

Application No: 17/0454M

Location: Land North Of, CHELFORD ROAD, OLLERTON

Proposal: Construction of a 9 hole pitch and putt golf course adjacent to approved golf driving range

Applicant: Mr Brian Coutts

Expiry Date: 28-Apr-2017

SUMMARY

The site is a greenfield Green Belt site and has a current use as agricultural land for turf production. The application proposes the change of use of the land with associated engineering operations to a 9 hole pitch and putt style short golf course, to accompany the consented use adjoining the site for a driving range. The proposed development is considered to be acceptable in terms of Green Belt impact, the use maintains openness, and does not propose any buildings or structures. It is considered that there are very special circumstances to justify the proposal, due to maintenance of openness and the provision of an outdoor sport and recreation facility.

The proposal is considered to be sustainable in terms of social and economic sustainability.

The benefits in this case are:

- The proposal will provide a sporting and recreational facility for the local community and wider community to enjoy which compliments the adjoining site.
- It will encourage sport participation to contribute to the health and wellbeing of the local and wider community
- The development would provide economic benefits through the provision of employment during the construction phase, job creation during the operation of the facility and benefits for local businesses.
- The proposal is not considered to have a detrimental impact on the highway network.
- Due to the absence of hardstanding the proposal would not cause an increased flood risk at the site.
- No trees will be removed as a result of the proposed development.

The development would have a neutral impact upon the following subject to mitigation:

- The impact on protected species can be mitigated through effective surveys and mitigation measures.
- The impact upon the residential amenity/noise/air quality/landscape and contaminated land can be mitigated through the imposition of planning conditions.

The adverse impacts of the development would be:

- A more intensive use of the land than at present.
- Formalisation of the landscape.

It is considered that the proposal represents sustainable development when assessing the three strands of sustainability the proposals accord with the development plan and national planning policy and guidance. Therefore for the reasons mentioned above the application is recommended for approval, subject to appropriate conditions

SUMMARY RECOMMENDATION

Approve subject to conditions

PROPOSAL

The application is a full planning application for the development of a 9 hole golf course, adjacent to a permitted driving range which is currently under construction. The proposed development will be linked to the driving range and the car parking to the proposal will be provided through that scheme. The proposal is in effect an extension to the driving range approved in 2014.

The proposed development is a modest pitch and putt style course. There is a buffer proposed to the south of the proposal of approximately 75m, to give adequate separation between residential properties to the south. Hole 9 closest to residential properties is directed to the west. There is a mature tree buffer located between the driving range under construction and the proposed course. This treeline is to be retained. The levels of the site will be modified, as the current use is for turf production so is very flat in its topography. The changes to the levels are modest with approximately 3-4m in levels changes across the site, including tee, fairway and green areas, the site naturally slopes from south to north towards the watercourse at the northernmost part of the site.

There is an existing pond feature on the site which is to be retained. To the north of the site is the buffer zone to adjacent fields which includes the brook that is also to be retained. Due to the limited nature of the site which is used for turf production, the flora is limited on the site apart from the buffer zones along the site perimeters.

SITE DESCRIPTION

The application site extends to approximately 6.5ha of active agricultural land, currently used for turf production. The site is located to the north of Chelford Road, and accessed from Chelford Road adjacent to residential properties to the south of the site.

The site has a tree lined perimeter with mature trees and watercourse to the north. There are ponds on the site which are proposed to be retained.

To the west is the driving range which is under construction which is under the same ownership as the proposal as part of this application. The site is adjacent to public footpath Ollerton No. 18 and Marthall No. 4.

RELEVANT HISTORY

10/3232M, Golf driving range with building and nine hole golf course, Withdrawn

NATIONAL & LOCAL POLICY

By virtue of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan for Cheshire East currently comprises the saved policies from the Congleton Borough (January 2005), Crewe and Nantwich (February 2005) and Macclesfield Local Plan (January 2004).

Macclesfield Borough Local Plan Policy:

The site is located within the Green Belt.

Therefore the relevant Local Plan policies are considered to be: -

Built Environment Policies:

Policy BE1: Design Guidance

Development Control Policies:

Policy DC1: New Build

Policy DC3: Amenity

Policy DC6: Circulation and Access

Policy DC8: Landscaping

Policy DC9: Tree Protection

Policy DC13: Noise

Policy DC33: Outdoor Commercial Recreation

Policy DC36: Road Layouts and Circulation

Policy DC63: Contaminated Land

Policy DC64: Floodlighting

Policy GC1: Green Belt

Policy T6: Highway improvements and traffic management

Policy NE2: Landscape protection and enhancement

Policy NE11: Nature conservation

Policy NE14: Natural habitats

Cheshire East Local Plan Strategy – Proposed changes publication document July 2016.

