

Case Officer: Katherine Daniels

Recommendation: Approval

Applicant: Great Lakes UK Limited

Proposal: 1. Introduction of ventilation grilles above all guestroom windows;
2. Reduction of brick plinth to back of house areas of waterpark building;
3. Change of rear of hotel from stone to render retaining stone surrounds and sills; 4. Change of rear of hotel from stone to timber with timber surrounds and metal sills; 5. Change from stone plinth to buff brick plinth to back of house areas of waterpark building; 6. Change of buff brick from blue brick material around plinths; 7. Reduction of extent of plant screening above conference zone where plant is no longer present; 8. Reposition slow windows to eaves to raise them slightly; and, 9. Re-align windows above porte cochere (proposed as non-material amendment to 21/04158/F)

Expiry Date: 20 November 2023

Extension of Time: No

1. APPLICATION SITE AND APPROVED DEVELOPMENT

1.1. The site was granted consent on appeal under planning ref 19/02550/F and comprises the western nine holes of an existing 18-hole golf course that forms part of Bicester Hotel, Golf and Spa (BHGS) near Chesterton, a village located immediately to the southwest of Bicester.

1.2. The site is located immediately to the east of the M40 (which runs south to north) and to the southwest of the A4095 (which runs roughly east to west). M40 Junctions 9 and 10 are located about 1km and 2.3km to the south and north, respectively. The BHGS site is located beyond the western developed edge of Chesterton, in open countryside, with the site comprising the westernmost part of the BHGS site. The approved development involves the development of part of the existing golf course delivering a new indoor leisure resort comprising a 498-bed hotel, waterpark, restaurants, adventure games, attractions, family bonding experiences, arcade games, retail and more. The proposed development will provide extensive landscaping works, enhancing the existing landscaped context, and including a new circa 6ha nature trail for public use.

2. DESCRIPTION OF PROPOSED AMENDMENT(S)

2.1. The proposal includes a number of amendments (9 in total) including the following:

- Introduction of ventilation grilles above all guestroom windows;
- Reduction of brick plinth to back of house areas of waterpark building;
- Change of rear of hotel from stone to render retaining stone surrounds and sills;
- Change of rear of hotel from stone to timber with timber surrounds and metal sills;

- Change from stone plinth to buff brick plinth to back of house areas of waterpark building;
- Change of buff brick from blue brick material around plinths;
- Reduction of extent of plant screening above conference zone where plant is no longer present;
- Reposition sloped windows to eaves to raise them slightly; and,
- Re-align windows above porte cochere

3. RELEVANT PLANNING HISTORY

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

19/02550/F – Redevelopment of part of golf course to provide a new leisure resort (sui generis) incorporating water park, family entertainment centre, hotel, conferencing facilities and restaurants associated access, parking and landscaping. Initially refused but subsequently allowed at appeal.

21/04158/F – Variation of Condition 2 (Plans) of 19/02550/F – Comprising: 1. Alterations to the family entertainment centre including adjustments to the number and types of leisure attractions; 2. Reconfiguration of the conference centre orientation and floor plan to consolidate the guest experience and improve internal circulation; 3. General internal spatial co-ordination in line with operational requirements. Generally, this is local to internal layouts but does affect a small number of external door and window positions; 4. Updates to the landscape design proposal as a result of the building footprint changes (a 3.6m move of all buildings westward) and reconfiguration of the Conference Centre and fire tender access to the site; 5. Extension of the Porte cochere, as a result of shifting the building 3.6m to allow for a larger drop off / set down point for arriving guest vehicles/buses; 6. Waterpark updates including slide and external terrace paving area modifications. The overall height of the waterslide is maintained below the height of the turret which remains as per the consented scheme; 7. Relocation of Great Wolf entrance statue; 8. Roof updates in line with revised roof access strategy; 9. Minor MEP and utility updates across the site; and 10. Waste yard ramp dimensions updated with wider radius ramp and integrated vehicular protection zones. Approved.

