

SITE PLAN ATTACHED

**05. WARLEY PARK GOLF CLUB MAGPIE LANE LITTLE WARLEY ESSEX CM13
3DX**

**PROPOSED GOLF DRIVING RANGE FLOODLIGHTING WITH ATTENDANT
PLANT STORE AND GREENKEEPERS STORAGE BUILDING.**

APPLICATION NO: 14/00892/FUL

WARD	Warley	8/13 WEEK DATE	12.09.2014
PARISH		POLICIES	NPPF NPPG CP1 GB1 GB2 GB22 GB23 C25
CASE OFFICER	Mr Martyn Earl		01277 312588
Drawing no(s) relevant to this decision:	STATEMENT OF SUPPORT; APPENDICES; PHOTOS; EXTERIOR SCENE LUMINARIES; 1207/1; 1207/2/A; 1207/3; 1207/4; 1207/5; 1207/6;		

This application was referred by Cllr Tee from Weekly Report No 1657 for consideration by the Committee. The reason(s) are as follows:

Almost all of the objections from the previous application were based on many months of heavy vehicle traffic disruption in and out of the village moving earth and other materials for landscaping the new range. There is to be no landscaping and therefore no heavy vehicle traffic. There were some objections to the lighting of the golf range and limiting the lighting to 9.00pm which will satisfy all the village residents.

The range is for the use of members and invited guests and particularly for school groups learning to play golf. Although all golf courses are in the Greenbelt I want the committee to have the chance to uphold and protect the greenbelt but enable the Golf Club to improve their facilities. The equipment building is essential as the expensive machinery needs the very best security and as much of the equipment is kept off site in Bowmer's Skip Yard or an ugly container and I believe it is a necessary improvement.

Update since publication of Weekly List 1657R

None

1. Proposals

Planning permission is sought for the construction of a driving range with attendant plant store and greenkeepers storage building.

The proposed covered driving range would be up to 36m in width, up to 11.8m in depth and up to (approx) 4.2m in height, providing nine covered bays and plant store and office.

Nine floodlighting lamps are proposed to be attached to the top of the building which would have a combined output of 1875watts.

The proposed greenkeepers storage building would be up to 4.2m in height, 10m in depth and 30m in width.

The information that has been submitted with this application includes, plans, a planning statement, report on floodlight design, schedule of care equipment, a copy of a letter of pre-application advice dated 11th March 2013, a copy of the relevant policies, a copy of six representations supporting the proposal (one of which is from the Essex Golf Partnership), photographs of the current application site and the storage sheds used on a neighbouring site, aerial photographs of the storage areas for other golf courses and a copy of a planning appeal at Stratford on Avon, Gliding Club (APP/J3720/A/13/2190396)

2. Policy Context

National Planning Policy Framework

The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and is now a material consideration in planning decisions. The weight to be given to it will be a matter for the decision makers planning judgement in each particular case. This Framework replaces all the national planning guidance documents as stated in the NPPF, including Planning Policy Guidance Notes and Planning Policy Statements. Notwithstanding this, the NPPF granted a one year period of grace for existing adopted Local Plan policies which has now ended, but, the NPPF advises that following this 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The National Planning Practice Guidance (NPPG) is a material consideration in the determination of this application.

Chapter 9 of NPPF sets out policy relating to Green Belt including the fundamental aim of Green Belts, the five purposes of including land within the Green Belt and how Local Planning Authorities should regard development as inappropriate or otherwise.

Paragraph 88 stipulates that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 89 states that new buildings for the provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries do not constitute inappropriate development. However, the NPPF goes on to advise that such buildings would be inappropriate development if they did not preserve the openness of the Green Belt and if they conflict with the purposes of including land within it.

Local Plan Policies

GB1 New development

GB2 Development Criteria

GB22 Outdoor Sports Facilities

GB23 Ancillary Buildings

C25 Floodlighting and other forms of illumination

CP1 General Development Criteria

3. Relevant History

- 90/00033/FUL: 20 Practice And Instruction Booths For Members And Golf Professional. -Application Permitted
- 03/01003/FUL: Floodlit Golf Driving Range With Associated Booths And Plant Store -Application Refused
- 08/00736/FUL: Erection Of A Greenkeepers Shed/Store/Workshop -Application Refused
- 14/00204/FUL: Proposed golf driving range floodlighting with attendant plant store and Greenkeepers storage building. -Application Withdrawn

4. Neighbour Responses

36 neighbour letters were sent out and the application was advertised on site.

