

Application No: 18/4439N
Location: Land on the East Side of, MAIN ROAD, WORLESTON
Proposal: Change of Use to include Golf Driving Range with associated parking
Applicant: Mr & Mrs Need
Expiry Date: 04-Dec-2018

SUMMARY

The proposal seeks permission for the change of use of an agricultural piece of land to a driving range. It is considered that the proposed change of use of the land is acceptable in principle in the Open Countryside. The impact of the proposed buildings will be minimal given their height, materials and siting some distance from the road frontage.

The proposal as amended and conditioned will not have a significantly detrimental impact on neighbouring amenity. The proposal will not have a detrimental impact on Highway Safety, Ecology, Trees or landscape impact.

It is therefore considered that on balance the proposal is acceptable and is therefore recommended for approval.

Recommendation

APPROVE subject to conditions

DESCRIPTION OF SITE AND CONTEXT

The application site forms part of an existing agricultural field off Main Road, Worleston. The application site is situated within in the Open Countryside. The surrounding area is largely a mix of agricultural land, and residential properties. Within the wider area there are two hotels, a public house and Reaseheath College.

DETAILS OF PROPOSAL

The proposal seeks permission for the change of use of an area of agricultural land to a Golf Driving Range with associated parking. The proposal requires a new access off Main Road and the construction of a 17 bay driving range building, a small Club house, with reception area, toilets, office, physio room and storage area.

RELEVANT HISTORY

No planning history

POLICIES

National Planning Policy

National Planning Policy Framework (NPPF)

Cheshire East Local Plan Strategy

PG6 - Open Countryside
EG1 – Economic Prosperity
EG2 – Rural Economy
SC1 – Leisure and Recreation
SC2 – Indoor and Outdoor Sports facilities
SC3 – Health and Well-being
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE1 – Design
SE2 – Efficient Use of Land
SE3 – Biodiversity and Geodiversity
SE4 – The Landscape
SE5 – Trees, Hedgerows and Woodland
SE12 Pollution, Land Contamination and Land Instability
SE13 – Floodrisk and water management
CO1 – Sustainable travel and transport

Saved Policies of the Crewe and Nantwich Local Plan

NE.5 – Nature Conservation and Habitats
NE.9 – Protected Species
BE.1 – Amenity
BE.3 – Access and Parking
NE.20 – Flood Prevention

Worleston and District Neighbourhood Plan – Regulation 7

No plans or policies to date

CONSULTATIONS (External to Planning)

Environmental Protection – No objections, subject to conditions for Lighting, Electric Vehicle Infrastructure, Soil Importation, Unexpected contamination and informatives for contaminated land

Flood Risk – No objection

Strategic Highways Manager - No objections

Sport England – No comments – does not fall within the statutory or non-statutory remit

Worlestone and District Council

Having visited the location, neighbouring property and held a public forum to get input from our parish we wish to object on the following grounds:

1. Road Safety of access to the proposed site
2. Nuisance to neighbours from invasive gold balls on neighbouring property
3. Nuisance to neighbours from light pollution
4. Loss of agricultural open countryside

1. Road safety

The B5074 Main Road at the proposed location is set at the national speed limit with the proposed entrance on the apex of a bend providing line of sight to meet highways requirements for vehicles leaving the site.

However, there is a blind spot for vehicles waiting to enter the site when travelling north from the direction of Nantwich. The proposed Access Arrangement is misleading as the visibility shown cuts through significant hedgerows to the sides of the road. If a vehicle is waiting to turn right into the development, it will not be visible to vehicles approaching from behind travelling at the national speed limit. We believe that this is less than a safe stopping distance.

Section 2.6 of the 'Planning, Design & Access Statement' states 'Whilst the site has a rural character, it is accessible by means other than the private car.' We disagree with this statement as Main Road is not serviced by any public transport. The road has no footpaths and with the volume of 60mph traffic is very dangerous to attempt to walk. We are concerned that students from Reaseheath College will be tempted to walk along Main Road placing themselves at significant risk of injury.

