NPPF (economic, social and environmental) are required to be pursued in mutually supportive ways, and in my opinion the proposals result in other impacts (social and environmental) which outweigh those benefits.

As outlined in my assessment below, I do not consider that the proposal would comply with Policy SLE3 of the Cherwell Local Plan 2031 which requires new tourism development to be located in sustainable locations. In this case the proposal would lead to creation of a significant tourism destination which lacks public transport and suitable cycling or pedestrian links. Customers of and visitors to the development would therefore be highly reliant on the private car to access it and the proposal would not reduce the need to travel.

The proposal would also lead to significant environmental harm for the reasons expanded on in my assessment regarding the landscape and visual impacts of the development, and the design and scale of the proposal in this open countryside setting. The proposal would also result in some social harm through the loss of an existing area of recreation land for which there appears to be no justification.

The provision of further information to address gaps or issues that need clarifying as highlighted in my assessment will of course need to be weighed in the planning balance, and I would emphasise that this report represents an interim response based on the information provided to date. However, based on what I have seen to date I am not convinced that the provision of further information would outweigh the significant harm and conflict with policy I have identified.

Date of Report: 23rd August 2018

Case Officer: James Kirkham

PROFESSIONAL ASSESSMENT BY CASE OFFICER

The current proposal seeks advice on the construction of a new large leisure resort on 9 holes of the existing golf club. The leisure resort would be based around a waterpark and family entertainment centre and include restaurants. It would include a 500 bedroom hotel for the guests of the resort and also a conference centre.

During the course of pre-application discussions it has been stated that the resort would operate on a closed resort basis (albeit there has been some later discussion on day passes). This would mean that the facilities at the site such as the waterpark, family entertainment centre and restaurants would only be open and available to people staying at the hotel. Furthermore I also assume the hotel rooms would only be available for people using the facilities at the site i.e. not available to people not using the facilities at the site. The relationship of the conference centre to the use of the facilities is also currently not fully understood and further details on this are required for the decision maker to fully understand the impacts of the development such as traffic.

The facility would be operated by Great Wolf Lodge which operates a number of similar resorts in the United States.

It is considered that the main issues relating to your proposal are:

- § Principle
- § Loss of golf course
- § Landscape and visual impact
- § Design including scale, bulk and mass
- § Heritage Assets (LB's, archaeology)
- § Highways matters including rights of way
- § Sustainability
- § Amenity
- § Biodiversity and protected species
- § Other matters

Please note the Technical Assessment at Appendix 1 sets out the constraints, procedural matters, and policy considerations that inform the following assessment of the main issues.

Principle

Policy SLE3 states the Council will support proposals for new tourist facilities in sustainable locations, where they accord with other policies, to increase visitor numbers within the district. Whilst Policy SLE3 is generally supportive of new tourist facilities, this is on the proviso they are situated within sustainable locations. This is consistent with Policy ESD1 which states that, in order to mitigate the impact of development within the District on climate change, the Council will plan to distribute growth to the most sustainable locations including by delivering development that seeks to reduce the need to travel and which encourages sustainable transport options. Saved Policy T5 of the Cherwell Local Plan 1996 states beyond the built limits of settlements proposals for new hotels will generally only be approved where they would largely be accommodated in existing buildings or totally replace an existing commercial use of an existing acceptably located commercial site.

Paragraph 83 of the NPPF states decisions should enable sustainable rural tourism and leisure development which respect the character of the countryside.

The proposal has the potential to generate economic benefits for the local economy and wider region through investment, job creation and local/national tourism. The proposed development would lead to benefits in terms of jobs and expenditure in the local area during the construction and operation of the site. The headline figures that have been presented state the proposal is likely to generate 460 additional full time equivalent jobs as part of the operation and 270 full time equivalent in the construction phase. The model used to outline the job creation and economic benefits should be explained and the Council's Economic Development Officer has requested that the proportion/number of management/professional verses low skilled jobs should be detailed as should the likely pay rates in relation to local housing (affordability). They have also suggested that links to the emerging Oxfordshire Local Industrial Strategy should be explored.

The proposal would undoubtedly help to increase visitor accommodation in the district. However, as outlined in further detail below (in particular under the Transport section of my assessment) I have significant concern regarding the geographical sustainability of the site due to lack of sustainable transport links and other sustainability credentials of the proposal and therefore consider that, notwithstanding the benefits noted above, Policy SLE3 does not offer unqualified support for your proposal.

Whilst the proposal is located on an existing golf course which is considered leisure use, the nature and intensity of the proposed development is far in excess of the existing use of the site as the back 9 holes of the existing golf course. Furthermore the existing hotel and other activities undertaken within the building at the existing golf course would remain. Therefore, whilst I consider the existing use of the site is a material consideration I do not consider this weighs heavily in favour of the principle of the proposed development on the site.

In addition to Policy SLE3, Policy SLE2 is also relevant. SLE2 seeks to direct main town centre uses to existing town centres as required by the sequential test in the NPPF. Whilst it is agreed that the use proposed is Sui Generis, given that it is to act as a single resort, I nevertheless consider the proposal to be a main town centre use. The Glossary to the NPPF provides a description of main town centre uses which include leisure, entertainment and more intensive recreation uses and I consider this to be an appropriate description for the intended use of the site.