Two representations have been received objecting to the proposal on the following grounds:

- Noise and light pollution

- The works proposed are for a commercial venture and not for the betterment of existing golf club members or teaching the youth
- There is a golf driving range no more than 1 mile from the application site which has all the facilities described in the application lighting at night, lessons for the general public. Therefore creating another commercial range so close would jeopardise the existing this business and all its employees.
- Light pollution to neighbouring properties in addition to many heavy vehicles ruining the already ruined road surfaces down Bird Lane.

The impact of the proposed development in terms of noise and light pollution will be assessed in the neighbour amenities section of this report. The issues that have been raised with regards to the proposed development being used for a commercial venture and its impact on another driving range is not a planning material consideration.

5. Consultation Responses

- **Highway Authority:**

The Highway Authority would not wish to raise an objection to the above application, given the proposed use and location of the greenkeepers storage building, the existing driving range, the existing area available for parking within the site, the height of the proposed floodlights above ground level, the distance of the floodlights and alignment of the driving range in relation to Magpie Lane and Little Warley Hall Lane, the existing hedges between the driving range and Magpie Lane and the proposed planting on the site's boundary with Little Warley Hall Lane.

Informative

All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

- **Environmental Health & Enforcement Manager:**

The Environmental Health Department have looked at the report submitted for the Light Assessment and are satisfied that it will not cause a statutory nuisance as defined under the Environmental Protection Act 1990. The light spillage onto the residential properties is negligible. The applicant has amended the application to reduce the hours of opening from 22:00 to 21:00. This further affirms this decision. The Environmental Health Department are not in a position to comment on the ecological effect of the light on Thorndon Park and the surrounding woodland.

This Service is satisfied that the noise emanating from the premises will not adversely affect the amenities of the nearby residents.

6. Summary of Issues

The main issues in the determination of this application are whether it is appropriate development within the Green Belt; the effect that the proposal would have upon the openness of the Green Belt; whether there are any very special circumstances to overcome inappropriateness or any other harm to the Green Belt; effect on the character and appearance of the area; highway matters, and any other considerations.

The application site is located within the Warley Park Golf Club, which has a total area of 85 hectares. It is dissected by Magpie Lane with the majority of the course to the south of the lane. The golf complex is on former agricultural land, and the large areas of grass, fairways and greens are broken up by mature trees and other mature planting. The land slopes down from the north to the south.

The impact of the proposed development will be assessed as two separate parts; the driving range and the greenkeepers storage building.

Whether the proposal is inappropriate development in the Green Belt:

The National Planning Policy Framework (NPPF) discusses Green Belt in Chapter 9; paragraphs 79 to 92. Paragraph 79 states that Government attaches great importance to Green Belts. The fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence.

Driving range

Paragraph 89 of the NPPF states that the construction of new buildings in the Green Belt is considered inappropriate development but gives a list of exceptions whereby development is not considered inappropriate. Included in this list is the provision of appropriate facilities for outdoor sport and outdoor recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. The application site is currently used for outdoor sport/recreation (Golf). The vast majority of the proposed covered driving range would be an appropriate facility for outdoor sport, however it does include a section that would be used as a plant store and an office. It is therefore considered that the building would not solely be used for outdoor sport/recreation and this element is inappropriate development with the Green Belt.

Local Plan Policy GB22 provides criteria that must be met for outdoor participatory sport facilities within the Green Belt including criteria (iv), it would not require unacceptable prominent ancillary facilities e.g fences, floodlighting, car parking etc and the application will be considered against criteria set out in Policy GB22. The proposed lamps in terms of their scale would not be considered prominent ancillary development and therefore would comply with Policy GB22.

Impact on the openness of the Green Belt

The proposed driving range structure would be more than double that of the existing temporary structure and would result in additional encroachment of built form within the countryside. By virtue of the scale and size the proposed development would cause detrimental harm to the openness of the Green Belt and would therefore result in inappropriate development. The application therefore conflicts with Paragraph 79 of the National Planning Policy Framework 2012 and Policies GB1, GB2 and GB22 of the Brentwood Replacement Local Plan 2005.