The following are considered relevant material considerations as indications of the emerging strategy:

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG3 Green Belt

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

SE6 Green Infrastructure

SE9 Energy Efficient Development

SE10 Minerals
SE12 Pollution, Land Contamination and Land Instability
SE13 Flood Risk and Water Management
EG2 Rural Economy
EG4 Tourism
SC1 Leisure and Recreation
SC2 Indoor and Outdoor Sports Facilities
SC3 Health and Well-being
CO4 Travel Plans and Transport Assessments

The National Planning Policy Framework

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.
73, 74, 75 Promoting healthy communities
79, 80, 81, 89, 90 Green Belts
109. Conserving and enhancing the natural environment
186-187. Decision taking
196-197 Determining applications
203-206 Planning conditions and obligations

Other Material Considerations

- Conservation of Habitats & Species Regulations 2012
- Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System
- Ministerial Statement – Planning for Growth (March 2011)

CONSULTATIONS (External to planning)

Public Rights of Way (PROW)- The property is adjacent to public footpath Ollerton No. 18 and Marthall No. 4 as recorded on the Definitive Map held at this office (working copy extract enclosed). It appears unlikely, however, that the proposal would affect the public right of way, although the PROW Unit would expect the Development Management department to add an advice note to any planning consent to ensure that developers are aware of their obligations which are set out.

Environmental Health – no objections subject to conditions and informatives.

Flood Risk Team No objections subject to conditions

Highways – No objection as existing parking provision and access sufficient. Conditions suggested for wheelwash during construction.

VIEWS OF THE PARISH COUNCIL

Chelford Parish Council – This site is designated Green Belt and should be tested with reference to local and national planning policies. There are three properties that back onto this development and one which is to the eastern side close to the eighth hole of the proposed course. This is a residential property within the grounds of the neighbouring horticultural nursery; this resident has not been considered within the application. The

property does not benefit from the buffer zone afforded to the other properties. There are also no details within this submission regarding any restrictions to the buffer zone, what measures will be taken to prevent stray balls from perhaps holes 7 and 8 entering this area. This will create further disturbance closer to each property. There are also balls that could enter the eastern property's boundary due to its closer proximity. The details regarding the intended ground level in the buzzer zone are also absent, will the golf course be elevated above this area or will tipping take place close to all the properties. Residents currently enjoy a private aspect to the rear of their homes; this includes all rear facing windows and their gardens. However this development will remove this valued amenity and the right to privacy, due to unrestricted public access.

We do not agree with the statement made by Emery Planning that the loss of residential amenity is outweighed by the economic and social benefits. Residents stand to benefit nothing and the scale of employment is small. Furthermore the statement "there would be no additional noise or disturbance from the proposed use greater than that created by the approved golf driving range" is incorrect. There will be addition activity coming from the golf course i.e. people using both facilities simultaneously. This development is in conflict polices DC3 (protection of the amenities of nearby residential properties) and H13 (protecting residential areas and the amenity of residents).

Road conditions and tipping concerns

Since the approval of the driving range in February 15th 2016 a year ago, locals and residents have been subjected to the activities of tipping on the adjacent site. The council will be aware of the number of issues that have arisen regarding the road conditions, given the complaints they have received. The road cleaning program has been ineffective in clearing the mud and stones which have caused damage to passing vehicles, many broken windscreens have been reported. The sheer number of trucks visiting this site often up to 50 per day is unsustainable.

The planning officer may consider that this is not a material consideration; however the loss of amenity for residents and locals who have suffered damage to their vehicles should not be diminished. We would strongly recommend that a condition of approval would be a restriction on tipping. The drawings submitted do not provide sufficient details of the extent of tipping to happen. There is one cross-section BB on Dwg No: OLLE.220A date 16th December, which shows that the land is to be made level with the driving range. This would equate to a large amount of tipping just to bring the site level with the driving range, this is unnecessary.