Therefore, any future planning application needs to be accompanied by a sequential assessment that looks at sites more centrally located in built up areas, and more accessible sites which may be able to accommodate the development. I appreciate given the nature of the proposal there is little scope to disaggregate the different uses given that it functions as a whole. In this case it is considered that the scope of the sequential assessment will need to be undertaken on the basis of the catchment of the proposal and this would extend beyond the district boundaries. To date no detailed information has been provided in this respect.

Paragraph 89 of the NPPF and Policy SLE2 also require an impact assessment for leisure developments over 1500sqm which are not located in central locations. The impact on existing centres is likely to be related to whether the proposal is only for people staying at the hotel or whether it will be open to all. It has been indicated at our meetings that whilst some thought has been given to providing day passes, the likelihood is that the proposed facilities will only be available for people staying at the hotel and this is likely to reduce the impact on local centres as it is less likely to impact on residents using local centres. Any application will need to be accompanied by an impact assessment in accordance with paragraph 89 of the NPPF. If the Council were to support an application on the site it would be likely to be subject to a legal agreement which ensured that the proposal was operated in this manner as there would also be a greater traffic impact associated with this additional operation at the site.

To date neither a sequential test nor an impact assessment has been undertaken for the site and therefore I am unable to comment on these matters further.

Loss of Golf Course

The existing site is used as part of an 18 hole golf course. As part of the proposal 9 holes of the course would be lost.

Policy BSC10 of the Cherwell Local Plan Part 1 states the Council will ensure sufficient quantity and quality of open space, sport and recreation provision by protecting existing sites and enhancing existing provision. It goes on to state that in determining the nature of improved provision the Council will be guided by the evidence base and will consult with parish councils together with potential users to ensure provision meets local needs. Furthermore, the NPPF advises that the access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities and paragraph 97 of the NPPF states existing open space, sports and recreation buildings and land, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements, or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location, or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

No detailed evidence has been provided in this respect and except for rather generalised claims that the demand for the golf course has reduced in recent years there is little in the way of robust evidence which justifies the loss of the existing golf course provision.

The Council has undertaken an Open Space, Sport and Recreation Assessment and Strategy as part of the evidence base to support and inform planning policy documents and development management decisions. This is available at <http://modgov.cherwell.gov.uk/ieDecisionDetails.aspx?AllId=16744>. This identifies that there is likely to be a need for more provision of golf courses in the Bicester sub area due to the level of housing growth and that existing golf courses should be protected. It goes on to recommend that planning policies should seek to protect existing sites and forecasts a long term need for an additional 1 x 18 hole course or 2 x 9 hole courses, and 8 driving range bays in the Bicester sub-area by 2031.

Furthermore there is no evidence provided as to whether the proposed development would detrimentally impact on the operation and viability of the existing golf club which may lead to proposals to develop further land for the golf course or the closing of the golf club and total loss of the facility.

Overall based on the information provided I do not consider that the loss of the existing golf provision has been justified in the current submission and as such its loss would conflict with Policy BSC10 of the Local Plan and advice in the NPPF. Significant levels of further information would be required to demonstrate whether the above criteria can be met.

Landscape and visual impact

Policy ESD13 states that development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. It goes on to state that proposals will not be permitted if they would cause undue visual intrusion into the open countryside, cause undue harm to important natural features, be inconsistent with local character, harm the setting of settlements, or harm the historic value of the landscape. Policy ESD15 states successful design is founded upon an understanding and respect of an area's unique built and natural context and should contribute to an area's character respecting the traditional form, scale and massing of buildings.

Saved Policy C8 of the Cherwell Local Plan seeks to restrict sporadic development in the open countryside. Paragraph 170 of the NPPF states that planning decisions should recognise the intrinsic character and beauty of the countryside.

The site is currently located outside of the built limits of any settlement and is situated within the open countryside. The existing use of the site as a golf course has clearly led to the land being managed and has changed the character of the land from its former agricultural use. However, the site still maintains an open and green character and appearance with an absence of any built form. Therefore in my view it still contributes to the rural character and appearance of the area and the boundary planting and planting through the site screens some of the existing views of the site from the surroundings and the site does not appear incongruous in an open countryside setting. There are elevated views of the site from the A4095 to the north west of the site and from Green Lane to the south west of the site where the roads cross over the motorway and further filtered views of the site area available from the surrounding roads. A public right of way also runs through the site. The motorway exists immediately to the east of the site which reduces the tranquillity of the site to some extent. However, this is located in a cutting and this reduces its visual impact on the wider surroundings to some extent and does not dominate the wider landscape. The site is also visible from the motorway.

I understand that work is progressing on the Landscape and Visual Impact Assessment (LVIA) which will accompany any planning application as part of the Environment Statement. However, I have not had sight of its findings. My comments are therefore based on the discussions we have had at the meeting and the information provided to date. The LVIA will need to be considered in full when it is submitted.

The proposed development would introduce a substantial amount of built form to the site where none currently exists with the provision of very significant buildings both in terms of footprint and scale, and large areas of parking around the building. The proposed buildings would be significantly taller and larger than any of the buildings in the surrounding area and would not relate to the scale and size of other buildings in this rural setting where buildings are generally a maximum of 2 storey with much more modest foot prints. The latest details of the heights of the buildings I have been provided with indicates the hotel element of the building would be predominately 4 storey in height (18.3m), the family entertainment centre would be between 4 – 10 metres in height linking to the main water park building which would be 19 metres to the ridge height (approx. 8 metres to eaves) with a 22.5m high slide tower. This would make it one of the tallest buildings in the district. This would appear incongruous and alien when compared to the surrounding scale and form of buildings in the otherwise rural character of the landscape.

