

Case Officer: Katherine Daniels

Recommendation: Approve

Applicant: Sibford Ferris School

Proposal: Alterations to the existing landscape and the construction of an amphitheatre with a roofed stage

Expiry Date: 9 January 2024

Extension of Time: 12 January 2024

1. APPLICATION SITE AND LOCALITY

- 1.1. The site is to the south of Sibford Ferris, part of the Sibford School grounds. Part of the School bounds the Conservation Area for Sibford. The application site is in between the science block and an accommodation block. The site is located on sloping ground.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The proposal is for the construction of an amphitheatre with a roof over the stage. Alterations will occur to the existing landscape to accommodate the amphitheatre. The stage roof measures 3.5m in height. The stage area measures 8 by 8m. Timber screens are also proposed.

3. RELEVANT PLANNING HISTORY

- 3.1. There is no planning history directly relevant to the proposal

4. PRE-APPLICATION DISCUSSIONS

- 4.1. The following pre-application discussions have taken place with regard to this proposal:

23/00768/PREAPP - The construction of an outdoor theatre space for performance and drama

- 4.2. Planning permission would be required for the proposal. It may also result in a change of use of land

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a Site Notice displayed near the site, expiring **14 December 2023**, by advertisement in the local newspaper expiring **21 December 2023** 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 December 2023**.

- 5.2. 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. Sibford Parish Council: No comments received to date

OTHER CONSULTEES

- 6.3. CDC Conservation: No comments received to date.
- 6.4. OCC Archaeology: There are no archaeological constraints based on the information submitted.

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 (CLP 2015) was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The CLP 2015 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 2015)

- ESD15 - The Character of the Built and Historic Environment
- BSC10 – Open Space, outdoor sport and recreation provision

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development

- 7.3. Other Material Planning Considerations

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

8. APPRAISAL

- 8.1. The proposal would not have material implications for local highway safety or parking provision, and given its siting would not have any significant implications for flood risk, archaeology or ecology. Therefore, the key issues for consideration in this case are:

- Principle of development
- Design, and impact on the character of the area

Principle of Development

- 8.2. BSC10 of the CLP 2015 relates to open space, outdoor sport and recreation. This seeks to protect existing sites, and address improving access to existing facilities or securing new provision.

- 8.3. The proposal is to develop a new recreation facility within an existing education facility. This is supported by BSC10. The intended use is for the school, and they may in the future use it for the community. However, given that the site is for school use, any intensification of the site for another use may require planning permission for a change of use. In this instance, therefore, I do not see that a condition re use is necessary. The school should note that if the school intends to alter its use, then planning permission may be required in the future.
- 8.4. Overall, the principle of the scheme should be supported.

Design and Impact on the Character of the Area

- 8.5. The Government attaches great importance to the design of the built environment within the Framework. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 8.6. Policy ESD15 of the CLP 2015 further reinforces this view, in that new development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. Policy ESD 15 of the CLP is consistent with the advice and guidance within the NPPF with regard to the conservation of the historic environment and looks for development to:
- Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness;
 - Conserve, sustain and enhance designated and non-designated Heritage Assets, including their settings, ensuring that new development is sensitively sited and integrated;
 - Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings.
- 8.7. Saved Policy C28 of the CLP 1996 states that control will be exercised over all new development to ensure that standards of layout, design and external appearance are sympathetic to the character of the context of that development. Further, saved Policy C30 of CLP 1996 states control will be exercised to ensure that all new housing development is compatible with the appearance, character, layout, scale and density of existing dwellings in the vicinity.
- 8.8. The school grounds have several public rights of way running through it. The nearest is located to the north of the application site. Although the theatre would be seen from these public rights of way, the site is viewed as part of the school's campus, therefore the impact is reduced. The theatre would be seen as part of the overall complex. Views would still be had towards the open countryside.
- 8.9. It is considered the overall design and alterations are acceptable and would not have a detrimental impact on the character and appearance of the locality. The scheme would not be seen from the Conservation Area. Although lack of visibility does not equate to lack of harm re heritage asset impact, it is considered overall that, subject to a condition to require details of materials and finishes, the proposal is considered to be in accordance with the aforementioned policies.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.

- 9.2. The proposal seeks to add additional recreational facilities at an existing school complex, by including a new outdoor amphitheatre and associated landscaping. The site is located between two buildings and will be seen as part of the school complex. Although the scheme will be seen from public rights of way, it will be seen within the school setting. The impact is considered to be acceptable and therefore recommended for approval.

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 form, the Location Plan and the drawings numbered 328 03 150 P2 (Proposed Site Plan). and 328 05 300 P2 (Proposed Plans/Elevations)

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. No development shall commence above slab level unless and until a schedule of materials and finishes to be used in the construction of the amphitheatre has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details and shall be retained as such thereafter.

Reason: To ensure the satisfactory appearance of the completed development and safeguard the character and appearance of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Katherine Daniels

DATE: 11 January 2024

Checked By: Nathanael Stock

DATE: 12.01.2024