This stretch of Main Road has frequent accidents including a recent fatality. The proposed access will add to the risk of further injury.

2. Nuisance to neighbours from invasive golf balls on neighbouring property. There is a high likelihood of stray golf balls landing on the adjoining property to the north. The land immediately bounding the proposed site is used for horse riding and haylage. Golf balls landing on the property pose a risk to horses and riders, either from being hit or standing on lost balls. It also makes harvesting haylage impractical due to balls damaging cutting machinery or shredded balls contaminating the haylage. The neighbour should not have the use of their own land impacted by the proposed development.

3. Nuisance to neighbours from light pollution.

The majority of tree cover surrounding the site is deciduous. This means that during the winter months when the floodlights are needed there will be limited screening of light glare.

4. Loss of agricultural open countryside.

The proposed development would appear to be low impact to the general appearance of the open countryside but does result in the loss of agricultural land.

If the development were allowed to proceed, we would request that conditions are placed on the land. In the event that the proposed Golf Range is not developed or if at some point in the future ceases to operate, we request a condition that the use of the land revert back to agricultural open countryside.

OTHER REPRESENTATIONS

Letters of objection have been received from approximately 21 properties. The main issues raised;

- Impact on highway safety,
- Light pollution in rural area, (contrary to Floodlighting SPG and Policy DC64 of Macclesfield BLP)
- Noise pollution and impact on neighbours
- Unsustainable location - No public footpath/cycle track therefore car dominated
- Potential impact of golf balls straying into neighbours land, where horses exercise and haylage is harvested,
- The site should be moved to another position on the Need's (applicants family) land further to the south,
- Condition should be attached to ensure land is returned back to agriculture if use fails
- Concerns that there is no netting proposed to safeguard neighbouring land
- Nuisance to neighbouring property
- Number of people use the adjacent land to exercise horses, risk of golf balls harming animals and riders
- The Pony Club use the land for rallies and badge days
- Driving Ranges in the area have a tendency to close down, Alverston 2013, Reaseheath College 2017, Brookfield 2017 – 1 in 3 players gave up their golf membership between 2004 and 2015
- Highway Safety tests were carried out at the wrong time of the year (July) when the college/schools were on holidays, test wires were broken for several days
- Inaccuracies within the Design and Access Statement
- Proposal does not accord with Policy SC 1 and SC 2, or SC 3
- The Parish Council unanimously objected against the proposal

Letters of support have been received from approximately 24 properties. The main issues raised are;

- Driving range is needed in the local area, currently have to drive some distance to other driving ranges
- Will create a new community hub
- Sport provision which is important for health and wellbeing of the community
- Local employers interesting in using the facilities of the Driving Range/compliment existing health club
- Proposal will add to the local tourism and leisure provision in the area
- Driving ranges are compatible with rural areas

OFFICER APPRAISAL

Principle of development

The site is located within the open countryside where policy PG 6 sets out, that only development which is essential for agriculture, forestry, outdoor recreation, public infrastructure, essential works undertakers, or for other uses appropriate to a rural area will be permitted. It is therefore considered that the proposed development as a driving range is acceptable in principle within the Open Countryside.

Policy EG2 (Rural Economy) states that *outside the Principal Towns, Key Services Centres and Local Service Centres proposals that, provide opportunities for local rural employment development that supports the vitality of rural settlements; create or extend rural based tourist attractions, visitor facilities and recreational uses (amongst other things), will be supported where the development;*

- *Meets sustainable development objectives as set out in policies MP1, SD 1 and SD 2;*
- *Supports the rural economy, and could not reasonably be expected to locate within a designated centre by reason of their products sold;*
- *Would not undermine the delivery of strategic employment allocations;*
- *Is supported by adequate infrastructure;*
- *Is consistent in scale with its location and does not adversely affect nearby buildings and the surrounding area or detract from residential amenity;*
- *Is well sited and designed in order to conserve and where possible enhance the character and quality of the landscape and built form; and*
- *Does not conflict with Policies PG3, PG4, PG6, PG7, SE3, SE4, SE5, SE6 and SE7 of the Local Plan Strategy.(where relevant)*

The proposed use as a Driving Range, by its nature requires space around it and therefore most commonly found in relatively rural fringe areas, usually associated with golf courses. This application proposed the change of use of an area of land which is currently agricultural in use. The proposed Driving Range would not be linked to a Golf Course but is a new rural enterprise in the open countryside.

Policy SC1 Leisure and Recreation states that in order to provide appropriate leisure and recreational facilities for communities of Cheshire East, will

(3) support proposals for facilities that would not be appropriate to the located in or adjacent to centres, provided they are highly accessible by a choice of transport, do not harm the character, amenity, or biodiversity value of the area, and satisfy the following criteria;

- (i) The proposal is a facility that;*
 - a. Supports a business use,*
 - b. Is appropriate in an employment area; or*
 - c. Supports an outdoor sports facility, education or related community/visitor facility; or*
 - d. Supports the visitor economy and is based on local cultural or existing visitor attractions.*

The site would be located in the area of Worleston which is 5km away from the centre of Nantwich and around 10km from the centre of Crewe (driving). There is a very limited public transport network and no footpaths along Main Road, there may be opportunities to cycle to the facility, as Golf equipment can be hired. However, the site would largely require customers to drive to the facility.

However, it is considered that given the nature of the proposed development, is acceptable in the rural area. The main issues are the impact on the open countryside in relation to the building and associated infrastructure, highway safety, amenity impact and impact on wildlife and trees.

As such, the principle of the development is accepted.

Impact on character and appearance of the area

The proposal will be set back off Main Road by around 65m. The new access will be taken off a bend in the road and will require the removal of a section of hedgerow. The proposal includes a carpark and the erection of the driving range building which will have a maximum height of 4m, it will be 55m in length, and a maximum width of 11.5m. The driving range building is open sided to the front with three elevations clad in profiled cladding (black). The driving range building has a mono pitch roof. The proposed office/reception building will be clad in shiplap timber (grey), the building as a maximum height of 3m (flat roof) with a maximum length of 16.5m and width of 6m.

The re-oriented building will be sited some 95m away from the road, there is some cover from the road in relation to boundary hedgerow and trees, and the fairly low nature of the building, and materials will reduce its overall impact on the open countryside. The building will be akin to agricultural sheds which are normally seen in the open countryside.

The lighting proposed will be positioned on the top of the driving range building facing towards the landing area. The proposal includes provision for 6 lights on the top of the driving range building. The plans show that the lighting will be directed on the driving range with 3 lux lighting centrally and the spill of up to 1 lux at a 40 degree angle from the driving range. The report states very limited/if any light will spill out of the site. The nature of the proposal means that in the winter months the area of the driving range will be visible due to the lighting however very little will spill out of the site. No lighting poles are proposed and therefore the impact on the wider open countryside is considered to be limited.

The application is therefore considered to be acceptable in terms of impact on the streetscene and open countryside.

Landscape

The application site is located to the east of Main Road to the south of Worleston and covers an area of approximately 6.3 hectares. The application site is relatively flat and has a good network of existing hedgerows as well as a number of hedgerow trees.

The submission does not include a Landscape and Visual appraisal or refer to the Cheshire Landscape Character Assessment. However the Cheshire LCA identifies that the application

site is located within the boundary of the East Lowland Plain landscape type and more specifically the Ravensmoor (ELP1) Character Area. This is a predominantly flat landscape which in places is open and expansive. Vegetation along the B5074 (Main Road) along with the location and orientation of the proposals and existing hedgerows and vegetation mean that the site is largely screened; nor are there any public rights of way in close proximity to the proposed development.

The submitted information indicates that the driving range would have no boundary fencing, with no lighting columns, but that lighting will be provided by four lights located on the driving range building roof and that these will be angled downwards at 15°. The clubhouse will be 4m in height, 5.2m wide and 54.5m in length with parking for 22 cars and 5 bicycles. The submission also includes an Arboricultural Report which indicates that no trees are to be felled and that there will be no new boundary treatments.

The Landscape Officer considers that the proposal would not result in any significant landscape or visual impacts.

Impact on the amenity of neighbouring properties

The nearest residential properties to the application site are positioned to the north of the site, Rookery Grange and The Cottage. The dwellings are sited over 120m away from the proposed field. The dwelling known as Rookery Grange own the land to the north of the site and use it for exercising horses. The letters of objection suggest the land is also used by a number of other people from around the area also to exercise their horses. The land is also used for haylage to feed the neighbours horses. The neighbours have raised concerns over the potential impact of wayward balls being hit into their land and the impact it would have on the horses and haylage.

The amended plan shows the building and direction of the driving range re-orientated further to the south east. This would direct the direction of balls further away from the neighbours property. The Golf Architects report submitted by the applicant states that the majority of the golfers will hit the ball within the driving range area, however there is a 30 degree safety zone required for wayward balls. The original plans did not include this 30 degree safety zone and therefore there was a high chance a ball would fall into the neighbours land. The amended plans now show a 40 degree off set from the neighbours land to allow for an additional 10 degrees to reduce the potential impact and create a larger safety zone. The Golf Architect states that this adjustment would make the probability of golf balls exiting the applicant's property to the left would be extremely unlikely. Furthermore, the applicant will include bay dividers which further reduce the chance of mis-struck shots and security cameras will be installed to ensure golfers practise safely.

It is therefore considered that the applicant has put a number of proposals in place to reduce the potential of wayward balls falling into the neighbours land. However, for additional safety it is considered reasonable to condition that full details of a netting solution along the northern boundary shall be submitted and approved. It is considered that this will act as an extra safe guard.

The applicant's family own the land to the south of the proposal and therefore there is no amenity impact to the south of the site.

The Environmental Protection department have considered a noise report which has been submitted. The report has considered the striking of golf balls, conversation from customers, vehicles and use of equipment. The assessment has concluded that there will be no loss of amenity to the existing local residents. The Environmental protection officer is comfortable that the proposal will not have a significantly detrimental impact on neighbouring amenity in the area with regards to noise. If issues of noise nuisance arise once in use, the issues can be dealt with under the Environmental Protection Act.

The Environmental Protection Officer has considered the full details of the lighting scheme which has been submitted. The plans show that the lighting will be directed on the driving range with 3 lux lighting centrally and the spill of up to 1 lux at a 40 degree angle from the driving range. The report states very limited/if any light will spill out of the site, and therefore will have a limited impact on neighbouring amenity. The Environmental Protection Officer considers that the proposal is acceptable as proposed.

With regards to other matters the Council's Environmental Protection Team have advised that they have no other objections, subject to conditions for Electrical Vehicle Infrastructure and Soil Importation and unexpected contamination. As such, it is not considered that the development would result in any environmental disturbance concerns.

The proposal is therefore considered to be acceptable.

Parking and Access

A new golf driving range is proposed on land on the east side of Main Road, Worleston. A new access to the site is to be provided that allows two way vehicle flow at the junction and the Strategic Highways Officer states that there is sufficient visibility available. There are 22 car parking spaces provided for the use, this is considered an acceptable level of parking for a driving range use.

The Strategic Highways Officer, states that the level of traffic generation is low and no traffic impact issues should arise from the application.

The Parish Council have raised concerns over highway safety and vehicles not being visible when turning right into the site. The Strategic Highways Officer has consider these comments and has confirmed that full visibility will be achieved with the new access proposed, and therefore people turning right will be visible.

The Strategic Highways Officer states that it should be noted that the site is not readily accessible and is not linked to any footpath network and is likely to be a fully car borne development.

The Strategic Highways Officer therefore considered that the proposed use does not raise highway concerns and no objections are raised.

Ecology

The application includes a protected species survey and the Council's ecologist has considered the information submitted and made the following comments.

Great Crested Newts

There is a considered low risk that the proposed development may have an adverse impact upon great crested newts which may occur within an adjacent water body. The Ecologist states that the risks will be adequately mitigated against by the implementation of the provided *Reasonable Avoidance Measures* report (Whistling Beetle, October 2018). This can be conditioned.

Breeding Birds

A condition is considered reasonable in relation to impact on nesting birds.

Trees and Hedgerows

The application is supported by an Arboricultural Impact Assessment (Ref TRE/MR) and Arboricultural Method Statement (TRE/MR) dated 2nd September 2018 by Mulberry.

The supporting information identifies that no trees require removal to facilitate development but thirteen other trees within the wider site area have been identified for removal, irrespective of development; these are listed as -: T4, T5, T6, T8, T9, T10, G1/1, G2/1, G3/2, G4/1, G5/1 and G6/1. None of these trees are formally protected but they all exhibit extensive decay or are considered to be in terminal decline.

The only retained tree which interfaces with the development is T7, where there is a Root Protection Area (RPA) incursion to facilitate a section of the proposed car parking area. The incursion exceeds the advice contained within current best practice BS5837:2012 with in excess of 20% of the trees RPA, but the Oak in keeping with adjacent specimen's exhibits significantly reduced vigour and vitality, to the extent the trees wouldn't be considered worthy of formal retention.

Subject to highways being satisfied with visibility splays, and the road frontage trees being retained, there are no Arboricultural reasons to object to the proposals as presented. The Tree officer has suggested a condition to ensure the works are carried out in accordance with the arboricultural statement.

Floodrisk and Drainage issues

The Floodrisk Team have been consulted on the application and have raised no objections to the proposal. It is therefore considered that the development is acceptable in terms of flood risk and drainage issues.

Other Matters

Within the objection raised, Floodlighting SPG and Policy DC64 of Macclesfield BLP has been quoted. As this application is within the Crewe and Nantwich Local Plan area this is not a relevant policy for consideration.

Furthermore, the neighbours have raised concerns in relation to the Health and Safety of the Horses they exercise and the riders in relation to wayward balls on the neighbouring land.

The impact on Health and Safety is not a specific material planning matter, in that a health and safety assessment is not required to meet planning policy. However the impact on neighbouring amenity is material and this has been addressed above. The applicant will have a responsibility under Health and Safety legislation (outside of Planning) to carry out a risk assessment and ensure adequate controls are in place to mitigate any potential hazards. The re-orientation of the driving range and the imposition of a condition for nets on the northern boundary are considered reasonable to address the amenity impact on the neighbours in relation to this planning application.

Planning Balance and conclusion

It is considered that the proposed change of use of the land is acceptable in principle in the Open Countryside for recreation uses. The impact of the proposed building will be minimal given their height, materials and siting some distance from the road frontage.

The proposal as amended and conditioned will not have a significantly detrimental impact on neighbouring amenity. The proposal will not have a detrimental impact on Highway Safety, Ecology, Trees or landscape impact.

It is therefore considered that on balance the proposal is acceptable and is therefore recommended for approval.

RECOMMENDATIONS

APPROVE with conditions

- 1. Standard Time**
- 2. Plans**
- 3. Materials as stated**
- 4. Landscaping plan**
- 5. Landscaping to include levels**
- 6. Landscaping Implementation**
- 7. Great crested newt RAMs**
- 8. Breeding birds**
- 9. Arboricultural works as Statement**
- 10. Submission of details of nets to the north of the site**
- 11. If use ceases, the building shall be removed and the land returned to agriculture**
- 12. Electrical Vehicle Infrastructure**
- 13. Soil importation**
- 14. Unexpected Contamination**
- 15. Lighting**

In order to give proper effect to the Board's intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.