Sustainability

Planning policy within the Green Belt stipulates that there needs to be special circumstances to outweigh the harm, it also promotes sustainability. This site is agricultural land and sustainable development principles states we must avoid the permanent loss of agricultural land unless the strategic need overrides. The need for such a development has not been justified considering that driving ranges and golf courses are closing down in our local area (Mobberley golf course has closed recently). The proposal lacks the requirements expected to be sustainable and gives raise to concerns regarding the long term future of the land. It would be plausible to complete the driving range and judge the viability before committing further

Green Belt land to this venture. Also the capital return on this investment places a long term burden on the business, given the cost of building a well designed course.

Highways and lighting

Chelford Road is very busy and is challenging for residents leaving or entering their properties onto fast oncoming traffic. The addition of this development will increase traffic activity close to resident's private entrances and is a highways concern.

There is no lighting proposed and this restriction should remained indefinitely to avoid the potential loss of amenity caused by light spillage onto neighbouring properties.

Conclusion

The level of development along Chelford Road is already high, our Parish Plan concluded this and we will also review this further in the completion of our Neighbourhood Plan. The Parish Council cannot support this application on the grounds outlined, we would request that this planning application is refused. However if approval is granted we would urge a total restriction on further unnecessary tipping.

REPRESENTATIONS

Representations received from two neighbouring properties

- concerns over construction of the course
- existing issues with the construction of the driving range
- Concerns over lighting
- Concerns over highways
- Proposal would not bring an economic benefit to the area
- Impact on privacy
- Noise impact

APPLICANT'S SUPPORTING INFORMATION

- Planning Statement
- Extended Phase 1 habitat survey
- GCN report

Whilst the engineering aspects of the proposed development would not be inappropriate development under the provisions of paragraphs 89 and 90 of the Framework; it is acknowledged that following the Fordent judgment, the change of use of the land from agriculture to a golf course would be inappropriate development in the Green Belt.

However, it is considered that, in accordance with paragraph 87 of the Framework, there are very special circumstances that would outweigh the harm to the Green Belt by way of inappropriateness. These include the following:

- The proposed development cannot be accommodated within the existing built-up area or on land outside of the Green Belt;
- The proposal would complement an approved golf driving range facility immediately adjacent;

- The proposed development would meet the requirements of paragraph 28 of the Framework by assisting in the sustainable growth, expansion and diversification of the rural economy;
- The proposed development would meet the requirements of paragraph 81 of the Framework by making beneficial use of the Green Belt for sport and recreation;
- It would deliver a sport / recreation use in an accessible location, assisting to promote the health and well-being of the community and meeting the requirements of paragraph 73 of the Framework;
- The development plan does not positively address the need or delivery of such facilities.

In light of these very special circumstances, it is considered that any minor harm to be caused to the Green Belt by way of the proposed development's inappropriateness would be significantly outweighed by the benefits.

No objections would be raised to a condition to prevent the proposed golf course and approved driving range from being operated or sold independently with the same hours of operation and shared parking and access facilities.

It is also considered that there are no other negative aspects of the proposed development that would outweigh the benefits of the proposals. In particular, this statement has set out that the proposed development would deliver economic, social and environmental benefits that would significantly and demonstrably outweigh any negative aspects.

The proposed development has been designed with regard to the character of the surrounding area. The existing field would very largely remain as grassland, although managed in a different way.

There would be no significant adverse impact on residential amenity due to the nature of the proposal and the relationship of the development and the distances involved. There would also be no harm to highway safety. The proposal would enhance bio-diversity, and it would provide a valuable public recreational facility.

The proposal would be a sustainable form of development and in accordance with paragraph 14 of the NPPF, there should be a presumption in favour of approval. No 'significant and demonstrable' harm has been identified to outweigh the presumption in favour of approval.

Planning permission should therefore be granted in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004.

APPRAISAL

Key Issues

- Principle of development
- Sustainability
- Outdoor sport and recreation
- Public Rights of Way
- Landscape Impact
- Trees
- Ecology
- Amenity
- Noise
- Flood Risk

- Design
- Highways
- EIA
- Employment
- Economic impact on wider area
- Representations
- Conclusions
- Planning Balance
- Recommendation

Principle of development

Green Belt

Policy DC33 of the Macclesfield Borough Local Plan is a saved policy that sets out criteria for commercial recreation facilities. It states that proposals for new outdoor commercial recreation facilities such as golf driving ranges or extensions to existing uses will be assessed against the following criteria:

1 There should be no significant harm to an area of special county value for landscape, to other areas of landscape value or to historic parkland.