Clearly the proposed development would have a significant adverse impact on the landscape character of the site and would harmfully erode the open green nature of the site. The impact of the development on the wider landscape character will need to be considered as part of the LVIA. However, based on the information provided to date I consider that the proposed development is likely to be visually intrusive and harmful and not in keeping with the landscape's characteristics.

It appears that the premise of the arguments put forward in favour of the proposal is that it would not be clearly visible from outside of the boundaries of the site. However, I do not share this view and in any case consider the scale, form and massing of buildings should be responsive to their contexts regardless of visibility.

Some wireframe views of the proposal to illustrate the visual impacts of the development in key views were presented to us at the meeting dated 13th May. Unfortunately these wireframes were taken when there was extensive vegetation on the trees and boundary planting which presents a more favourable assessment of the visual impacts of the development from the viewpoints than would be the case for a great part of the year. Also, in several cases a slightly different position at the same general viewpoint would have yielded a clearer view of the proposal. The LVIA will need to take account of the

reasonable variation of the visibility and I note that this is outlined in the agreed methodology for the LVIA and this should occur from each viewpoint where screening relies on vegetation. It is also difficult to assess fully from the information provided the exact extent of tree cover and vegetation on the existing site which would be impacted upon by the proposal. However, the illustrative plans submitted indicate a significant loss of planting across the site. Currently no survey drawings and reports of the existing trees and vegetation on the site have been submitted indicating their condition or height and the various layouts of the development show different details as the plans which have been submitted to date are rather more illustrative. The wireframe plans presented at the meeting also include a dashed line where it is stated that views of the building will not be visible. However, in my view this significantly overestimates the impact of the screening of the vegetation as filtered views of the proposal will still be available in many cases and this needs to be reconsidered. They also need to have regard to seasonal variation and loss of landscaping associated with the development.

However, notwithstanding the above, from the information provided to date the proposed development would appear to result in the loss of quite significant areas of landscaping across the site which currently exists between the golf holes and contributes to the green nature of the site. It would also appear to impact on the existing planting to the western boundary and also to the northern boundary which provide some screening to the boundaries of the site. The loss of these trees and planting would further open up views of the proposal into the surrounding landscape and detrimentally impact on the character and appearance of the existing site.

The wirelines presented show that views of the building would be very prominent and harmful from the public footpath which runs through the site and this is a factor that weighs against the development given the NPPF seeks to protect and enhance public rights of way. Whilst I note that you have stated at the meetings that this public footpath appears to be poorly used, it remains an important public right of way in the wider network and the users of this route would have a high sensitivity to change. The urbanisation of the site as a result of the proposal would detrimentally impact on the users of this right of way and whilst the golf course may be a manmade landscape for them to experience, the green nature of the existing route would still be significantly more attractive to walk through than the proposed more built up context which would be experienced if the site were to be developed.

In addition to this the visual impact on the users of the existing golf course and hotel needs to be taken into account in determining the visual impacts of the development alongside the impacts to the dwellings which exist immediately to the east of the site. These would all be detrimentally impacted upon by the proposal and are likely to experience significant visual impacts from the development.

The wireframe of the proposal also demonstrates that the building and site would be visible from the roads going over the motorway to the north and south of the site. Taking into account my earlier concerns regarding the effect of filtering of trees in the wireframes (i.e. the dashed line), and given the elevated nature of these views across the site, the wireframes appear to demonstrate that in these views the overall scale, size and bulk of the building would be apparent from these areas, particularly in winter months when there was less screening from the intervening vegetation. These views would be experienced by people using these routes which currently pass through a largely rural landscape (and also include people walking along the A4095 between the footpath links). Whilst I appreciate these elevated views would be experienced for relatively short period of times, given the context of the site, elevated nature of these views and the overall scale, height, bulk, form and detail of the building which is at odds with the surrounds I have very significant concerns that the development would appear highly incongruous in these views. This would be even further exacerbated by the provision of the watersides to the external elevations of the building which would draw further attention to the buildings and the likely provision of plant on the roof. At the meetings we have advised that photomontages be provided from these locations and these need to take into account the loss of landscaping which would appear to further open up views from these areas, seasonal variation and

other works proposed to give an indication of the impact of the proposals from these viewpoints. Whilst some additional planting appears to be shown on the plans to the south of the building this would not appear to be of sufficient size to mitigate views of the buildings and would take many years to establish. Furthermore the boundary screening to the west of the site would appear to be reduced by the proposal, which would further reduce any screening effect this would have of the proposal.

Concerns have also been raised regarding the views of the proposal from the M40, which passes to the west of the site and currently there are no visuals to demonstrate this. As discussed at the meetings the site is located in an area where there is little in the way of built form near the motorway, which heightens the sensitivity of the area to change, and I understand a series of sequential images are to be provided to enable the decision maker to further understand the likely visual impact of the proposal from the M40 at the request of Highways England.