23/00581/NMA - Non-material amendment to 21/04158/F - 1. Reduction in height to the two flanks of the main hotel building by 654mm. 2. Reduction in height of the central lobby part of the hotel building by 990mm. 3. End facades pushed out on end/corner guestrooms by 52mm. 4. Six additional guestrooms (from 498 to 504) within the consented envelope of the building. 5. Extension to the flat roof of the waterpark support building (the "bunker") over the pitched section to form a dormer-like structure. 6. Updates to external window and door positions. 7. Removal of the Substation West (at the northern perimeter of the carpark) and minor alterations to the substations at the southern end of the car park within the landscape. 8. Additional doors on the flat roofs to facilitate safer means of emergency egress. 9. Rationalisation of window heights. 10. Addition of windows to the ballroom to improve natural daylight. 11. Relocation of access / maintenance entrances to provide more discreet, efficient and safer means of access. 12. Minor alterations to rainwater goods location setting out on the building to provide more efficient surface water collection. 13. Removal of the chimney at the ridge of the pitched roof over the lobby (no longer required). 14. Revised ventilation strategy and removal of flue on green roof. Approved.

4. PUBLICITY AND CONSULTATION

- 4.1. There is no statutory requirement to consult on, or publicise, applications seeking approval for non-material amendments to an existing planning permission.

5. APPRAISAL

- 5.1. The key issue for consideration in this case is whether the proposed change(s) can be accepted as non-material; there is no consideration of the planning merits of the proposed changes.
- 5.2. Section 96A of the Town and Country Planning Act 1990 (as amended) states that: "A local planning authority in England may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material". It is also stated that: "In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted".
- 5.3. The National Planning Practice Guidance states that: "There is no statutory definition of non-material. This is because it will be dependent on the context of the overall scheme - an amendment that is non material in one context may be material in another. The Local Planning Authority must be satisfied that the amendment sought is non-material in order to grant an application". The judgement on materiality in any particular case is one of fact and degree, also taking into account the likely impacts of the amendment. Materiality is considered against the development as a whole, not just part of it. The benchmark for forming the judgement on materiality is always the original permission.
- 5.4. Although there appears to be a large amount of alterations to the approved scheme, which in some cases could be seen as a material alteration, the application seeks to amend condition 2 of planning permission 21/04158/F. I will go through each element to consider if they are non-material to the overall scheme.
- 5.5. The introduction of ventilation grilles above the guestrooms is a change to the overall appearance of the building, however given the size of these grilles and the massing of the proposed building, it is unlikely to result in a material change to the overall character of the building. The character of the building will still remain.
- 5.6. The reduction of the brick plinth to the back of the house areas of the water park, is considered to be an insignificant change. The overall character and appearance of this area will still remain.
- 5.7. Changing the rear of the hotel building to render from stone, again is an unfortunate change, however the overall style of the building will remain. Limited views would also be had to this part of the building; therefore the change again is not material in the overall scale of the building. The massing will still be similar, and the building will still have a different material, which will still break the overall massing up.
- 5.8. The proposal also seeks to change the rear of the hotel from stone to timber. This is similar to the stone to render. It is unfortunate, however the overall design and appearance will still remain as a result of the proposed changes.
- 5.9. The changes to buff bricks from blue brick material around the plinths, is not considered to be significant. In addition, the material condition can ensure the

materials are appropriate to the overall character and appearance of its immediate setting. This change does not alter the overall scheme.

- 5.10. The reduction of plant screening, is considered to be acceptable, and will not alter the overall development as a whole.
- 5.11. The reposition of the slow windows to eaves and raise them slightly again does not alter the overall design and appearance of the original scheme. The changes to these are minimal.
- 5.12. The windows are due to be re-aligned above the porte cochere changes are considered to be acceptable and does not affect the overall character and appearance of the building.
- 5.13. It is considered that some of the changes are unfortunate, however, overall, it is considered that the proposed alterations, given the overall size of the development will not alter the character and appearance of the proposed development. The alterations are considered to be non-material.