2 The site should not lie within a designated conservation area or a site of archaeological importance.

3 The site should not lie within an area designated as a site of nature conservation importance.

4 The design, siting, scale and materials of any necessary buildings or structures should harmonise with the existing landscape setting of the site and should not significantly harm or detract from the visual character of the site and its surroundings. Wherever possible new buildings should be sited in close proximity to existing non-residential/non-sensitive buildings to minimise visual impact.

5 Associated development should be ancillary in scale to the main use of the site. The use of existing buildings for ancillary uses will be encouraged in preference to the construction of new buildings.

6 The site should be able to accommodate any necessary lighting without undue intrusion or significant adverse impact upon the immediate locality or wider environment.

7 The proposal should not result in significant adverse impact upon existing residential amenity.

8 Car parking provision and access into the site should be to the satisfaction of the local planning authority. The site should have good access to an existing network of main roads (a roads).

9 Full details of existing and proposed contours, public rights of way, tree and vegetation cover and proposed landscaping should be submitted with the application.

The above policy mirrors aspects of other policies in the Local Plan (such as protecting amenity, nature conservation, highway safety and valued landscapes) that are broadly consistent with objectives set out the National Planning Policy Framework and therefore carries significant weight. The site planning issues relevant to the proposal are assessed under the relevant heading in this report. It is demonstrated that there are no issues of significance that would conflict with policy DC33 of the Macclesfield Borough Local Plan.

In terms of the key principle of the acceptability of the proposed development, the key issue is compliance with Green Belt policy. There is no saved policy in the Macclesfield Borough Local Plan that relates to changes of use in the Green Belt and so the guiding policy is set out in the Framework.

The site is located within the Green Belt and has an agricultural use for turf production. Under the definitions contained within the National Planning Policy Framework it is not Previously Developed Land. Therefore in policy terms the site is greenfield Green Belt land.

Within the Green Belt, development is restricted in order to maintain its openness and permanence and prevent urban sprawl. Certain types of development are acceptable within the Green Belt and the NPPF states that the construction of new buildings is inappropriate development and exceptions to this include – ‘provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt’. This proposal however seeks planning permission for the use of the land for outdoor sport and recreation through the provision of a golf course. It has been clarified through case law that the exceptions to inappropriate development set out in the Framework are “closed lists”. The change of use of land to a golf course must therefore be considered as “inappropriate development in the Green Belt”. Inappropriate development is harmful by definition, which must be accorded substantial weight. Planning permission should only be granted in very special circumstances. Such circumstances will only exist if the harm by inappropriateness, together with any other harm, is clearly outweighed by other considerations.

Current case law which established the approach to assessing a change of use of land in the Green Belt included an example of how decision makers might approach such issues. It is open to the decision maker to consider if potential benefits, such as compliance with objectives for use of the land in the Green Belt, carry sufficient weight to amount to very special circumstances.

As set out in this report, it is concluded that the proposal will result in very limited additional harm beyond that of inappropriateness. The openness of the Green belt is maintained and the proposal does not conflict with the purposes of including land in the Green Belt. All other site planning impacts as set out in this report. The proposal will have very minor impacts on the landscape and on residential amenity through a more intensive use than the existing use, which are considered to represent some (albeit very minimal) harm. This is considered to carry very limited weight against the proposal in the Green belt balance.

The key question is therefore whether considerations in favour of the development exist that would clearly outweigh the harm to the Green Belt by virtue of inappropriateness and any other harm?

In this particular case it is advised that the proposal does carry substantial benefits in line with paragraph 81 of the Framework.

The use of a golf course for recreation purposes is encouraged under paragraph 81 which states that:

'local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscape, visual amenity and biodiversity; or to improve damaged and derelict land.'

It is considered that the use of the land for the purpose of a golf course for a short 9 hole course is an acceptable use and furthermore compliments the adjacent use of the driving range which will be served by the same car park. This proposal introduces no hardstanding and only minor levels changes through the creation of tees and putting greens. The proposal is for a sporting use which maintains openness and makes use of the existing ponds.

It is considered that the benefits of providing the golf course to compliment the existing driving range facility would be a positive use of the Green Belt and this is given substantial weight in favour of granting permission. It is concluded that this factor clearly outweighs the harm by inappropriateness, and the other very limited harm identified. As such very special circumstances are considered to exist to justify the grant of planning permission.

Sustainability

Sustainability is the golden thread running through the National Planning Policy Framework, and proposals for sustainable development should be approved without delay. There are three strands to sustainability, social, economic and environmental.

