

## East Area Planning Committee

3<sup>rd</sup> August 2016

**Application Number:** 16/01357/FUL

**Decision Due by:** 9th September 2016

**Proposal:** Temporary use of part of car park for motorcycle testing/training and part of stadium for storage and office at The Kassam Stadium for three years.

**Site Address:** Kassam Stadium And Land Adjacent Falcon Close Oxford OX4 4XP

**Ward:** Littlemore Ward

**Agent:** Ms Claire Biddle

**Applicant:** DVSA

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**Recommendation:** East Area Planning Committee is recommended to grant planning permission for the following reasons:

- 1 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

### Conditions

- 1 Time limit (3 year temporary permission);
- 2 Hours of operation;
- 3 Areas of use;
- 4 Means of access;

### Main Local Plan Policies:

#### Oxford Local Plan 2001-2016

**CP1** - Development Proposals

**CP6** - Efficient Use of Land & Density

**CP10** - Siting Development to Meet Functional Needs

**CP21** - Noise

**CP19** - Nuisance

**CP13** - Accessibility

**TR6** - Powered Two-Wheelers

## **Sites and Housing Plan**

**SP24\_** - Kassam Stadium Sites, Grenoble Road

### **Other Material Considerations:**

National Planning Policy Framework

### **Relevant Site History**

08/01873/FUL – Temporary use of part of car park for motorcycle testing/training and part of stadium for storage and office. In association with the main use. – PER

### **Statutory and Internal Consultees:**

#### Littlemore Parish Council

No objections but request that fencing be installed at an acceptable height and the hours of opening are no more than have been allowed to date to prevent disturbance.

#### Highways Authority

No objections subject to conditions relating to areas of operation, no use during match days and access only from Grenoble Road.

### **Representations Received**

#### **Site Description**

1. The application site encompasses the entire of the Kassam Stadium Site, adjacent to Grenoble Road to the south-west of Blackbird Leys and south-east of Littlemore. The site covers a large area, containing the stadium itself and extensive areas of car parking that surround it. There are a number of different land uses on adjacent sites, including a Holiday Inn to the east and the Ozone Leisure Complex to the west. Beyond the site to the north-east there is open space (including land around Northfield Brook) and beyond that there is residential development in Blackbird Leys (Spindleberry Close and Knights Road). Beyond the site to the south-east there is residential development in Greater Leys (Emperor Gardens and Acacia Avenue).
2. The stadium is home to Oxford United Football Club but other uses have taken place on the land when matches do not take place, including car boot sales and conferences.

#### **Proposed Development**

3. In addition to the above uses at the site, the car park around the stadium has been used by the Driving and Vehicles Standards Agency (DVSA) to provide on-site testing and training for motorcycles. The current use has been on-going since a temporary grant of planning permission for that use in 2008. The temporary planning permission was granted for three years and has therefore expired; it is believed that the use has been on-going

since that time on an unauthorised basis. Planning permission is sought to retain the existing use for a temporary period of an additional three years.

4. Details have been submitted with the application which set out what the existing and proposed use of the site is. The proposals would provide the on-going use of a Multi-Purpose Test Centre (MPTC) which was developed by the Driving Standards Agency (DSA) to provide a safe environment to carry out the new and more demanding motorcycle exercises required by EU legislation; crucially, some of these testing needs to be carried out before riders are allowed on the highway. The new testing regime was initiated in September 2008 and prior to the commencement of the use at the application would have meant that Oxford would have been unable to provide a suitable motorcycle test centre (the nearest would have been Swindon).
5. It is proposed to operate the site between the hours of 8am and 10pm, from Monday to Friday and it is not proposed to operate the site for motorcycle tests on match days or events. Currently, approximately 900 tests take place at the site each year.
6. The proposed use would enable part of the existing car parking area and office/storage space within the stadium to be used for a limited amount of license testing. An off-road test route can be set up within the application site on the extensive car parking area; this provides a safe area for testing to take place (which is not used by cars and is very visible to pedestrians and cyclists crossing through the site).
7. A temporary planning permission is sought because the DVSA are in the process of trying to find an alternative site (but have been unable to find one to date); the applicant is therefore reluctant to seek a permanent planning permission for the current use.

### **Officers Assessment:**

#### **Principle of Development**

8. The application site lies within a defined area specific planning policy and is identified as within SP24 of the Sites and Housing Plan (2013). This policy seeks to deal with the opportunity to provide additional development on parts of the Kassam Site. The proposed development would not prejudice the requirements of this policy and would represent a small-scale level of development that would be acceptable in policy terms.
9. The development would allow for the continued presence of a motorcycle training facility in Oxford which would negate the need for local residents to have to travel further afield for motorcycle testing and training.

#### **Design and Use**

10. The proposals would involve fairly small-scale changes of use of parts of the stadium site to provide offices, storage and training areas. These changes would be sought on a temporary basis and would not prejudice the principal use of the site as a stadium. As a result, Officers would recommend that this aspect of the development would be acceptable.
11. Small-scale improvements are proposed to tarmac surface to facilitate the continued use of the site for motorcycle testing and to provide a route through the site that is appropriate for the DVSA's specifications. This would not have any material impact on the appearance or function of the site.

### **Impact on Amenity**

12. The application site lies over 100m from the nearest residential property; the development is therefore unlikely to give rise to noise and disturbance to nearby residents. During testing, only one motorcycle is normally in operation and there is some mature vegetation around parts of the site which would screen the activity and reduce noise impact.
13. There is a hotel near to the site but the hours of operation of testing would be restricted to between 8am and 8pm and would therefore be unlikely to give rise to an unacceptable impact on hotel customers.
14. Littlemore Parish Council have requested consideration of a fence around the perimeter of the site to protect the amenity of nearby residents. This would not be practical given the overall size of the site and the nature of the use proposed. However, given the separation between the site and the nearest dwelling it is recommended that the requirement for a fence would also not be justified.
15. Officers would recommend that the site has operated without planning permission since 2011 and has not been the subject of complaints that have led to planning enforcement investigation or action being taken.

### **Access and Parking**

16. The proposals state that there would only be two instructors visiting the site during training and testing days and there would be limited numbers arriving for instruction. There is ample parking and accessibility for staff and customers and Officers recommend that this is a practical location that has already operated successfully for a number of years.
17. The proposed development would be accessed from the existing point of access off of Grenoble Road. A condition is included in the recommendation that would require no other point of access for the use proposed.

## **Flooding and Surface Water Drainage**

18. Minor works are proposed to repair and improve parts of the road surface on the site. There would be no increase in surface water runoff that would arise from the proposed development.

## **Conclusion**

19. On the basis of the above, Officers recommend that the East Area Planning Committee grant planning permission for the proposed development subject to the conditions as set out in the report.

## **Human Rights Act 1998**

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

## **Section 17 of the Crime and Disorder Act 1998**

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

**Background Papers:** 16/01357/FUL

**Contact Officer:** Robert Fowler

**Extension:** 2104

**Date:** 19<sup>th</sup> July 2016

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