

Application No: 21/6443M

Location: Marton Meadows Golf Club, CONGLETON ROAD, MARTON, SK11 9HF

Proposal: The proposed level changes of the existing field parcel will be met by the importation of inert fill material. Currently the existing field parcel is a large, even gradient area, sloping east to west. There is a large area of poorer drainage, resulting in a Marshy Grassland habitat area. It will allow the creation of a better quality facility through providing an additional 3no holes, this will be improve playing environment and the overall golf course.

Applicant: Kevin Pearson, APC Land Solutions Ltd.

Expiry Date: 28-Jul-2023

SUMMARY

Outdoor recreation development in the Open Countryside which is deemed essential for the expansion of an existing rural business is deemed acceptable in principle. For the reasons set out in this report, it is deemed that the proposed development is essential for this purpose.

The works would result in the raising of land levels to facilitate the changes to the golf course. Overall, there would be changes to the appearance of the open countryside, but the improvement to the golf course, allowing better access for users and to meet the requirements of the golf World Handicap System is considered necessary. This would allow the club to be registered with Golf England and the Cheshire Golf Union, to the benefit of a local business in the village.

The proposal would provide a way of utilising 85,000 cubic metres of inert material as part of land improvement works, thereby providing it with a useful purpose as opposed to being deposited in landfill and would assist in addressing an identified significant shortfall in inert waste management capacity within the authority as identified in the latest Cheshire East Waste Needs Assessment Update.

Highways have raised no objections as the access has now been widened to allow for safe HGV movements. The number of movements should be conditioned, as should the timescales for them taking place.

There will be impacts on ecology, trees and hedgerows and these can be mitigated by the measures set out in the application.

Conditions would ensure that the materials imported would be suitable.

The Environment Agency and the Council's flood risk team have no objections subject to conditions.

The scheme therefore represents a sustainable form of development and the planning balance weighs in favour supporting the development.

RECOMMENDATION: Approve subject to conditions

SITE DESCRIPTION AND CONTEXT

The application site is a parcel of land, 3.6 hectares in size, to the south of the existing Marton Meadows Golf Club, located on the eastern side of the A34 (Congleton Road), within the Open Countryside.

Access during development would be taken from Congleton Road using an existing track adjacent to St James and St Paul's Church.

The topography of the land falls from high ground on the eastern boundary towards the western boundary with Chapel Brook which runs through a small part of the western part of the site.

DETAILS OF PROPOSAL

The application proposes level changes of the existing field parcel by the importation of inert fill material. Currently the existing field parcel is a large, even gradient area, sloping east to west. There is a large area of poorer drainage, resulting in a Marshy Grassland habitat area. It will allow for the creation of a better-quality golf facility through providing an additional 3no holes.

RELEVANT HISTORY

- 21/3874M - Operational development required to carry out the change of use of the buildings A & B to C1 use approved by Part 3 Class R of the Town and Country Planning General Permitted Development (England) Order 2015 (as amended) confirmed through prior approval application reference 20/2459M – Approved 8th February 2022
- 20/4440M - Change of use of land to create a golf practice field including practice bays and associated development – Approved 18th July 2022
- 21/3873M - Extension to the clubhouse building and extension of the existing dropped kerb access – Approved 9th February 2022
- 20/2459M - Prior approval of the change of use of the ground floors of two agricultural buildings to a flexible use (C1 use - hotel) – Approved 13th August 2020
- 20/0417M - Change of use from barn to offices and widening of existing drop kerbs – Withdrawn 11th March 2020
- 19/5174M - Prior Notification of proposed demolition large agricultural barn – Prior Approval Not Required – 4th December 2019

19/3944M - Change of use (of existing rural building) to D2 Golf Simulator – Approved 24th October 2019

19/3570M - Variation of condition 2 (approved plans) on application 18/2652M (Redevelopment of Marton golf club), to allow for the re-siting of the approved storage building (tractor shed) – Approved 5th December 2019

