



Planning Committee (North) 21st March 2017

DC/16/2856 : Horsham Golf and Fitness, Worthing Road

Additional Representations Received:

Three additional representations of support have been received. The grounds of support are as follows:

- It is only right that HFC should have a proper home. This is an important public amenity much needed by the local community and importantly provides much needed facilities for young people.
- This is an ideal location with good public transport and car parking.

Fourteen additional representations of objection have been received. The grounds of objection are as follows:

- The proposed netting and pylons will be visible at least 5 metres above the existing conifers around the driving range. They have a direct impact on views from adjacent properties and the visual amenity of the surrounding area.
- Concern is raised that the netting will impact on wild life (birds and bats).
- The netting will detrimentally affect the setting of adjacent listed buildings.
- This is an inappropriate development in a quiet rural setting currently being used for activities that need and demand quiet. The scheme will affect the use of the golf club.
- Large numbers of people using this commercial facility both day and night will be a constant disruption to the flow of traffic on the Worthing road with inherent safety risks.
- 20m high nets will not stop gold balls.
- The nets will require ongoing maintenance.
- The advice of the Woodland Trust has been ignored.
- Concern is raised regarding the submitted viability assessment and the long term financial security of HFC.
- Concern is raised over transport and parking issues.

Worthing Road Residents Group:

The Group have raised the following additional objections:

- Concern is still raised over the potential impact on equestrian uses nearby given the advice of the British Horse Society. This is a clear conflict of amenity.
- The Group has submitted its own assessment of the driving range and proposed ball stop fencing. The assessment concludes that 20m high fencing should be raised to 30m and that additional fencing is required. The Group have requested the assessment be referred to Sport England for their consideration.
- The fencing proposed adjacent the Ancient Woodland is contrary to Natural England's advice.

Southwater Parish:

The Parish have made the following additional comments:

- This proposal is outside of the Local Development Plan.
- Concern is raised about the on-going viability of replacing netting when damaged with no contingencies known.
- Concern about lightning and potential for fire, harm to persons and or property.
- A condition be included if granted to prevent in the event of netting being damaged or down any game being played.
- Is unsustainable in terms of provision and location in a rural area with historic value and amenity – Environmental Policy 24.
- Over intrusive in terms of its countryside setting – Character and Natural Environment Policy 25.
- Will cause a negative impact on the Environment and Ecological Nature of the area.
- Contrary to Policy 34 (Heritage Assets and Managing Change....) as this will affect the setting of a historic and listed building.
- The height of the proposed netting towers should exceed 20M and that if permission granted should be of a colour which is sympathetic to its setting.
- The Parish Council were extremely concerned to note that the District Council do not intend to consider and take account of the local residents consultant's report on the height of the netting; this being 30M.
- The District Council have not notified the Secretary of State of this application, this being on land which is on the edge of a centre, out of centre or out of a town (Town and Country Planning (Consultation) (England) Direction 2009.
- The Parish have referred the application to the Secretary of State.

Officer Response:

Issues regarding transport and the visual impact of proposal (including the 20m high netting) have been considered in the committee report. The proposal, including all fencing, the Club House and all ancillary structures, would not significantly detract from the landscape character of the area or affect the setting of any nearby listed buildings. Lightning strike is not a material planning consideration for this proposal.

In relation to maintenance of the netting, a condition is proposed requiring details of the ball stop (including the netting) to be submitted to and approved by the Local Planning Authority prior to the first use of the development. The condition requires details of maintenance. In addition, the Council's Environmental Health has verbally commented that the impact of balls hitting the 20m high netting will not give rise to any significant noise impact (in terms of pylon vibration) on the nearest residential properties. In the position proposed, the netting and required pylons would not affect the amenity of any nearby residential properties.

In response to the concern that the scheme would affect the use of the golf club, it is felt that for the majority of time, the use of the facility for community uses would not result in a significant noise impact (as outlined in the report). On home match days, there will be some disruption to the users of the golf club. However, the disruption on match days is considered minimal. Additionally, it should be noted that the proposed use is within the same use as the golf club (Class D2 Leisure Use).

Ecology issues have been adequately addressed, including the impact on the Ancient Woodland. This takes into account the additional comments and recommended conditions of the Council's Ecologist as outlined below.

Worthing Road Residents Group have submitted its own assessment of the driving range and proposed ball stop fencing. They have requested this report is assessed by Sport England. The

Local Planning Authority has had comments from Sport England that they do not object to scheme based on the 20m high nets. This is in consultation with Golf England and takes into account the risk assessment submitted.

Local Planning Authority considers that the issue of safety from potential golf balls has been satisfactorily addressed and no further consultation with Sport England is required.

Southwater Parish have commented that the Council has not undertaken its duty to refer the application to the Secretary of State. As stated in the (Town and Country Planning (Consultation) (England) Direction 2009, the Local Planning Authority would have to refer an application for an out of town leisure use to the Secretary of State subject to criteria. One of the criteria is that the development would include the provision of 5,000 sqm of floor space (including existing floor space within a kilometre). The current scheme would fall way below this criterion. Therefore, the proposal is not required to be referred to the Secretary of State.