Greenkeepers storage building

The proposed greenkeepers storage building would be considered an inappropriate form of development when assessed against paragraph 89 of the NPPF. The reason for this is that the previous paragraph sets out various exceptions which allow certain development within the Green Belt, one such exception includes outdoor sport/recreation, this element of the proposal would not directly be used by the public in the participation of sport or recreation. The purpose of the building is to provide storage for the vehicles and equipment needed for the maintenance of the golf course, however the course has been open for a number of years and currently operates without this facility. While the agent states there is a need for storage, the greenkeepers storage building is not an appropriate facility required or directly used for outdoor sport/recreation. Therefore this building is considered inappropriate development in the Green Belt

Impact on openness

There has been a previous planning application (08/00736/FUL) on this site for a storage building which was refused by reason of size, bulk, mass and design which would be an unsympathetic addition. The previous proposal had the development further to the south than its current proposed location and it was only 33sqm greater in footprint than what is proposed. Notwithstanding the inappropriateness of the introduction of this building, the current proposed greenkeepers building by virtue of its scale, mass and bulk would be detrimental to the openness of the Green Belt, which is also considered to be inappropriate development. 'Very special circumstances' would therefore need to be demonstrated to overcome the harm that the development would have in terms of inappropriateness and openness of the Green Belt.

Are there any "Very Special circumstances" that outweigh the harm identified?

As both the driving range and storage buildings would be inappropriate development in the Green Belt, very special circumstances would need to exist which clearly outweighed the harm the development would cause by reason of inappropriateness and all other harm, to justify planning permission being granted.

The matters that have been advanced by the agent in support of the proposal set out that the club needs to keep its facilities up to date and the current fabric covered structure and lack of screening around it means that the current driving range can not be used in inclement weather. The lack of floodlighting further restricts the use of the driving range. The need for all year round facilities in terms of a driving range would not be considered sufficient to overcome the loss of the openness of the Green Belt or the harm by virtue of the inappropriate development identified.

The planning statement states that the driving range facility is and would be used by members and for tuition by club professionals. Part of the work carried out by the golf club is its outreach to local schools. The purpose of the driving range is to maintain and improve members playing skills and also be a place where school children can be taught, thus encouraging young people to take up the sport. In the supporting information provided it also sets out that the Club is an official starter centre within England golf's national "get into golf" programme. This has been confirmed by letter from the Essex Golf Partnership. The desirability of the improvement of the current or future members of the golf club would not be considered a very special circumstance which justifies the harm identified to the openness of the Green Belt or the harm by virtue of inappropriate development especially considering that such aims could be achieved with a smaller driving range which may not result in the same harm to the Green Belt.

The balls that would be used on the driving range would be 15% lighter than normal ones, which means that they gain less momentum and thus do not travel so far; up to 250m. This is in marked contrast to distances on commercial driving ranges typically 350m. The shorter length limits the use of the range to tuition and means that less powerful floodlights are required. Although the agent sets out that the driving range is for not a commercial purpose, the golf club is still a commercial business regardless if it is open to the general public or not. The illumination of the driving range would only mean that it can be used after dark which is to the benefit of the members of the golf club. This benefit to members would not outweigh the harm identified to the openness of the Green Belt by virtue of the inappropriate development.

The agent sets out that the golf course needs to be maintained to a high standard, requiring adequate equipment. The club has a range of machinery and other equipment that is needed for the ground care required. Details of the space required for the equipment has been provided within appendix two of the design and access statement. At present the club has no permanent building to house and maintain all the equipment necessary. There are two shipping containers in which some of the current equipment is kept, there is some stored on land adjacent to Bowmers' yard and near the proposed location of the building. The club also has the use of two buildings within Bowmers' yard, subject to an informal agreement and has no guarantee that this arrangement will continue. The unclear future of storage arrangements on a neighbouring site for the golf club is not considered a 'Very Special Circumstance' which outweighs the harm to the Green Belt in terms of openness and inappropriate development.

The matters that have been raised in support of this application by the agent are not considered to constitute 'Very Special Circumstances' that outweigh the harm by virtue of the inappropriate development and a detrimental impact on the openness of the Green Belt. It has not been demonstrated that 'Very Special Circumstances' exist which would outweigh the harm the inappropriate development would cause to the Green Belt and officers are not aware of any other matters that would constitute 'Very Special Circumstances' that would outweigh the harm identified.

Character and appearance

The application site is an established Golf course with both 9 and 18 hole facilities. The existing driving range structure consists of a gazebo type structure fixed to the ground by metal poles. The wider site is set within a 'Special Landscape Area' which is characterised by tree lined open fields. The topography of the site means that the land level slopes down from the north to the south, there are also a number of trees that are located on the northern and north-western boundaries.