SOCIAL SUSTAINABILITY

Sport and Recreation

The application proposes a 9 hole pitch and putt short course to accompany the driving range which is under construction on the field adjacent to the west. The site will be operated by the same owners as the adjacent driving range and the car parking for the driving range will serve this course. The application proposes an end use of outdoor sport and recreation, which will be available as a leisure facility for the local and wider population, it will offer facilities for groups and individuals which will encourage participation in sport and outdoor activities.

One of the core planning principles in the NPPF is to

promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production).

Policy SC1 of the emerging Local Plan, encourages leisure and recreation facilities and states that the Council will:

Support proposals for facilities that would not be appropriate to be 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.

Therefore under criterion c and d there is support through the emerging local plan for this type of development, it is considered that facilities such as this provide a social function in providing recreation opportunities for the local and wider population.

Policy SC2 of the emerging CELPS states that new facilities for sport will be supported, however this does state that the need must be identified within an accompanying Playing Pitch or Open Space Strategy. This proposal provides an opportunity to accompany the adjacent driving range which is under construction and encourage participation in golf through a short course. Therefore although not specifically listed, however nonetheless is an opportunity for a sporting facility.

The proposed development will allow greater participation golf for casual and which brings social benefits to the area.

Policy SC 3 (Health and Wellbeing) of the emerging CELPS states that the Council will ensure new developments provide opportunities for healthy living and improve health and well-being through the encouragement of walking and cycling, good housing design (including the minimisation of social isolation and creation of inclusive communities), access to services, sufficient open space and other green infrastructure, and sports facilities and opportunity for recreation and sound safety standards.

Whilst this proposal does not relate to housing development, it is clear that it will give access to sports facilities and the associated green infrastructure including the public footpath network, although this network is likely to be accessed in the first instance by the private car.

Public Rights of Way

Comments have been received from the PROW team, who state that the proposed development is adjacent to public footpath Ollerton No. 18 and Marthall No. 4. The proposal will not directly affect the PROW. However users of the site will be able to access the wider footpath network.

Social Sustainability Conclusion

The proposals for the facility will make a contribution to outdoor sport and recreation locally, the proposals will provide an additional facility locally to encourage and facilitate participation in outdoor sport. This will allow for local groups to use the facilities. The benefits outdoor sport bring, has direct links with health and wellbeing which is set out in the emerging Cheshire East Local Plan Strategy.

The proposal will continue to provide the public footpath links to allow for walking adjacent to the site.

Therefore it is considered that the proposed development will make a social contribution to the local area and is therefore socially sustainable.

ENVIRONMENTAL SUSTAINABILITY

Landscape Impact

The site is currently used for turf production therefore whilst well maintained is simple in character with areas of more mature vegetation along the perimeters and to the north.

Due to the relatively flat nature of the site and the minor nature of the works in terms of altering the topography and land forming it is not considered that the proposed development would have an adverse impact on the wider character of the landscape in this area.

Trees

There are a number of trees around the site. These are located along the perimeters of the site and are mature in appearance. The application proposes to retain all trees around and within the site. The site plan has been amended to ensure that all trees are retained that provide important habitat. However it is considered that it is necessary for tree protection measures to be put in place during the construction of the course to ensure that the construction of the course does not damage existing trees.

Ecology

Habitats

A brook, priority woodland habitats and species rich marshy grassland habitats are present towards the northern end of the application site boundary.

It is advised that these habitats are of sufficient nature conservation value to be worthy of being retained and safeguarded as part of the proposed development. In the case of the brook, the submitted habitat survey report recommends that a 10m undeveloped buffer should be provided.

The layout plan has been amended through the application process to show the retention of these habitats.

Hedgerows

Hedgerows are a priority habitat and hence a material consideration. The submitted habitat survey states that no hedgerows would be lost as a result of the proposed development.

Great Crested Newts

Small number of great crested newts were previously recorded at a number of ponds in this locality. The most recent survey however did not record any evidence of this species. In addition most of the site offers limited habitat for great crested newts. It is advised that the potential impacts of the proposed development are limited to the low risk of any newts that venture onto the site being killed or injured during the construction process. In order to

address this risk the applicant's ecological constant has recommended a suite of 'reasonable avoidance measures' be implemented.

It is advised by the ecologist that provided these measures are implemented the proposed development would be highly unlikely to result in a breach of the Habitat Regulations. Consequently, it is not necessary for the Council to have regard to the Habitat Regulations during the determination of this application.