The views experienced from the A4095 to the north of the site also raise significant concerns. The site layout plans would appear to show only limited space for a landscaping buffer to the northern boundary of the site and the provision of a new wide access, visibility splays and footpath link into the village of Chesterton are all likely to further impact on the existing landscaping adjacent to this boundary including potential root damage to the existing planting. Furthermore, it is noted that the existing planting on this boundary is relatively narrow and is deciduous in nature and therefore this boundary would be considerably more open in the winter months. All these factors alongside other impacts such as signage are likely to result in significantly more open views of the proposal with the expanse of the car park and scale of the building readily apparent in such views and result in an urbanisation of the area. The A4095 is a rural route through countryside at this point and a sequential assessment of views from the A4095 should be provided to provide the decision maker a greater understanding of these impacts.

Views of the proposal are also likely to be experienced from Green Lane to the south of the site through the gaps in the hedgerows (such as access points) and again through the hedgerow particularly in winter months when vegetation is more sparse which would further add to the harm from the scheme.

At the meetings we have also discussed a number of other viewpoints which should be considered including views from:

- Residential properties to the west of the M40. Whilst these are not public views, some of the most exposed views of the proposals are likely to be experienced from the west of the site so these should be included in the LVIA.
- Listed building (Barn approx. 40 metres north west of Chesterton Fields Farmhouse and public footpath 161/11/10 to the north west)
- Edge of Little Chesterton

At the meetings you have indicated you are proposing to mitigate the visual impacts of the development through the provision of planting to the boundaries of the site. Even were all the existing landscaping on the boundaries retained I consider the proposal is still likely to have harmful landscaping and visual impacts as the site would still be visible from the surrounding areas and public right of way through the site. Furthermore, any reliance on new additional planting to help screen the development is likely to take many years to establish and take effect. However, notwithstanding this any proposed landscaping mitigation needs to be in the boundaries of the site and in control of the applicant and the LVIA will need to take into account the changes to the screening that will happen over the year. The proposed landscaping would also need to be covered by a long term management and maintenance plan to ensure it remains and this would need to be demonstrated and controlled by the Local Planning Authority.

The LVIA also needs to consider the landscape and visual impacts of the proposal at night associated with the lighting of the site and lighting from the buildings, which will include any

large areas of glazing in the building and external lighting around the site. In my view lighting at the site is likely to result in the site being very prominent in night time views given the rural nature of the surroundings.

Overall based on the information provided to date I consider that the development would unacceptably impact on the character and appearance of the area and result in undue visual intrusion to the open countryside. Throughout the meetings we have consistently raised concerns regarding the scale of development proposed on the site. We have raised issues with the amount, scale, height, size and bulk of the proposal on this unallocated site and the impact on the character and appearance of the area and on visual receptors (e.g. users of the public right of way) who would experience the development. However, given the type and quantum of development that you are seeking to accommodate on the site it has become clear there is little scope to address these concerns. Therefore, in addition to landscape mitigation, it is my view that in order to be of greatest value the focus of remaining pre-application discussions will need to be on securing the most appropriate design, layout, appearance and detail of the buildings to minimise the harm as far as is possible.

Design, form and detailing

Noting what I have said above concerning the scale, mass, bulk and height of the building, the comments that follow on the design of the building are separate to these wider concerns regarding these matters and are in the interests of trying to achieve a well-designed building in the parameters of your clients' business model. The comments are based on the indicative plans presented at the meeting on 3rd July.

The nature of the water park building to the west of the site means it needs to be accommodated in a large single span building which is tall enough to accommodate the required slides and activities which are proposed to take place in this. The building is very significant in scale in this context and it is agreed that the most appropriate form for this to take, given the constraints, would be to reflect the simple form of an agricultural building with simple pitched roof and timber clad elevations. Opportunities such as the provision of a green roof may reduce the visual impact of this building to some extent and help the building appear less intrusive in wider views.

With regard to the building linking the water park with the hotel this is a large flat roof element with little articulation. Ideas to break up the mass of this building include the provision of canopies and this has some benefit in breaking up the large bulk and mass of these elevations. The use of green roofing would again be encouraged. Areas of flat roof also raise concerns, as such areas are likely to accommodate plant and machinery and further increase the visual impact of the development. Careful consideration should be given to the location of external plant and machinery, so as to minimise its visibility.

In relation to the hotel building, attempts have been made during the course of the pre-app enquiry discussions to break up the scale and bulk of the building to some extent within the parameters of your brief. However, fundamentally the building still reads as a single, very large, 4 storey hotel building totally at odds with the existing scale and form of buildings in what is a rural context. Whilst I have not been provided with scaled plans the main element of the hotel facing onto the access would be approximately 180 metres wide and 4 storeys in height. During earlier meetings concerns were raised regarding the overall design of the building with the building having a single eaves and ridge height and repetitive fenestration and form giving a rather bulky, institutional and bland appearance which appears to pay very little regard to the local vernacular of north Oxfordshire or break up the bulk of the building into a number of smaller elements.

The most recent plans to reduce the scale of the front parts of the hotel building to 3 storey in scale and introduce some further steps in the elevations do help to slightly break up the mass and bulk of the building when entering the site from the main access. However, the building remains substantially 4 storeys and retains a similar ridge and eaves height across the vast majority of the building with repetitive fenestration and form.

In the latest pre-application meeting we discussed the design detailing of the building. The latest iteration of the plans introduces several design elements including the use of material banding across the elevations (including timber, local stone, render) with a view of breaking up the elevations. The building also has deep overhanging eaves shallow pitched roofs and timber brackets etc. The use of local natural stone is a positive element. However, as discussed at the meeting it is considered that overall the detailing of the building is unnecessarily fussy and complex and many of the aspects of the design do not appear to be based on a contextual approach. In addition, wide gable projection and shallow pitched roofs are not characteristic of the local area.