18/2652M - Redevelopment of Marton golf club including the conversion of the existing barns into holiday accommodation (12no units); conversion of the existing clubhouse into a community hub and local facilities; provision of a new club house, storage building; children's play area; car parking; landscaping and other associated works – Approved 2nd April 2019

13/1040M - Conversion of Existing Redundant Farm Building into Storage Units – Approved 1st May 2013

13/0123M - Conversion of existing redundant farm building into storage units – Withdrawn 18th February 2013

74525P - 9 Hole Golf Course with Club House – Approved 23rd December 1993

21113PB - Replacement of old implement shed by a new one – Approved 23rd January 1980

14723PB - Kitchen Extension W.C Store Utility & Hall Extension – Approved 6th June 1978

NATIONAL & LOCAL POLICY

National Policy:

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Development Plan:

The Development Plan for this area comprises the adopted Cheshire East Local Plan Strategy (CELPS), the Site Allocations and Development Policies Document (SADPD) and the saved policies from the Marton Village Neighbourhood Plan (MVNP).

POLICIES

Development Plan

Cheshire East Local Plan Strategy (CELPS)

PG1 – Overall Development Strategy
PG7 – Spatial Distribution of Development
PG2 – Settlement Hierarchy
PG6 – Open Countryside
EG2 – Rural Economy
SC1 – Leisure and Recreation

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, Woodland
SE6 – Green Infrastructure
SE11 – Sustainable Management of Waste
SE12 – Pollution, Land Stability and Land Contamination
SE13 – Flood Risk and Water Management
SE14 – Jodrell Bank
CO1 – Sustainable Travel and Transport

Site Allocations and Development Policies Document (SADPD)

GEN1 – Design Principles
ENV1 – Ecological Network
ENV2 – Ecological Implementation
ENV3 – Landscape Character
ENV4 – River Corridors
ENV5 -Landscaping
ENV6 – Trees, Hedgerows and Woodland Implementation
ENV14 – Light Pollution
ENV15 – New Development and Existing Uses
ENV16 – Surface Water Management and Flood Risk
ENV17 – Protecting Water Resources
HOU12 - Amenity
HER9 – Jodrell Bank World Heritage Site
RUR5 – Best and Most Versatile Agricultural Land
RUR6 – Outdoor Sport, Leisure and Recreation Outside of Settlement Boundaries
INF3 – Highway Safety and Access
REC5 – Community Facilities

Cheshire Replacement Waste Local Plan (CRWLP)

Policy 1: Sustainable Waste Management
Policy 12: Impact of Development Proposals
Policy 14: Landscape
Policy 17: Natural Environment
Policy 18: Water Resource Protection and Flood Risk
Policy 22: Aircraft Safety
Policy 23: Noise
Policy 24: Air Pollution; Air Emissions Including Dust
Policy 25: Litter
Policy 26: Odour
Policy 27: Sustainable Transportation of waste
Policy 28: Highways
Policy 29: Hours of Operation

Policy 32: Reclamation

Policy 36: Design

Marton Village Neighbourhood Plan (MVNP)

HD2 – Design Policy

PE1 – Landscape Character Policy

PE2 – Trees and Hedgerows Policy

TRA1 – Sustainable Transport

PCA1 Heritage

SBS1- Small Business Support Policy

Other Material Considerations

National Planning Policy Framework

National Planning Policy for Waste

Cheshire Waste Needs Assessment

CONSULTATIONS:

Highways:

Originally objected to the proposal due to the access not being suitable for HGVs. Revised plans have now been submitted that address these concerns.

Environmental Protection:

No objection subject to conditions relating to the materials to be imported and land contamination.

Environment Agency:

No objection.

Flood Risk:

No objection.

Marton Parish Council:

Object to the amount of material to be imported, vehicle movements, highway safety, impact on the tranquillity of the church.