Southwater Parish have requested the Secretary of State to call in the application. The recommendation for approval is therefore also subject to receiving confirmation from the Secretary of State as to whether the wish to call in the application or not.

Viability, transport and all amenity issues have been addressed in the committee report.

Additional Consultation Responses:

HDC Air Quality Officer: No objection subject to a condition requiring details of a scheme to improve air quality.

Natural England: Additional comment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

HDC Ecology Consultant: Additional comment. As outlined in section 6.80 of the report, the Council's Consultant Ecologist required further clarification on the netting and fencing. Additional information has been submitted by the applicant.

In relation to the netting, the applicant has stated that the proposals for the wider hole and thicker twine and the netting being under tension are not considered to pose a significant risk to birds or bats. However, mitigation has been proposed in relation to monitoring and in the unlikely event that it is found birds/bats have flown into the netting additional measures have been identified. The suggested mitigation is to put an additional rope with discs attached just behind the netting but not attached to the netting, the aim being to create a feature more visible to birds but without creating a potential issue with wind and tension on the netting. The monitoring will be carried out on a day to day basis with spot checks made by an ecologist including three early mornings and evening surveys whereby the surveyor observes bird movements from a vantage point. The Council's Ecologist has commented that this is an acceptable approach subject to a condition requiring the delivery of this monitoring. The Ecologist has also requested amended wording to condition 25 (lighting) as outlined below and an additional condition requiring an Ecological Mitigation and Management Plan.

In relation to the Air Quality Officer comments, it is considered that green methods of travel would be suitably encouraged through the travel plan to be agreed.

Officer Response:

In light of the Ecologist's comments, additional conditions are recommended requiring the submission of a biodiversity monitoring strategy and an ecological mitigation and management plan as outlined below. The monitoring strategy and mitigation and will outline details of habitat

protection for retained habitats, details of on-going monitoring and details of mitigation measures, if required. Subject to these conditions, the scheme is considered appropriate in relation to ecology impacts.

Conditions:

Condition 20: The condition requires the submission of a Major Events Plan. It is proposed to omit the word 'Major'. This will allow the plan to cover all events including home HFC games. Details of marshalling of home games can then be submitted and agreed as part of this condition.

An additional condition regarding fireworks is recommended as follows:

No fireworks should be allowed to be discharged at the site at any time.

Reason: In the interests of the amenity of adjacent properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Amended Wording for Condition 24:

The Club House shall not be open for public use except between the hours of 07:00 – 23:00 Monday to Saturday and 08:00 – 18:00 on Sundays.

Additional Ecology Conditions:

11. Pre-Commencement Condition: No development shall commence, including ground works and vegetation clearance, until a biodiversity monitoring strategy has been submitted to, and approved in writing by, the local planning authority. The purpose of the strategy shall be to monitor bat activity, detail the great crested newt monitoring, and to confirm monitoring arrangements of the netting with regards to birds and bats. The content of the Strategy shall include the following:
 - a) Aims and objectives of monitoring to match the stated purpose.
 - b) Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged.
 - c) Methods for data gathering and analysis.
 - d) Location of monitoring.
 - e) Timing and duration of monitoring.
 - f) Responsible persons and lines of communication.
 - g) Review, and where appropriate, publication of results and outcomes.A report describing the results of monitoring shall be submitted to the local planning authority at intervals identified in the strategy. The report shall also set out (where the results from monitoring show that conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed with the local planning authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The monitoring strategy will be implemented in accordance with the approved details.

Reason: As this matter is fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

12. Pre-Commencement Condition: No development shall commence until an Ecological Mitigation and Management Plan (EMMP) shall be submitted and agreed in writing by the Local Planning Authority. This will include details of habitat protection for retained habitats, avoidance measures with regards to protected and notable species (such as great crested newts, bats, birds and reptiles), and enhancement measures for biodiversity. This will also incorporate all measures proposed within the application, and correspondence from Corylus Ecology (10th February 2017, 23rd February, and 7th March), and will include arrangements for packing away appropriate netting following matches, and the

maintenance of the permanent netting in perpetuity to ensure it remains under tension. Any such measures shall thereafter be implemented in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: As this matter is fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

Amended Wording to Lighting Condition (Condition 23):

23. Post Occupation Condition: Within 7 days following the installation the site's lighting regime, the site and immediate environs will be reassessed by a lighting engineer and a suitably qualified ecological consultant. The readings obtained will be used to guide the placement of baffles where necessary to reduce light levels to the minimum obtainable over the pond area and in proximity to mature trees known to support roosting bats, or having potential to support these species. A report confirming that light spill onto adjacent vegetation is less than expected lux levels, and where necessary detailing the re-assessment and any remedial action taken shall be submitted to the Local Planning Authority for approval within 4 weeks of the measurements being taken. The lighting shall be operated in strict accordance with the measures set out in the approved report.