

Report to **Planning Committee**
Date **18 June 2019**
By **Director of Planning**
Local Authority **Horsham District Council**
Application Number **SDNP/18/05914/FUL**
Applicant **Mr Alistair Adams**
Application **Change of use of the land for the extension to existing golf course
for 6 hole practice short course**
Address **West Sussex Golf Club
Golf Club Lane
Wiggonholt
RH20 2EN**

Recommendation: That the application be permitted for the reasons set out in paragraph 10 of this report.

This application is considered at committee due to the number of letters of representations received, from separate households, which is contrary to the officers recommendation

1 Site Description

- 1.1 The application site is positioned to the east of Golf Club Lane, outside of the designated built-up area of any settlement.
- 1.2 The site is surrounded by open countryside, and consists of a 220 acre golf course, with driving range and putting green. The site includes a mock-Tudor style clubhouse, with the driving range positioned to the south, and a car park/area of hardstanding positioned to the north of the clubhouse.
- 1.3 Neighbouring properties are positioned at a distance to the north and south of the site.

2 Proposal

- 2.1 The application relates to the change of use of a triangular area of land to the south of the site to be used for a 6-hole practice green.
- 2.2 The proposal would involve the laying out of a small practice green to accommodate younger and beginner club members. Small scale landscaping works will be undertaken to facilitate the laying out of the area.

3 Relevant Planning History

SDNP/12/01366/FUL	APP	Construction of an earth bank winter storage
SDNP/14/00199/FUL	REF	Construction of an earth bank winter storage
SDNP/17/00031/FUL	APP	Proposed construction of a golf lesson
SDNP/17/01844/CND	APP	Proposed demolition of existing 'half way hut' and construction of timber frame hut in new location

4 Consultations

4.1 Natural England - NE

The application could have potential significant effects on the Arun Valley Special Protection Area if the site is utilised as functionally linked land for interest features of the SPA.

4.2 WSCC - Public Rights of Way

The nearest edge of the teeing area shall not be less than 15m from any part of the highway, with the fairway running at an angle away from the highway so that it is no less than 50m from any part of the highway. Greens should be situated so that no part of any highway is closer than 50m from the edge of the green.

4.3 HO - Public Health & Licensing (Env.Health)

No Objection

4.4 HO - Landscape Architect Officer

No Objection

4.5 HO - Arboricultural Officer

No comment

4.6 Parish Council Consultee

No Objection

5 Representations

5.1 19 letters of objection have been received from 15 separate households, and these can be summarised as follows:

- Impact of noise on horses
- Proximity of tees to equestrian yard
- Impact on users of the bridleway
- Health and safety grounds to horse and rider
- Potential danger from golf balls

6 Planning Policy Context

6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **Horsham District Local Development Framework: The Core Strategy (2007) and the following additional plan:**

- Local Development Framework: General Development Control Policies (2007)

6.2 The relevant policies to this application are set out in section 7 below.

National Park Purposes

6.3 The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

6.4 If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

7 Planning Policy

Relevant Government Planning Policy and Guidance

7.1 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

National Planning Policy Framework (NPPF)

7.2 The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF - Building a strong, competitive economy
- NPPF - Requiring good design
- NPPF - Supporting a Prosperous Rural Economy
- NPPF - Conserving and Enhancing the Natural Environment
- NPPF - Achieving sustainable development

7.3 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

7.4 The following policies of the **Horsham District Local Development Framework The Core Strategy (2007)** are relevant to this application:

- CPI - Landscape and Townscape Character
- CP3 - Improving the Quality of New Development

7.5 The following policies of the **Local Development Framework: General Development Control Policies (2007)** are relevant to this application:

- DCI - Countryside Protection and Enhancement

- DC2 - Landscape Character
- DC9 - Development Principles
- DC39 - Tourism
- DC40 - Transport and Access

Partnership Management Plan

- 7.6 The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.
- 7.7 The following Policies and Outcomes are of particular relevance to this case:
- Outcome 1 – Landscape character of the National Park, its special qualities and local distinctiveness have been conserved and enhanced
 - Outcome 6 – Widespread understanding of the special qualities of the National Park and the benefits it provides
 - Outcome 9 – Communities and businesses are more sustainable with an appropriate provision of housing to meet local needs
 - Outcome 10 – A diverse and sustainable economy has developed which provides a range of business and employment opportunities
 - Policy 1 – Conserve and enhance the natural beauty and special qualities of the landscape and its setting
 - Policy 3 – Protect and enhance tranquillity and dark night skies
 - Policy 13 – Support the financial viability of farm business through appropriate infrastructure and diversification developments
 - Policy 29 – Enhance the health and wellbeing of residents and visitors by encouraging, supporting and developing the use of the National Park
 - Policy 41 – Maintain visitor enjoyment and influence visitor behaviour
 - Policy 43 – Support the development and maintenance of appropriate recreation and tourism facilities
 - Policy 48 – Support the towns and villages in and around the National Park to enhance their vital role as social and economic hubs
 - Policy 50 – Housing and other development in the National Park should be closely matched to the social and economic needs of local people
 - Policy 55 – Promote opportunities for diversified economic activity in the National Park