REPRESENTATIONS:

140 representations have been received at the time of report writing, 11 expressing objections and 129 in support:

Objections

- Potential to pollute Chapel Brook
- Out of keeping with the rural character of the area
- Noise, dust vibration and disturbance during development
- Highway safety
- Danger to pedestrians and cyclists
- Extra traffic and HGV movements
- Impact on trees

- What will the nature of the imported waste be?
- Impact on drainage
- Should use the existing land contours
- Impact on the structural stability of the church
- Could cause risk to the tree planting that has taken place in the village
- Impact on users of the church
- It is a money-making exercise
- Impact on property values

Support

- It would be a long-term investment for the club
- Would improve the standard of play
- Would improve the landscape and benefit ecology
- A great need to allow official world handicaps
- Will benefit the local economy increase tourism and create employment opportunities

APPRAISAL:

Principle of Development

The proposal is to create 3 new holes at the golf course, increasing the standard of the facilities for members and visitors. It would provide a facility with improved disabled access and would allow the course to meet the technical standards to pass the yardage threshold for registration on the World Handicap System and Golf England standards. This would enable players with an official world handicap the ability to play at the course and allow the club to enter and compete in national competitions. This weighs in favour of the proposal when balanced against the amount of inert waste to be imported.

Policy PG6 of the CELPS allows for development for outdoor recreation and also for development that is essential for the expansion or redevelopment of an existing business. The proposal therefore complies with Policy PG6.

The aim of Policy EG2 (Rural Economy) of the CELPS is to support appropriate rural businesses whilst in turn, protecting the countryside. Policy SBS1 of the MVNP has a similar aim. The application proposals will support this established local rural business and possibly lead to local job opportunities. The facilities will also assist in improving public health. The proposals are therefore deemed to adhere with Policies EG2 and SBS1.

Policy SC1 of the CELPS refers to leisure and recreation. It states that Cheshire East Council will seek to protect and enhance existing leisure and recreational facilities in Cheshire East. The application site relates to an established Golf Course within the village of Marton which lies within the Open Countryside. Although there are residential properties nearby, the site mostly backs onto open land. It is not deemed that it is located in or adjacent to a 'centre' in this regard. It is accessed directly from Congleton Road the A34, so is deemed to be accessible. Matters of character, amenity and biodiversity are addressed elsewhere in this report, but in short, are deemed not to be harmed. In response to the specific criteria listed, the proposals would support an existing business use, relates to an established facility, supports an outdoor sports facility and the visitor economy. As such, the proposals are deemed to adhere with Policy SC1 of the CELPS.

Policy SE11 of the CELPS requires proposals to maximise opportunities for waste to be managed in accordance with the principles of the Waste Hierarchy, giving priority to:

- i. prevention
- ii. preparation for re-use
- iii. recycling
- iv. other recovery
- v. disposal

The proposal would provide a means of managing 85,000 cubic metres of inert material in a sustainable manner in order to provide the landform necessary for improvements to the golf course and prevent the material from being sent to landfill. This supports the broad principles of the NPPW and accords with CELPS policy SE11.

The updated Cheshire East Waste Needs Assessment predicts that by 2025, there is likely to be a significant capacity gap in the authority for deposit of inert material to land, and this facility will therefore help contribute to addressing that predicted gap in waste management provision. This is considered to be a significant benefit of the development proposals and should be given significant weight in the determination of this application.

In summary, the application seeks to increase the size and use of the golf course to the benefit of a local business, a by-product of this will be the provision of a means of the deposit of inert waste, this is not the driving force behind this application, but it will help to fund the provision of the improved golf facilities. It is understood that the field is currently not financially viable for agriculture due to its size, topography and poor drainage and the drainage issues would be resolved by the development.

The proposal is therefore acceptable in principle subject to compliance with other relevant considerations.

Landscape and Visual Impacts

CELPS Policy SE4 requires all new development to conserve landscape character and quality and, where possible, enhance and effectively manage the historic, natural and man-made landscape features that contribute to local distinctiveness. Development will be expected to (amongst others) incorporate appropriate landscaping, preserve local distinctiveness and protect and/or conserve the historical and ecological qualities of an area.

Policy ENV5 of the SADPD inter-alia, requires that landscaping that is sympathetic to the existing landscape and makes satisfactory provision for the maintenance and aftercare of the scheme.

The proposals would entail raising land levels by up to 5 metres in places, which is significant, but would facilitate the provision of a course that would be more challenging for players.

The site is 3.32 hectares in size and is largely scrubland currently as it is no longer used for agriculture. In terms of the wider landscape, it is a relatively small field immediately adjacent to the existing golf course and when the development is completed, it would be viewed in the context of the overall golf course site. Whilst the proposal would involve creating a more formal landscape than the current rural appearance of the field, it is not considered that this would cause any significant harm as no new permanent structures are proposed.

It is considered that the significant increase in levels can be assimilated into the landscape by sufficient and appropriate planting, including trees and hedges. A Landscape Masterplan has been submitted with the application, which officers consider would provide suitable landscaping for the site, particularly with the retained vegetation on the boundaries.

During the course of the development, there will be adverse impacts caused by the presence of plant, machinery and porta cabins, however this will be temporary and would not cause long-term harm the character and appearance of the area.

The Landscape and Visual Impact Assessment (LVIA), submitted with the application assesses the landscape character of the site to be tolerant of change with landscape character sensitivity considered low. It considers that in landscape terms the scheme would have a moderate impact.

There are two public footpaths in the vicinity, Marton FP1 and Marton FP2, however these are both in excess of 200m away from the closest boundaries of the site and as such views from them would suffer no significant harm as a result of the proposals.

The proposal is therefore considered to be in compliance with Policy SE4 of the CELPS and Policy ENV5 of the SADPD.

Residential Amenity

Policy HOU12 of the SADPD and Policy SE12 of the CELPS require development to ensure that there would be no unduly detrimental effects on amenity due to loss of privacy, loss of sunlight and daylight, visual intrusion, environmental disturbance or pollution, traffic generation, access and parking. Policy SE12 also requires development to ensure that it is designed and located so as not to result in a harmful or cumulative impact upon air quality.

The site is not in close proximity to residential properties; therefore, the main issue would be the impact of HGVs travelling past them on the way to the site. It is accepted that there would be an increase in HGV movements through the village for the duration of the importation operation, however it is not considered that this would lead to a significant adverse impact on residential amenity to warrant refusal of the application. A condition should be imposed requiring the applicants to notify the LPA of the commencement of the importation of the fill materials and requiring cessation of importation, 18 months from the commencement.

Concerns have been expressed about disturbance during funerals in the churchyard. However, as traffic (including HGVs) passes the churchyard in the current situation, it is not considered that this is a matter that would warrant the refusal of the application.

The proposal is therefore considered to be in compliance with Policy HOU12 of the SADPD and Policy SE12 of the CELPS.

Highways

This application was initially objected to due to concerns about the suitability of the access. Further information has since been received from the applicant and a site visit carried out by highways, and the achievable visibility splays are now considered to be acceptable.

The amended access has been widened to allow additional maneuvering space for vehicles. Additional swept paths have been provided and the access is now acceptable.

It is estimated that there would be between 40 and 56 HGV movements per day, around 7 in and 7 out per hour, which is considered to be acceptable. The times that HGVs can arrive at and leave the site should be controlled by condition.

No objection is raised by the Head of Strategic Transport.

The proposal is therefore considered to be in compliance with Policy INF3 of the SADPD and Policy TRA1 of the MVNP.

Nature Conservation

Marshy grassland

An area of marshy grassland is present on site. To avoid any impacts on this habitat as a result of the proposed development there are no levels changes proposed within 8m of it. The submitted Biodiversity Enhancements Map includes details of a fenced off buffer around this area to safeguard it during the construction phase. These measures can be secured by condition

Brown Hare and Hedgehogs

Brown Hare, which is a priority species and hence a material consideration, is present on site. Whilst breeding of this species was not confirmed the submitted ecological assessment advises that suitable habitat for breeding occurs on site. It is considered that the proposed development is likely to result in a minimal localised adverse impact upon this species.

No evidence of Hedgehogs was recorded on site however the submitted ecological assessment advises that there are features present on site that might be suitable for use by this species.