6. CONCLUSION

- 6.1. The proposal is considered to be non-material and the application is therefore recommended for approval. **Please note the stone detailing is not agreed as part of this Non-Material Amendment**

Location Plan10875-EPR-00-ZZ-DR-A-TP-0100 Rev C02;
Existing Location Plan10875-EPR-00-ZZ-DR-A-TP-0101 Rev C02;
Proposed Site Plan10875-EPR-00- ZZ-DR-A-TP-0102 Rev C02;
Proposed Sitewide Sections10875-EPR-00-ZZ-DR-A-TP-0103 Rev C02;
Proposed Basement Plan10875-EPR-00-B1-DR-A-TP-0199 Rev C02;
Proposed Ground Floor Plan10875-EPR-00-GF-DR-A-TP-0200 Rev C02;
Proposed First Floor Plan 10875-EPR00-01-DR-A-TP-0201 Rev C02;
Proposed Second Floor Plan 10875-EPR-00-02-DR-A-TP-0202 Rev C02;
Proposed Third Floor Plan 10875-EPR-00-03-DR-A-TP-0203 Rev C02;
Proposed Roof Plan 10875-EPR00-04-DR-A-TP-0204 Rev C02;
Proposed Ground Floor Plan Part 1 10875-EPR-00-GF-DR-A-TP-0311 Rev C02;
Proposed Ground Floor Plan Part 2 10875-EPR-00-GF-DR-A-TP-0312 Rev C02;
Proposed Ground Floor Plan Part 3 10875- EPR-00-GF-DR-A-TP-0313 Rev C02;
Proposed Ground Floor Plan Part 4 10875-EPR-00-GF-DR-A-TP-0314 Rev C02;
Proposed Ground Floor Plan Part 5 10875-EPR-00-GF-DR-A-TP-0315 Rev C02;
Proposed Ground Floor Plan Part 6 10875-EPR-00-GF-DR-A-TP-0316 Rev C02;
Proposed Ground Floor Plan Part 7 10875-EPR-00-GF-DR-A-TP-0317 Rev C02;
Proposed Ground Floor Plan Part 8 10875-EPR-00-GF-DR-A-TP-0318 Rev C02;
Proposed Ground Floor Plan Part 9 10875-EPR-00-GF-DR-A-TP-0319 Rev C02;
Proposed Ground Floor Plan Part 10 10875-EPR-00-GF-DR-A-TP-0320 Rev C02;
Proposed Ground Floor Plan Part 11 10875-EPR-00-GF-DR-A-TP-0321 Rev C02;
Proposed Ground Floor Plan Part 12 10875-EPR-00-GF-DR-A-TP-0322 Rev C02;
Proposed Ground Floor Plan Part 13 10875-EPR-00-GF-DR-A-TP-0323 Rev C02;
Proposed First Floor Plan Part 1 10875-EPR-00-01-DR-A-TP-0324 Rev C02;
Proposed First Floor Plan Part 3 10875-EPR-00-01-DR-A-TP-0325 Rev C02;
Proposed First Floor Plan Part 4 10875-EPR-00-01-DR-A-TP-0326 Rev C02;
Proposed First Floor Plan Part 5 10875-EPR-00-01-DR-A-TP-0327 Rev C02;
Proposed First Floor Plan Part 6 10875-EPR-00-01-DR-A-TP-0328 Rev C02;
Proposed First Floor Plan Part 7 10875-EPR-00-01-DR-A-TP-0329 Rev C02;
Proposed First Floor Plan Part 9 10875-EPR-00-01-DR-A-TP-0330 Rev C02;
Proposed First Floor Plan Part 12 10875-EPR-00-01-DR-A-TP-0331 Rev C02;
Proposed Second Floor Plan Part 1 10875-EPR-00-02-DR-A-TP-0332 Rev C02;