The Draft South Downs National Park Local Plan

- 7.8 The Pre-Submission version of the **South Downs Local Plan** (SDLP) was submitted to the Secretary of State for independent examination in April 2018. The Submission version of the Local Plan consists of the Pre-Submission Plan and the Schedule of Proposed Changes. It is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication. The Local Plan process is in its final stage before adoption with consultation on relatively minor Main Modifications from 1st February 2019 to 28th March 2019. Based on the very advanced stage of the examination the draft policies of the South Downs Local Plan can be afforded significant weight.

7.9 The following policies are of particular relevance to this case:

- Core Policy SD1 - Sustainable Development
- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD7 - Relative Tranquillity
- Strategic Policy SD9 - Biodiversity and Geodiversity
- Strategic Policy SD23 - Sustainable Tourism
- Strategic Policy SD34 - Sustaining the Local Economy
- Development Management Policy SD43 - New and Existing Community Facilities
- Strategic Policy SD45 - Green Infrastructure

8 Planning Assessment

8.1 The application seeks full planning permission for the change of use of land to provide a 6-hole short golf course.

Principle of Development

8.2 Policy DC1 of the General Development Control Policies document (2007) states that development outside of the defined built-up area will be permitted where it is essential to its countryside location, and in addition meets one of the following criteria: supports the needs of agriculture or forestry, enables the extraction of minerals or the disposal of waste, provides for informal, recreational use, or supports the sustainable development of the rural area. In addition, Policy CP15 of the Core Strategy (2007) states that development should be of a scale and type suitable to the location, and should increase the range or improve the quality of accommodation, attraction or experiences for tourists, day visitors, business visitors and residents. Furthermore, Policy 25 of the General Development Control Policies document (2007) states that development for proposals which deliver economic benefits to the rural area outside of the defined built up area will be permitted where it meets the needs of the rural local economy. Proposals should be of a suitable scale for the level of activity proposed, should be accommodated satisfactorily within the existing site boundary, and the requirements of car parking should be accommodated within the immediate surrounds.

8.3 Policy SD23 of the Draft South Downs Local Plan states that development proposals for recreation facilities will be permitted where it is demonstrated that: the proposals will provide opportunities for visitors to increase their awareness; understanding and enjoyment of the special qualities; not detract from the experience of visitors or adversely affect the character, appearance or amenity of the area; and where located outside of settlements, positively contribute to the natural beauty, wildlife and cultural heritage of the National Park, and are closely associated with other attractions.

8.4 The application relates to the change of use of a triangular area of land to the south of the site to be used for a 6-hole practice green. The proposal would involve the laying out of a small practice green to accommodate younger and beginner club members.

- 8.5 Such a proposal would increase and improve the recreational facilities offered at the West Sussex Golf Club and is considered to further promote recreational use and economic growth within the countryside. The proposal is therefore considered to contribute to the sustainable development of the rural area. As such, the proposal is considered acceptable in principle, subject to all other material considerations.

Landscape Impact

- 8.6 Policies CPI and CP3 of the Core Strategy and policies DC2 and DC9 of the General Development Control Policies document state that development should be of a high quality design, which protects and enhances the rural, countryside landscape, whilst being of a scale, mass and bulk which is sympathetic to the character of the surroundings.
- 8.7 Policy SD4 of the Draft South Downs Local Plan states the development proposals will only be permitted where they conserve and enhance landscape character, reflecting the context and type of landscape in which the proposal is located; and the design, layout and scale of proposals conserve and enhance existing landscape character features.
- 8.8 The proposal would involve minor landscaping works to facilitate the change of use, with the laying of 6no. trees and holes positioned around the perimeter of the plot, along with the provision of trees to the southern tip of the site and along the southern boundary. It is also proposed to lay an area of heather and wild flowers centrally within the site, reflecting the landscaping of the wider golf course.
- 8.9 The proposed landscaping is considered to be reflective of the wider golf course, utilising planting that would integrate the practice short course within the context of the wider surroundings. It is therefore considered that the proposal would retain the countryside landscape and character of the area, in accordance with policies CPI and CP3 of the Core Strategy, policies DC2 and DC9 of the General Development Control Policies document and Policy SD4 of the Draft South Downs Local Plan.