It is considered that if this species was to occur on site the proposed development would potentially result in a minimal adverse impact upon it. Mitigation measures to minimise the risk to this species are detailed in the submitted ecological assessment. These measures can be secured through condition.

Lapwing

A detailed breeding bird survey has not been undertaken in support of this application. Lapwing, a priority bird species and hence a material consideration, was however recorded as breeding on site. It is considered that the proposed development is likely to result in the loss of suitable breeding habitat for this species which will result in an adverse impact significant in the local context. This should be balanced against the benefits of the scheme

Bluebell

This priority plant species was recorded on site. The submitted ecological assessment however advises that the retention and protection of the hedgerows on site would be sufficient to safeguard this species.

Badgers

Badgers are active on the application site, but no setts are present. It is considered that the proposed development would result in the temporary loss of foraging habitat that is likely to have a low-level adverse impact upon this species.

The status of Badgers on a site can, however, change within a short timescale. Consequently, the submitted ecological assessment includes recommendations for an updated Badger survey to be undertaken prior to commencement. This can be secured through condition.

Brook

The brook on site would not be affected by the proposed levels changes. The submitted Biodiversity Enhancements Map includes proposals for the fencing off of a buffer adjacent to the brook during the construction phase.

Ecological Enhancement

In accordance with Local Plan Policy SE3(5) all development proposals must seek to lead to an overall enhancement for biodiversity. In order to assess the overall loss/gains of biodiversity an assessment has been undertaken and submitted using the Defra Biodiversity 'Metric' version 3.1.

The metric as submitted shows a net gain for biodiversity of 10.59%.

It is considered that a 30 year habitat management plan is required to secure the proposed biodiversity net gain. This matter may be dealt with by means of a planning condition if consent is granted.

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with Local Plan Policy SE 3. The applicant has submitted an ecological enhancement strategy which includes proposals for the incorporation of bat and bird boxes and brash/deadwood piles. These are considered to be acceptable.

The proposal is therefore in compliance with Policy SE3 of the CELPS and Policies ENV1, ENV2 and ENV4 of the SADPD.

Drainage

As originally submitted, the Lead Local Flood Authority (LLFA) had concerns about the potential for surface water run-off to impact on third party land. Following the submission of a revised Flood Risk Assessment (FRA) and discussions with the applicant, these concerns were addressed and the LLFA are now satisfied that there would not be issues with surface water run-off to third party land and Chapel Brook which flows to the east of the site.

The Environment Agency also placed a holding objection on the application as they also needed to see a revised FRA due to potential loss of floodplain from Chapel Brook. Following the submission of the revised FRA and plans confirming that there will be an 8m buffer between the site and the brook, the EA have withdrawn their holding objection.

The proposal is therefore in accordance with Policy SE13 of the CELPS and Policies ENV16 and ENV 17 of the SADPD.

Pollution Control

As the proposal involves the import of inert waste, it is necessary to ensure that these are not going to lead to unsuitable materials being imported to the site. To this end, conditions are proposed relating to a strategy for monitoring the nature of the imported materials and inspection of materials to ensure that oversized or unsuitable particles are removed and not buried at the site.

In addition, the applicant will be required to liaise with the Environment Agency to ascertain whether an Environmental Permit is required. Waste transported to and from the site must only be carried by a registered waste carrier.

Subject to conditions the proposals are in accordance with Policy SE12 of the CELPS and Policy ENV17 of the SADPD.

Trees

There are trees within and adjacent to the site, none of which are subject to Tree Preservation Orders. A Tree Survey and Arboricultural Impact Assessment have been submitted with the application.

The trees in that would be in closest proximity to the access road would be T1, a Sycamore on the point of access, on the northern boundary of the access road and on the rear boundary of the churchyard.

Apart from T1, it is not considered that the proposed development would have any significant adverse impact on trees in and adjacent to the site. In terms of the impact on T1, it is necessary to provide protection measures for the roots of this tree. Subject to that condition, the proposal is considered to be acceptable in arboricultural terms.