Overall it is very difficult to advise how a more contextually appropriate form and detail of development could be provided on the site, given that the scale, bulk and massing of the building is at odds with the surroundings and this is unlikely to change significantly given the needs of the applicant. Instead, I would encourage an honest approach to the design detailing and materials, but which draws inspiration from the character and materials of locally distinctive buildings in the area. Attempts should be made to try and break up the building into a series of smaller blocks, to create a more relaxed and informal grouping of buildings more appropriate to a rural setting. The wider use of local limestone within the elevations would help in some ways to root the development in its context and providing variation to the height of the buildings would also reduce its bulk and mass and add variety and interest to the roof line and form of the building. Changes to the fenestration of the building to have a less regular appearance and to help distinguish between different blocks may also help to reduce the institutionalised appearance of the building. Finally, the arrangement of materials and architectural detailing in a less fussy way with careful thought as to how they can be used on the elevations both to distinguish between different blocks whilst maintaining an overall unity of design could all improve its appearance.

Heritage Assets (LB's, archaeology)

The site has the potential to impact on unknown archaeological deposits and I understand discussions are taking place with the County Archaeologist in this respect.

The cultural heritage assessment submitted with your planning application should also look at the setting of the nearby heritage assets and should be informed by the findings of the LVIA. The proposal has the potential to impact on the setting of the Grade II listed building to the north west of the site known as 'Barn approximately 40 metres north west of Chesterton Fields Farm House' as the significance of this building is also likely to derive from its rural setting. At the pre-app enquiry meetings we have asked that additional viewpoints be added to the LVIA to consider this. The site also has the potential to impact on the setting of Middleton Park which is a Grade II listed Registered Park and Garden to the west of the site and this impact this should be considered.

The site also has the potential to impact on the setting of the Chesterton Conservation Area. This should be included within the heritage statement and should explore the contribution the site makes to the setting of the Conservation Area and the impact of the additional traffic and any highway works proposed as part of the proposal may impact the significance and amenity of the Conservation Area.

Highways matters including rights of way

Policy ESD1 states that development should seek to reduce the need to travel and Policy SLE4 states that all development should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. Encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Development which is not suitable for the roads that would serve it and which have a severe traffic impact will not be supported. Policy SLE3 supports tourism development subject to it being in sustainable locations. Saved Policy TR7 states development that will attract large number of vehicles onto minor roads will not normally be permitted.

From our meetings I understand that discussions are ongoing with the Local Highway Authority (LHA) and Highways England regarding the scope of the Transport Assessment (TA) that will need to form part of the Environmental Statement. Highways England should be consulted in regard to the impact on the motorway junctions and the proximity of the development to the M40.

I have also provided you with a list of development projects which need to be included with the TA to have regard to the cumulative impact and I also understand that the new proposal for an extended sporting facility by Bicester Sports Association (being considered under 19/00831/F) is being included within the assessment. The TA also needs to take account of the different uses proposed at the site such as the fact that the conferencing centre may operate separately from the hotel and water park facility and increase trips to the site and this did not appear to be considered in the latest scoping note I have seen of the TA. Concerns were also raised regarding using the Great Wolf site in the USA as a source of trip generation given the different country of origin and I understand further discussion has taken place with the LHA in this respect and the Center Parcs site in Woburn has been considered as a better comparison. The TA also needs to consider the likely heavy goods vehicles servicing the site and if day passes are going to be offered this needs to be taken into account in the TA as it would increase the traffic generation of the proposal. Details of how Great Wolf would propose to manage this and how the maximum number of people visiting the site would be controlled would also need to be further understood.

The routing of traffic also needs to be considered and I note from more recent correspondence with the community that it is now stated that traffic would be routed in a different manner to that outlined in our meetings. There are significant concerns locally regarding the increase in traffic from the proposed development particularly in the smaller villages such as Chesterton, Little Chesterton, Middleton Stoney and Weston on the Green and this will need to be fully detailed. The methods to control traffic routing and how these would be secured also need further information. As discussed many people rely on satellite navigation systems to travel to site and so the effectiveness of different routing arrangements will need to be considered in that context.

Ultimately the highway impacts of the development on the existing network will need to be considered when the TA is completed. The impact of the construction phase of the development will also need to be included. I am therefore unable to offer a definitive view on this matter at this stage.

However, there are fundamental concerns regarding the geographical sustainability of the site. This site is located away from any settlement and is remote from public transport, cycle and pedestrian links (beyond the public right of way that exists through the site). In my view the proposed scheme would therefore be likely to result in a very high proportion of the visitors and staff at the site travelling by car as very limited other opportunities exist in the locality. This would be contrary to the policy guidance outlined above. The closest village to the site is Chesterton. However, the bus service in this village is very infrequent (1 service to Bicester in the early morning in weekdays and no return service) and would be of very limited use.

During the course of our pre-app meetings, and from the information provided, it has been stated that Great Wolf proposes to run a dedicated shuttle bus service between the site and the local railway station. However, no further details have been provided of this such as its frequency or timings, its nature of operation, for whom it would be available or how it would be secured in the longer term. Whilst this may provide a service for visitors to the site who arrive by train I have concerns what wider use it would be for other visitors given it appears it would only stop at these two sites. Furthermore it is unclear whether it would be available to use by staff and how widely it would be used by staff who are likely to be distributed over a much wider catchment. The information contained within the Motion Scoping Note Addendum (dated 7th June 2019) would appear to support these concerns and show limited trips to the Woburn Center Parcs using such a facility at that site by

means other than car. You will already have seen the County Council's response dated 24th April 2018, which outlines some of these issues more fully and outlines that contributions towards improvement to public transport in the wider area may be sought.