The proposed driving range would be a single storey structure with a flat roof, built on a brick plinth and the materials used on the external surface would be stained timber boards and plastic coated steel sheeting on the roof. The footprint of the building would be L-shaped and would be located in the same location as the existing gazebo style temporary driving range. Given the context of the immediate site, i.e. a golf course, the size and the design of the proposed driving range would be incongruous to the surrounding countryside which is a mixture of trees and open fields. In addition, the proposed floodlighting of the driving range would be unacceptably intrusive by reasons of the light source. Therefore the proposed development conflicts with paragraph 17 and Chapter 7 of the National Planning Policy Framework 2012 and with Policies C25, CP1 (i) and (iii) of the Brentwood Replacement Local Plan 2005.

The proposed greenkeepers storage building would be up to 4.2m in height, 10m in depth and 30m in width and the materials that would be used on the external surface would be steel cladding on the walls and cement sheeting on the roof. Given the scale, mass and bulk of the proposed greenkeepers building it would be a significant addition of built form within the rural area. However given its location close to existing buildings and subject to the imposition of a condition requiring landscaping to provide some screening to the Greenkeepers storage building it is not considered that the proposal would result in significant and demonstrable harm to the character of the area.

Effect on neighbouring occupiers

Given the nature of the works that are proposed and the siting of neighbouring properties, the proposal would not result in detrimental harm in terms of loss of privacy or an overbearing effect. The Environmental Health team has been consulted and no objection has been raised with regards to the proposed lighting and its impact on neighbours provided it ceases at 9pm. Subject to the imposition of the condition,

the development proposed therefore accords with Policy CP1 (ii) of the Brentwood Replacement Local Plan 2005.

Highways

The Highway Authority has not raised an objection due to the nature of development that is already in existence. There is ample space for parking and there is adequate screening/natural features to prevent light spillage from the proposed lighting that would be detrimental to the highway. The proposed development therefore accords with Policy T2 of the Brentwood Replacement Local Plan 2005.

Conclusion

The works that are proposed under this application comprise of two forms which are a covered driving range with floodlights and a greenkeepers storage building. The report above sets out the reasoning for why the overall development proposed is acceptable in terms of its impact on neighbouring amenity and highways, however this does not outweigh the harm identified to the Green Belt. The scale, mass and bulk of the proposed covered driving range structure (which includes plant storage and an office) and its illumination would result in a form of development that would constitute inappropriate development in the Green Belt and would be harmful to the openness of the Green Belt and unduly prominent within the surrounding rural area (including a Special Landscape Area). In addition, the proposed storage building would be harmful to the Green Belt by reason of its inappropriateness and loss of openness due to its scale, mass and bulk. The proposed development would therefore be contrary to Chapters 7 and 9 and paragraph 17 of the National Planning Policy Framework 2012 and with Policies CP1, GB1, GB2, GB23, C25 and CP1 (i) and (iii) of the Brentwood Replacement Local Plan 2005.

7. Recommendation

The Application be REFUSED for the following reasons:-

R1 U08420

The proposed driving range (which would incorporate a plant store and office) would constitute inappropriate development in the Green Belt and by virtue of its scale, mass, bulk and inclusion of floodlighting would be detrimental to the openness of the Green Belt as well as being unduly prominent within and harmful to the rural character of the surrounding area, which includes a Special Landscape Area. The proposed development conflicts with Chapters 7 & 9 and paragraph 17 of the National Planning Policy Framework 2012 and with Policies CP1, GB1, GB2, C25 and CP1 (i) and (iii) of the Brentwood Replacement Local Plan 2005.

R2 U08421

The proposed greenkeepers storage building would be an inappropriate form of development within the Green Belt and by virtue of its scale, mass and bulk would be detrimental to the openness of the Green Belt. The proposed development conflicts

with Chapter 9 of the National Planning Policy Framework 2012 and with Policies CP1, GB1, GB2 and GB23 of the Brentwood Replacement Local Plan 2005.

R3 U08422

The matters that have been advanced by the agent in support of the application would not clearly outweigh the harm the development would cause through inappropriateness, reduction in openness and harm to the rural character and appearance of the Green Belt and Special Landscape Area. Therefore, no circumstances exist to justify the grant of planning permission for inappropriate development proposed. The proposal conflicts with Chapter 9 of the National Planning Policy Framework 2012 and with Policy GB1 of the Brentwood Replacement Local Plan 2005.

Informative(s)

1 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, GB1, GB2, GB22, GB23, C25 the National Planning Policy Framework 2012 and NPPG 2014.

2 INF20

The drawing numbers listed above are relevant to this decision

3 INF23

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

BACKGROUND DOCUMENTS

DECIDED: