

PLANNING STATEMENT

Minor Material Amendment Application for a change of land use and construction of a padel tennis court and an inground swimming pool with pool hut at Adderbury Hill Barn, Milton Road, Adderbury, Banbury, Oxfordshire OX17 3HN.

On behalf of Eric Dier

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Introduction

This application seeks permission for a minor material amendment to the previously submitted application (Ref. 22/01985/F) for the construction of a hard surfaced tennis court, inground swimming pool and pool hut at Adderbury Hill Barn, Milton Road, Adderbury, Banbury, Oxfordshire OX17 3HN.

The Minor Material Amendment

The applicant seeks permission to change the previously approved lawn tennis court to a padel tennis court. The other elements of the approved application (Ref. 22/01985/F) involving an inground swimming pool and pool hut would remain unchanged.

Following discussions with the case officer, William Anstey, it has been agreed that the proposed change from a lawn tennis court to a padel tennis court constitutes a minor material amendment and that this should be pursued via the existing section 73 procedure ("Application for removal or variation of a condition following grant of planning permission").

Location Details

The manege is situated to the south of the house and outbuildings as shown in Figure 1. The distance between the manege and the house is 80 metres.

The redundant manege location benefits from being enclosed by two metre high timber panel fencing around the entire perimeter of the area. It is therefore proposed that all of the manege perimeter fencing should remain in place to screen the padel tennis court, pool and pool hut. Further planting is proposed in and around the area as explained below.

Development Area

The location of the proposed development within the grounds of Adderbury Hill Barn is shown in the attached location plan (see Figure 1). The introduction of the proposed padel tennis court, swimming pool and pool hut will take place entirely within the redundant manege area. It is proposed that all of the manege is subject to a formal change of land use (from equestrian to domestic) to enable the development of the padel tennis court, pool and pool hut to take place as shown in Figure 2. The manege dimensions are approximately 60m x 26m which therefore covers an area of 1560sqm.

Padel Tennis Court Area

The main difference between the proposed padel tennis court and the previously approved lawn tennis court is that a padel court requires far less space. The area of the tennis court previously approved in application 22/01985/F was 595 sqm whereas the minor material amendment seeks permission for a padel tennis court covering an area of 200 sqm. Consequently, the gap between padel court area and the adjacent manege boundary fencing is much bigger than was the case with the previous tennis court proposal thus allowing more space for the introduction of soft landscaping (see below).

Design Issues

The Swimming Pool and Pool Hut

The proposed 13 x 5 metre pool will feature the same design, location and specification as approved in application 22/01985/F. Similarly, the design, location and specification of the pool hut will be exactly as approved in application 22/01985/F.

Padel Tennis Court Design

The boundary of the 20m x 10m playing area will be enclosed by 12mm thick tempered glass which will be three metres high at each end and along both sides (see Figures 3i and 3 ii). The glass panels will be supported within robust galvanised steel frames which will be painted black (see Figure 4).

The padel tennis court will have a 175mm limestone base with a further porous layer of macadam and a green synthetic grass surface. The green coloured surface will include the court lines marked in white (see Figure 4). The porous surface will allow the court to drain quickly to avoid any surface water problems.

Site Excavation - Visibility of the padel court

It is proposed that the site of the padel court should be excavated so that the court is built one metre below the height of the surrounding ground level. The attached section drawing shows the difference in level between the padel court and the adjacent land.

The advantage of padel court being sunk down by one metre is that this will substantially reduce the height of the padel court enclosure walls in relation to the surrounding ground level. The padel court walls will rise 2 metres above the adjacent ground level which means they will be fully screened by the existing 2 metre high panel fencing that encloses the manege.

Soft Landscaping Scheme

The screening provided by the manege fencing around the padel court will be further enhanced by hedge and tree planting as shown in the attached Soft Landscaping Scheme.

Beyond the manege fencing, the scheme includes a small orchard area on the north side along with Field Maple, Bird Cherry, Holly and Hawthorn and a new native species hedgerow alongside the manege fence panels. Within the area enclosed by the manege fencing, the scheme includes a new Yew hedgerow alongside the padel tennis court as well as tree planting throughout the area.

The proposed tree and hedgerow plants will be planted in the first planting season following the commencement of the development. In the interim period before the hedge planting reaches maturity, the glass walls of the padel court will be screened by camouflage netting as shown in Figure 4.