The proposal is therefore in accordance with Policy SE5 of the CELPS, Policy ENV6 of the SADPD and Policy PE2 of the MVNP.

Heritage

The access road to the site runs alongside the boundary with the churchyard of the Church of St James and St Paul, which is a Grade I listed building. Also within the churchyard is a cross which is a Grade II listed building and a scheduled ancient monument.

Concerns have been expressed about the impact of HGVs passing the church would have on the delicate fabric of the church. To address this issue, the applicant has submitted a technical note, undertaken by an acoustic consultant relating to vibration levels. This technical note concludes that even in the worst case scenario, vibration levels would be suitably low so as not to cause damage to the building.

In terms of the setting of the church, there would be some limited harm to its setting. However, this would be on a temporary basis and would end when the development was complete. As such it is not considered that it would warrant refusal of the application.

CONCLUSIONS

Outdoor recreation development in the Open Countryside which is deemed essential for the expansion of an existing rural business is deemed acceptable in principle. For the reasons set out in this report, it is deemed that the proposed development is essential for this purpose.

The works would result in the raising of land levels to facilitate the changes to the golf course. Overall, there would be changes to the appearance of the open countryside, but the improvement to the golf course, allowing better access for users and to meet the requirements of the golf World Handicap System is considered necessary. This would allow the club to be registered with Golf England and the Cheshire Golf Union, to the benefit of a local business in the village.

The proposal would provide a way of utilising 85,000 cubic metres of inert material as part of land improvement works, thereby providing it with a useful purpose as opposed to being deposited in landfill and would assist in addressing an identified significant shortfall in inert waste management capacity within the authority as identified in the latest Cheshire East Waste Needs Assessment Update.

Highways have raised no objections as the access has now been widened to allow for safe HGV movements. The number of movements should be conditioned, as should the timescales for them taking place.

There will be impacts on ecology, trees and hedgerows and these can be mitigated by the measures set out in the application.

Conditions would ensure that the materials imported would be suitable.

The Environment Agency and the Council's flood risk team have no objections subject to conditions.

The scheme therefore represents a sustainable form of development and the planning balance weighs in favour supporting the development.

RECOMMENDATION:

Approve subject to the following conditions:

- 1. Time limit (3 years)**
- 1. Development in accordance with the approved plans**
- 2. Materials**
- 3. Development in accordance with recommendations in the Ecological Impact Assessment**
- 4. Within 6 months of the date of this permission, submission of a habitat creation method statement and 30 year habitat management plan The habitat management plan to include a schedule of ecological monitoring and reporting and a mechanism to secure the**

agreement and implementation of contingency measures in the event that monitoring reveals that habitats on site are failing to achieve their target distinctiveness and/or condition.