Proposed Second Floor Plan Part 3 10875-EPR-00-02-DR-A-TP-0333 Rev C02;
Proposed Second Floor Plan Part 4 10875-EPR-00-02-DR-A-TP-0334 Rev C02;
Proposed Second Floor Plan Part 5 10875-EPR-00-02-DR-A-TP-0335 Rev C02;
Proposed Second Floor Plan Part 6 10875-EPR-00-02-DR-A-TP-0336 Rev C02;
Proposed Second Floor Plan Part 7 10875-EPR-00-02-DR-A-TP-0337 Rev C02;
Proposed Second Floor Plan Part 9 10875-EPR-00-02-DR-A-TP-0338 Rev C02;
Proposed Third Plan Part 1 10875-EPR-00-03-DR-A-TP-0339 Rev C02;
Proposed Third Plan Part 3 10875-EPR-00-03-DR-A-TP-0340 Rev C02;
Proposed Third Plan Part 4 10875-EPR-00-03-DR-A-TP-0341 Rev C02;
Proposed Third Plan Part 5 10875-EPR-00-03-DR-A-TP-0342 Rev C02;
Proposed Third Plan Part 6 10875-EPR-00-03-DR-A-TP-0343 Rev C02;
Proposed Third Plan Part 7 10875-EPR-00-03-DR-A-TP-0344 Rev C02;
Proposed Third Plan Part 9 10875-EPR-00-03-DR-A-TP-0345 Rev C02;
Proposed Roof Plan Part 1 10875-EPR-00-RF-DR-A-TP-0346 Rev C02;
Proposed Roof Plan Part 2 10875-EPR-00-RF-DR-A-TP-0347 Rev C02;
Proposed Roof Plan Part 3 10875-EPR-00-RF-DR-A-TP-0348 Rev C02;
Proposed Roof Plan Part 4 10875-EPR-00-RF-DR-A-TP-0349 Rev C02;
Proposed Roof Plan Part 5 10875-EPR-00-RF-DR-A-TP-0350 Rev C02;
Proposed Roof Plan Part 6 10875-EPR-00-RF-DR-A-TP-0351 Rev C02;
Proposed Roof Plan Part 7 10875-EPR-00-RF-DR-A-TP-0352 Rev C02;
Proposed Roof Plan Part 8 10875-EPR-00-RF-DR-A-TP-0353 Rev C02;
Proposed Roof Plan Part 9 10875-EPR-00-RF-DR-A-TP-0354 Rev C02;
Proposed Roof Plan Part 10 10875-EPR-00-RF-DR-A-TP-0355 Rev C02;
Proposed Roof Plan Part 11 10875-EPR-00-RF-DR-A-TP-0356 Rev C02;
Proposed Roof Plan Part 12 10875-EPR-00-RF-DR-A-TP-0357 Rev C02;
Proposed Roof Plan Part 13 10875-EPR-00-RF-DR-A-TP-0358 Rev C02;
Proposed Basement Plan 10875-EPR-00-B1-DR-A-TP-0359 Rev C02;
Proposed Elevations - East 10875-EPR-00-XX-EL-A-TP-0401 Rev C02 ;
Proposed Elevations - West 10875-EPR-00-XX-EL-A-TP-0402 Rev C02;
Proposed Elevations - North-East 10875-EPR-00- XX-DR-A-TP-4201 Rev C02;
Proposed Elevations - North-East 10875-EPR-00-XX-DR-A-TP-4202 Rev C02;
Proposed Elevations - South-West 10875-EPR-00-XX-DR-A-TP-4203 Rev C02;
Proposed Elevations - South-West 10875-EPR-00- XX-DR-A-TP-4204 Rev C02;
Proposed Elevations - North-West 10875-EPR-00-XX-DR-A-TP-4205 Rev C02;
Proposed Elevations - North-West 10875-EPR-00-XX-DR-A-TP-4206 Rev C02;
Proposed Elevations - South-East 10875-EPR-00- XX-DR-A-TP-4207 Rev C02;
Proposed Elevations - South-East 10875-EPR-00-XX-DR-A-TP-4208 Rev C02;
Proposed Sections 10875-EPR-00-XX-GS-A-TP-0501 Rev C02;
Proposed Typical Bay Study 10875-EPR-00-XX-DR-A-TP-4101 Rev C02;
Proposed Typical Bay Study 10875-EPR-00-XX-DR-A-TP-4102 Rev C02;
Proposed Typical Bay Study 10875-EPR-00-XX-DR-A-TP-4103 Rev C02;
Proposed Typical Bay Study 10875-EPR-00-XX-DR-A-TP-4104 Rev C02;
Proposed Typical Bay Study 10875-EPR-00-XX-DR-A-TP-4105 Rev C02;
Proposed Typical Bay Study 10875-EPR-00-XX-DR-A-TP-4106 Rev C02;
Proposed Typical Bay Study 10875-EPR-00-XX-DR-A-TP-4107 Rev C02;
Ancillary Building Drawing 10875-EPR-00-GF-DR-A-TP-7701 Rev C02;

Case Officer: Katherine Daniels

DATE: 7 December 2023

Checked By: Caroline Ford

DATE: 21 December 2023