Amenity Impact

- 8.10 Policy DC9 of the General Development Control Policies document states that development should consider the scale, mass and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 8.11 Policy SD5 of the Draft South Downs Local Plan states that development proposals will be permitted whether they sensitive and have regard to avoiding harmful impacts upon, or from, any surrounding uses and amenities.
- 8.12 It is acknowledged that the site is located within close proximity to a neighbouring property, consisting of an equestrian facility with associated sand school and paddocks. The proposed practice short course has been laid out to position the primary areas away from this facility, with the perimeter of the site separated by hedging. Additional landscaping in the form of trees are proposed along the boundaries with the equestrian facility, with the submitted Noise Impact Statement outlining that members will be encouraged to adhere to golf etiquette and club rules where individuals should be quiet and well-behaved, with no use of mobile phones.
- 8.13 It is acknowledged that the proposed use would introduce additional activity into the formerly underused piece of land, with the associated movements from groups of golfers and the associated noise involved with general activity. It is noted that concerns have been raised by the neighbouring equestrian enterprise, who have objected to the scheme on the basis that the proposal would introduce erratic noise and general disturbance which would be dangerous to the horses and riders using the sand school, jumps, and paddocks.
- 8.14 The British Horse Society, in its document "The Impact of Noise on Horses" outlines that a horse's instinct to unexpected noise is to flee, spin, or bolt. It continues that there is danger to horse and rider in these instances. However, it is outlined that horses can become accustomed to noise, and the impact of noise on a horse can be reduced by acoustic barriers such as vegetation.
- 8.15 The proposal seeks to plant additional trees and landscaping along the southern and western perimeter of the site, which adjoins the equestrian paddocks, with the intent that this will lessen

the impact on the equestrian use. Given the likely sporadic nature of the noise and general activity, as well as the proposed vegetation barrier, it is considered that sufficient mitigation will be in place to limit disturbance and impact on the neighbouring equestrian enterprise.

- 8.16 It is therefore considered that the proposed use would not result in harm to the amenities or sensitivities of neighbouring properties, in accordance with Policy DC9 of the General Development Control Policies document and Policy SD5 of the Draft South Downs Local Plan.

Public Right of Way

- 8.17 Public Bridleway 2464 runs along Golf Club Lane which is adjacent to a section of the western boundary of the land on which the extension to West Sussex Golf Club course is proposed. Also, Public Bridleway 2470 runs adjacent to an eastern section of the boundary of this land.

- 8.15 Following consultation with the WSCC Public Rights of Way Officer, it is considered that the proposal has taken appropriate consideration of the public bridleways that run along the perimeter of the site. While the hole to Tee 6 would be positioned within the recommended 50m distance of the public bridleway, it is acknowledged that there is reasonable visibility and sightlines along the proximity of the bridleway. Furthermore, it is noted that the club intends to provide mitigation and management of the area through signage and behavioural etiquette which would ensure the areas closest to the bridleway are used appropriately.

- 8.16 On this basis, it is considered that the proposal would not result in harm to the users of the public bridleway, with appropriate mitigation proposed.

Highways Impacts

- 8.17 Policy DC40 states that development should provide safe and adequate access and parking, suitable for all users.

- 8.18 The application site benefits from an existing and established access, with an area of hardstanding utilised as car park. The size and number of parking spaces are considered sufficient to accommodate both the existing and proposed use, with the existing access considered to be functioning appropriately.

- 8.19 No objections are therefore raised on highways grounds, and it is considered that the proposal would accord with policy DC40 of the Horsham District General Development Control Policies (2007).

9 Conclusion

- 9.1 The proposed use is considered acceptable in principle and is not considered to result in harm to the landscape character of the area and the amenities of neighbouring properties. It is therefore considered that the proposal would accord with relevant policies of the Horsham Local Development Framework and Draft South Downs Local Plan.

10 Reason for Recommendation and Conditions

It is recommended that the application be approved for the reasons set out below.

1. **Approved Plans List**
2. **Time Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3. **Pre-Occupation Condition:** Prior to the first use of the development hereby permitted, full details of all hard and soft landscaping works, including the planting of trees along the southern and western boundaries of the site, shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained;
- Details of all proposed trees and planting, including schedules specifying species and plant numbers.

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with policy DC9 of the Horsham District General Development Control Policies (2007).

4. **Regulatory Condition:** No external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

Reason: In the interests of the amenities of the locality and in accordance with policy DC9 of the Horsham District Planning Framework (2015).

5. **Regulatory Condition:** No amplified music or amplified speech shall be played/delivered at any time.

Reason: To safeguard the amenities of neighbouring properties in accordance with policy DC9 of the Horsham District General Development Control Policies (2007).

11. **Crime and Disorder Implications**

- 11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. **Human Rights Implications**

- 12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. **Equality Act 2010**

- 13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Tim Slaney
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Appendices Appendix 1 - Site Location Map
Appendix 2 – Plans Referred to in Consideration of this Application

SDNPA Consultees

Background Documents