A footpath/cycleway connection is also proposed along the southern boundary of the A4095 which would link into the footway in Chesterton. Whilst this would provide some links into the existing network and is required to provide safe pedestrian access into the site, I do have concerns regarding how widely this would be used by staff and visitors given the distance to the main built limits settlements such as Bicester and the nature of the route (e.g. unlit, across fields, along busy roads etc). A Travel Plan should also accompany any application and discussions should take place with the County Council in this respect.

In conclusion I therefore consider that the site would not provide a geographically sustainable location which reduces the need to travel by car or provides opportunities for sustainable forms of travel in accordance with national and local planning policy.

The proposal would also result in the re-routing of the public footpath which goes across the site (route 161/6/10). The NPPF advises that planning decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users. I have already outlined above how I consider the proposal would detrimentally impact on the visual amenities of the users of this right of way. The Rights of Way officer (RWO) has raised a number of concerns regarding the proposal as it would result in the diversion of the existing right of way. She has noted that the amount of use does not affect its status as a statutory right of way and that this footpath is very important in a network context as it is the only footpath leading north/west from Chesterton to the wider countryside.

It is further noted from our meeting attended by the RWO that currently the alignment of this footway appears to be obstructed to the south of the site which may impact on its current level of use and the current owner of the application site appears to have created a number of obstructions to the right of way which would further deter use of this right of way.



The RWO has indicated that she is likely to object based on the current plans due to:

1. The proposed route forces users to walk along a significant stretch of a busy A road with no footway.
2. There seems to be no reason Chesterton Footpath 6 cannot be accommodated in the site.

These matters need to be considered through the detailed layout of the proposal and weighed against the benefits of the scheme. The RWO has stated that additional public benefit could be achieved by:

- Increased connectivity of the surrounding footpaths to Middleton Stoney and Chesterton. This could be achieved by dedication or incorporation into a path diversion application. Access improvements extending beyond the boundary of the development could be delivered by OCC with appropriate a S106 contribution or under s278 agreement
- The development should look to provide a safe walking and cycling route directly to Chesterton Village which does not involve access along the current hotel driveway from Green Lane in order to provide alternative to car access

Sustainable Construction

Policy ESD2 states that in seeking to achieve carbon emission reduction the Council will promote the energy hierarchy of reducing energy use, supplying energy efficiently and giving priority to decentralised energy supply and making use of renewable energy. Policy ESD3 states that all new non-residential development will be expected to meet at least BREEAM 'Very Good' with immediate effect, subject to review over the plan period to ensure the target remains relevant. It goes on to include a list of sustainable construction methods that will need to be considered. An Energy Statement should be submitted with any application which demonstrates compliance with Policies ESD1, ESD2 and ESD3 of the Cherwell Local Plan. I have attached a best practice guide that has been prepared by the Council in this respect.



FINAL Energy
Statement Best Pract

Policy ESD4 states that the use of decentralised energy systems, providing either heating or heating and power will be encouraged in all new development. A feasibility assessment for this will be required for any application. Where this demonstrates that the systems are deliverable and viable, such systems will be required as part of any development unless an alternative solution would deliver the same or increased benefit. Policy ESD5 requires planning applications to be accompanied by a feasibility assessment for significant on site renewable energy provision which will need to be delivered with the development when considered to be deliverable and viable.

The development is likely to have significant energy consumption from a heating and electricity perspective. The Council's Bicester Delivery Team has stated that there is a heat network active in Bicester at the Elmsbrook (NW Bicester development) via Scottish and Southern Electric (SSE). They would also encourage engagement with SSE (as well as with Metropolitan Utilities) who are also considering a heat network with the potential to take waste heat from the Energy from Waste facility at Ardley. They have also highlighted that the NPPF encourages community energy systems and there are a number of community energy organisations active within the area and across Oxfordshire and suggest this be explored.

Amenity and pollution (including noise and air quality)

Saved Policy ENV1 states development likely to cause materially detrimental levels of noise, vibration or other types of environmental pollution will not normally be permitted. The proposed development has potential to affect the amenity of neighbouring properties in terms of noise and disturbance, light pollution and visual impact. Chapter 15 of the NPPF seeks to prevent new development from contributing to, or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution.

The properties that would be most significantly impacted upon are the Vicarage Farm and Stableford House to the east of the site. Details of the landscaping proposals adjacent to

this boundary remain vague and a strong landscaping buffer would be required. Any planning application will need to be accompanied by a noise assessment to demonstrate there would be no significant impacts on these properties by the proposed use or car park or activities at the site.

As you will be aware from the consultation events and the letters you have received from the local residents there are considerable concerns regarding the impact of additional traffic flows through the surrounding villages including Chesterton, Little Chesterton, Middleton Stoney and Weston on the Green. An analysis of the amenity impact of the traffic flow through the surrounding villages stemming from the development will need to form part of any application. This will also need to take into account the issues around air quality and noise which is a product of the increased traffic flow and has the potential to impact on residents. To date no information has been provided on this and it will need to be informed by the findings of the Transport Assessment.