Visual Impact

In terms of screening, the padel court, pool and pool hut will be fully screened by the existing timber panel fence around the perimeter of the manege area (see Figures 5 photos). The sensitively designed padel tennis court (incorporating enclosure walls that will be only 2 metres above the surrounding ground level) will be screened by the existing two metre high manege fencing and the extensive soft landscaping scheme. Overall, the development would not be visible and have no impact on the local setting or longer distance views.

Biodiversity Implications

The introduction of the proposed soft landscaping scheme will provide a substantial increase in the numbers of trees and hedgerow plants in and around the development area.

Overall, the introduction of the proposed soft landscaping scheme will help to ensure that the development of the proposed padel court, pool and pool hut will deliver a substantial biodiversity benefit.

Policy Framework

The planning policy framework that provides the basis for determining this application is set out in a variety of local and national planning documents. At the national level, the main reference is the Government's National Planning Policy Framework (NPPF). The NPPF was first published in 2012 when it realigned the framework against which planning applications are determined by introducing a general presumption in favour of sustainable development.

The more recent revised versions of the NPPF (July 2018, February 2019 and July 2021) reaffirm the presumption in favour of sustainable development.

In the latest version of the NPPF (July 2021) Paragraph 10 states “*So that sustainable development is pursued in a positive way, at the heart of the Framework is a **presumption in favour of sustainable development** (paragraph 11).*”

In looking at the detail of the Framework, there are a number of statements within the document which are of direct relevance to the determination of this application:

(i) Paragraph 92 emphasises the importance of the planning system promoting healthy communities and includes reference to the benefits of sports facilities. The proposed development of a padel tennis court and swimming pool would provide a sports facility which would help to enhance the health and well being of the users.

(ii) Paragraph 98 also refers to the need to provide opportunities for sport and physical activity. The proposed development would provide a sports facility and thus accord with this policy objective.

(iii) Paragraph 130 sets out the need for high quality and appropriate design that is sympathetic to the surrounding built environment and landscape setting. The proposed development would incorporate high quality design that would minimise the visual impact and help the padel court, swimming pool and pool hut blend in with the surroundings.

Local Policies

The National Planning Policy Framework states that the policies in the Framework are material considerations that should be taken in to account but that the local planning authority can also continue to use local plan policies in so far as they are consistent with the NPPF. The policies which apply in this case are ESD15 (Built and Historic Environment) from the Cherwell Local Plan 2011 – 2031 and saved policies C28 (Layout, Design and Appearance) and C30 (Design control) from the Council's Cherwell Local Plan 1996.

It is considered that the proposed padel court, swimming pool and pool hut comply with the above policies in that there has been careful attention to the siting and design with the proposals including green coloured court surfacing sinking the padel court down below the level of the adjacent land. The sensitively designed development would also be screened by existing wood panel fencing around the development area as well as a comprehensive soft landscaping scheme (which will provide a biodiversity benefit).

The development would not have an adverse impact on the character or appearance of the local landscape and no visual impact on the wider countryside setting. In summary therefore, the proposed development complies with the requirements of the national and local policy framework.

Conclusions

This statement has shown that the proposed padel tennis court, swimming pool and pool hut will differ very little from the development in the approved application Ref. 22/01985/F. The design, location and specification for the swimming pool and pool hut elements will remain exactly as set out in the previous application. Approval is being sought for a minor material amendment to allow the lawn tennis court to be changed a padel tennis court.

The main difference between a lawn tennis court and a padel tennis court is that the latter is very much smaller and only covers a ground area of 200 sqm (compared with the 595 sqm required for a lawn tennis court). The enclosure walls for a padel court are made from 12mm thick tempered glass as opposed to the open mesh fencing associated with a lawn tennis court. In order to ensure that the padel court walls are not conspicuous, this material amendment application proposes that the padel court area should be sunk down by one metre below the adjacent ground level.

The fact that the smaller footprint of the padel court will release extra space within the confines of the manege fencing also allows for additional planting as set out in the proposed comprehensive soft landscaping scheme. This extensive planting will provide further screening and a biodiversity benefit. The sensitive design will ensure that the development is inconspicuous and that there is no material adverse impact on the local setting or the wider landscape.

The national and local planning policy framework provides support for recreational and sporting development in countryside areas as long as the development is designed sensitively and does not harm the local setting or character of the open countryside.

The Government's National Planning Policy Framework makes it clear that there should be a presumption in favour of sustainable development.

The proposed minor material amendment to application 22/01985/F will bring benefits and have no adverse impacts and is consistent with the policy framework. On this basis, it is respectfully requested this minor material amendment application is approved.

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