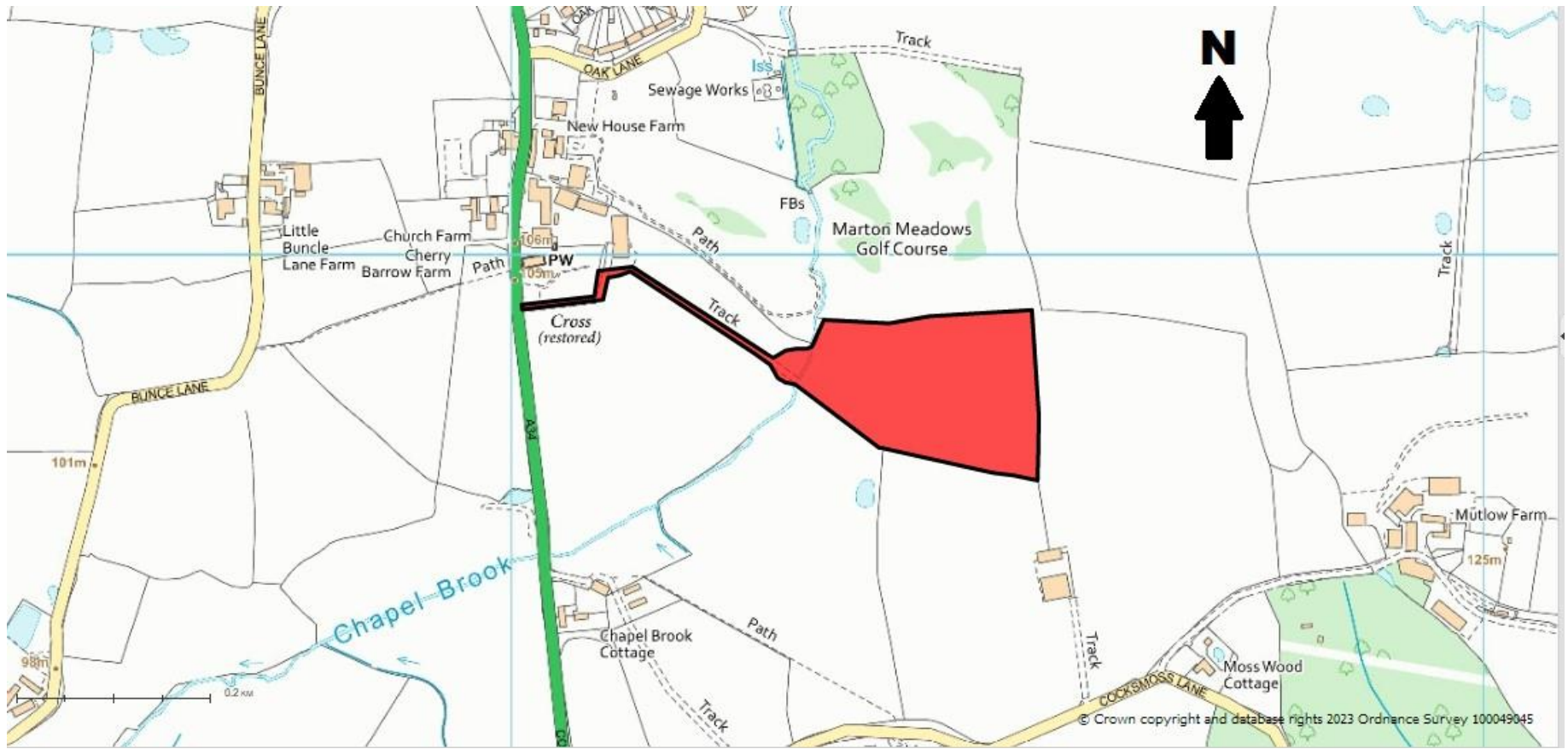
5. Submission and implementation of 30-year habitat management plan
6. Prior to the use as part of the golf course commencing, the features to enhance biodiversity shall be provided and retained thereafter
7. Provision of the protective fencing to the 8m buffer zone
8. Protection of breeding birds
9. Root protection measure for tree T1 to be provided prior to commencement of development
10. Widening of the access prior to commencement of development
11. Limiting HGV movements to the site to 112 per day, 56 entering and 56 leaving
12. Records of HGV movements shall be kept at the site and available for inspection by the LPA
13. Notification to the LPA of commencement of importation and requirement for importation to cease after 18 months
14. Hours of operation including HGV movements restricted to 07:00 to 19:00 Monday to Friday. 08:00 to 14:00 Saturday and no working on Sundays or public holidays
15. No crushing or processing to take place on the site
16. Topsoil to be stripped and stored away from the imported material
17. Loads of imported material shall be screened for oversized or unsuitable materials and any found shall be removed from the site
18. No importation of fill shall commence until a strategy containing information relating to the materials proposed to be imported, including a proposed testing regime, has been submitted to and approved in writing by the Local Planning Authority (LPA).
19. Only dry, inert material shall be imported into the site
20. Post-completion of the development, a topographical survey to demonstrate that the levels comply with the submitted plans, shall be submitted to and approved in writing by the LPA
21. Stockpiles of imported materials shall be limited to 3m in height

Informatives:

NPPF

Approved plans

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in their absence the Vice Chair) of the Strategic Planning Board, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.



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