The proposed development also has potential to be impacted upon from noise and air quality issues particularly from the M40 which lies immediately adjacent to the site. The application should clearly demonstrate that suitable internal and external noise levels can be achieved to provide a good standard of amenity for visitors of the site and that the air quality would be appropriate for the use of the site. These should also take account of the external areas of the site.

The mitigation measures to reduce noise and other impacts will also need to be considered holistically as they will often have knock on impacts such as the provision of acoustic fencing and bunding having a visual and landscape impact particularly in this rural setting.

The Council will also be seeking the provision of electric vehicle charging point infrastructure on the site.

As outlined above the impact of the lighting from the proposal will need to be assessed in regard to its landscape and visual impacts. In addition to this a lighting assessment will need to demonstrate that the proposal will not result in undue levels of light pollution to the surrounding sensitive receptors including dwellings and ecology.

Biodiversity and Protected species

To date no information has been provided on this. However, I understand that discussions are ongoing with the Council's Ecologists and relevant surveys are being undertaken and protected species, including Great Crested Newts, have been found on the site. The Council would expect to achieve a meaningful net gain in biodiversity across the application site and a Biodiversity Impact Assessment metric to help show that a net gain can be delivered on site should be undertaken. The ecological work needs to take account of the access that would be available to the site by guests and users of the rights of way and the impact this would have on the ecological value of the site. Details of a Landscape and Ecological Management Plan should also be provided to demonstrate how the site would be managed in the longer term.

Flood Risk and Drainage

Policies ESD6 and ESD7 outline the Council's approach to flood risk management and sustainable urban drainage systems.

Given the size of the development the proposal will need to be accompanied by a Flood Risk Assessment and a Drainage Strategy. To date little information has been submitted in respect of these matters however I understand discussions are ongoing with the Lead Local Flood Authority. Oxfordshire County Council have published the "[Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire](#)" to assist developers in the design of all surface water drainage systems. The guide sets out the standards that they apply in assessing all surface water drainage proposals to ensure they are in line with National legislation and guidance, as well as local requirements. Wherever

possible, runoff must be managed at source (i.e. close to where it falls) with residual flows then conveyed downstream to further storage or treatment components, where required.

Other matters

During the course of the meeting you have been keen to present the area of land to the north west corner of the site as a potential benefit of the development, which it has been stated would be used as an amenity/wildlife area and available to use by the local community. However, as expressed at the meeting I have concern over how beneficial this would be to the wider community given its remote location from the community and the fact it is likely to be a relatively noisy environment given its proximity to the motorway.

Policy ESD3 states that Cherwell is in area of water stress. Policy ESD8 of the Cherwell Local Plan states that the Council will seek to maintain water quality, ensure adequate water resources and promote sustainability of water use and that development will only be permitted where adequate water resources exist or can be provided without detriment to existing users.

Given the nature of the proposal and the fact that it is an unallocated site there are concerns regarding the impact of the development on water resources. This will need to be fully considered with engagement from the Environment Agency and Thames Water. These organisations provide their own pre-application services. Furthermore, measures to reduce and conserve the use of water within the development through sustainable construction and operation should be detailed with any application.

Thames Water will also need to be consulted on the capacity of the waste and foul water infrastructure to accommodate the development and I understand you are in discussions with them

The Council's Environmental Protection Officer has stated that any application will need to be supported by evidence which demonstrates the development proposal is not adversely affected by land contamination or can be made suitable for use through remedial works.

The Developer Contributions SPD (adopted February 2018) outlines the districts approach to planning contributions. One area the Council will want to pursue in line with Appendix 13 of that SPD is for any S106 to contain clauses that oblige the applicant to submit an Employment Skills and Training Plan and commit to provide a minimum number of new construction apprenticeships as part of the build out of the site. As a starting point for negotiations, CDC would be seeking 1 apprentice per 1000 sqm of floorspace proposed.

The proposed development also has the potential to impact on the operation of RAF Weston on the Green and is situated within the safeguarding zone of this for development in excess of 15 metres in height. I would strongly advise that you contact the MoD and RAF Weston-on-the-Green to discuss any potential comments they may have regarding the proposal.

Finally I understand the discussions are ongoing with the County Archaeologist regarding the development. I understand from correspondence with the County Archaeologist that will require a programme of archaeological investigation needing to be undertaken ahead of the submission and determination of the application.

Conclusion

Based on the information provided to date I do not consider that I would be in a position to support a planning application for the proposal. The scheme would bring some economic benefits, which would weigh in favour of the development. However, the three overarching objectives of the planning system to achieve sustainable development as outlined in the NPPF (economic, social and environmental) are required to be pursued in mutually supportive ways, and in my opinion the proposals result in other impacts (social and environmental) which outweigh those benefits.

As outlined in my assessment below, I do not consider that the proposal would comply with Policy SLE3 of the Cherwell Local Plan 2031 which requires new tourism development to be located in sustainable locations and direct such proposals to the towns in the district. In this case the proposal would lead to creation of a significant tourism destination which lacks public transport and suitable cycling or pedestrian links. Customers of and visitors to the development would therefore be highly reliant on the private car to access it and the proposal would not reduce the need to travel.

The proposal would also lead to significant environmental harm for the reasons expanded on in my assessment regarding the landscape and visual impacts of the development, and the design and scale of the proposal in this open countryside setting. The proposal would also result in some social harm through the loss of an existing area of recreation land for which there appears to be no justification.

The provision of further information to address gaps or issues that need clarifying as highlighted in my assessment will of course need to be weighed in the planning balance, and I would emphasise that this report represents an interim response based on the information provided to date. However, based on what I have seen to date I am not convinced that the provision of further information would outweigh the significant harm and conflict with policy I have identified

DISCLAIMER

The above advice represents the professional views of Council Officers and although given in good faith, it cannot prejudice any decision with the Council, as Local Planning Authority, may make at either Planning Committee or delegated officer level.

APPENDIX 1 - TECHNICAL ASSESSMENT

Internal Consultations Required: Arboriculture, Ecology, Business Support Unit, Conservation, Economic Development, Environmental Protection, Landscape Services, Planning Policy, Recreation and Leisure, Bicester Delivery Team

External Consultations Required: OCC Single Response including highways, drainage, archaeology and rights of way officer. Environment Agency, Forestry Commission, Natural England, Historic England, Highways England, Thames Water

The applicant is advised to enter into pre-application discussion with Highways England, Historic England, Thames Water and the Environment Agency separately as they do not provide responses to the Local Planning Authority on pre-application enquiries.

Flood Risk: The site is within Flood Zone 1 which is the zone of lowest flood risk. The Environment Agency has produced advice for applicants and agents about assessing flood risk in the planning process, and this can be viewed online at: <https://www.gov.uk/flood-risk-assessment-for-planning-applications>. You should have regard to this advice when preparing your application.

The Environment Agency also offers a pre-application service, details about which are available online at: <https://www.gov.uk/government/publications/planning-advice-environment-agency-standard-terms-and-conditions>

Drainage: You need to consider foul and surface water drainage when designing your proposals. In respect of foul drainage, you should first seek to connect to the public sewer network. You can contact Thames Water for further advice about this; information about their pre-application service is available online at: <https://developers.thameswater.co.uk/commercial-building-works/wastewater/pre-application-help-and-advice>.

EIA Screening Opinion Required? Yes. A separate Scoping Opinion has already been submitted by the applicant.

Committee or Delegated Matter? The application will need to be reported to Planning Committee for a decision.

Policy:

Any application made for this proposal will be considered against the policy guidance contained in the National Planning Policy Framework (NPPF) and policies within The Cherwell Local Plan 2011-2031 Part 1 (CLP) and the 'Saved Policies' of the Cherwell Local Plan 1996.

The Local Plan and its associated documents are available on the Council's website: www.cherwell.gov.uk.

The following policies of the Development Plan are of particular relevance to this proposal:

Cherwell Local Plan 2011 - 2031 Part 1

PSD1: Presumption in favour of sustainable development

SLE2: Securing dynamic town centres

SLE3: Supporting tourism growth
SLE4: Improved Transport Connections
BSC10: Open space, Outdoor Sport and Recreation Provision
ESD1: Mitigating and Adapting to Climate Change
ESD2: Energy Hierarchy and Allowable Solutions
ESD3: Sustainable Construction
ESD4: Decentralised Energy Systems
ESD5: Renewable Energy
ESD6: Sustainable Flood Risk Management
ESD7: Sustainable Drainage Strategy
ESD8: Water Resources
ESD10: Protection and enhancement of Biodiversity and Natural Environment
ESD13: Local Landscape Protection and Enhancement
ESD15: The Character of the built and historic environment
ESD17: Green Infrastructure
INF: Infrastructure

Cherwell Local Plan 1996 (Saved Policies)

TR7 – Minor Roads
T5 – Tourism in the Countryside
C8 – Sporadic Development in the Countryside
C28 - Layout, design and external appearance of new development
C30 - Design of new residential development
ENV1 – Pollution Control
ENV12 – Contaminated Land

Other Material Policy and Guidance

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

You should be aware of the following matters/issues/designations:

- § A public right of way crosses the site.
- § The site is located in an area of elevated radon gas.
- § The site is identified on the air safeguarding maps for RAF Weston on the Green for any development existing 15.2 metres in height.
- § Part of the site is identified as potentially contaminated land.
- § An assessment of the significance of any heritage assets likely to be affected and the potential effect of the development upon them should be submitted with the application. Contact should be made with the County Archaeologist on 01865 328944 or by writing to Richard.Oram@oxfordshire.gov.uk or Historic and Natural Environment Team, Infrastructure Planning, Speedwell House, Speedwell Street, Oxford, OX1 1NE.
- § The site adjoins the M40. Highways England will need to be consulted. Useful link: <https://www.gov.uk/guidance/planning-and-the-major-road-network-in-england>
- § There are records of protected and notable species in and around the site. This includes bats, slow worm, swifts, common toad and grass snakes. There are also water bodies on the site which I understand contain Great Crested Newts. You need to consider the effect on protected species when developing your proposals. Further information may need to accompany your application including a phase 1 survey to identify habitats present and features likely to be used by protected species and any further detailed survey reports for

any individual protected species should these be necessary. In order to assist you in this you should refer to the Standing Advice prepared by Natural England (link below). This 'standing advice' will help in assessing if there is a reasonable likelihood of protected species being present and if so the relevant survey and mitigation requirements. This advice will be a material consideration in the determination of your application.

<http://www.naturalengland.org.uk/ourwork/planningdevelopment/spatialplanning/standingadvice/advice.aspx>