The submitted ecological assessment recommends the enhancement of the existing ponds and the submitted layout plan includes the provision of an additional wildlife pond. This provision is welcomed and has the potential to deliver a significant benefit for nature conservation.

To maximise the value of the new pond and to ensure any enhancement of the existing ponds is undertaken appropriately it is recommended that if planning consent is granted a condition should be attached which requires the submission of a detailed design for the new pond and a strategy for the restoration of the existing ponds prepared by a suitably experienced ecologist.

Badgers

Evidence of badger activity was recorded on site, but no active sett was present. It is advised by the Council's ecologist that based upon the current levels of badger activity on this site the proposed development is unlikely to have a significant adverse impact upon this species.

However, as the status of badgers on a site can change in a short timescale it is recommended that in the event that planning permission is granted a condition should be attached which requires an updated badger survey to be undertaken and submitted prior to the commencement of development.

Trees with bat roost potential

A number of trees are present on sites which have been identified as having potential to support roosting bats. The submitted habitat survey states that these trees would be retained, the plan has been amended to show the retention of all existing trees. Further a condition is to be added that would prevent the removal of any trees from the site.

Nesting Birds

If planning consent is granted standard conditions are required to safeguard nesting birds.

Lighting

To avoid any adverse impacts on foraging bats and other wildlife it is advised that any additional lighting associated with the proposed development should be minimised. This matter should be dealt with by means of a planning condition requiring the submission of a detailed lighting scheme in the event that planning permission is granted.

Habitat Management Plan

If planning consent is granted a condition should be attached which requires the submission and implementation of a 10 year habitat management plan.

Amenity

In order for the proposals to be acceptable, it is important that they do not have a detrimental impact on the amenities of existing residents, objections have been received from two residents immediately adjacent to the site. The course will be accessed from the driving range site adjacent, therefore vehicles will not be passing by adjacent to the current access to the site. Therefore it is not considered that the access arrangements would have a detrimental impact on residential amenity.

There have been concerns from local residents in relation to privacy and stray balls entering back gardens, this is unlikely due to a buffer zone of 75m and the direction of play is to be to the north away from properties to the south.

Due to the distances involved, it is not considered that the proposal will have a detrimental impact on the amenity of neighbouring residents.

Therefore the proposal is in accordance with policy DC3 of the Macclesfield Borough Local Plan.

Noise

Issues of potential noise have been raised by local residents, however due to the nature of the activity proposed on the land coupled with the distances from neighbouring properties it is unlikely that the proposal will cause noise pollution. Environmental Health officers have raised no objections to the proposal subject to conditions.

Flood Risk

The application is a greenfield site, and the proposed use ensures that the site is retained as such, therefore it is not considered that the proposed development would have a greater impact on flooding or flood risk as a result of the proposed development. The Council's flood risk team have assessed the application and have raised no objections to the proposals there it is considered that the proposed development accords with policy DC17 of the MBLP and the NPPF.

Design

The proposal is a standard short course 9 hole golf course design, there are no areas of hardstanding or buildings proposed it is therefore considered that the proposals accord with policy DC1 of the MBLP.

Highways

In regard to the likely traffic impact of the proposal it is not considered that this additional provision would result in a significant additional generation and the 40 space car park can support the use as long as it is not two separate businesses.

A number of objections have been received in relation to the proposals and many of these relate to existing construction traffic on the adjacent site and particularly mud on the road. The proposed development will utilise the existing approval for the driving range adjacent, and it is considered that the parking and access arrangements are adequate. However due to concerns over mud on the road and the hazard this can cause on a main A road, a

construction management plan is necessary to ensure that the development does not have a detrimental impact on the local and wider road network through the construction process.

CEC Highways have not objected to the application on highways grounds, therefore the proposal is considered to be acceptable in respect of highways.

Environmental Impact Assessment

An EIA Screening Opinion was submitted prior to the submission of the application, due to the scale of the proposed development and the fact that it would not have a greater than local impact on the environment it is not considered that a full Environmental Statement was required to be submitted with the application. Therefore this is not considered to be an EIA development when assessed against the 2017 EIA regulations.

Environmental Sustainability Conclusions

It is considered that this proposed development is now environmentally sustainable subject to the conditions proposed to be imposed. The proposal will not have a detrimental impact on the landscape, local ecological value, local residents or on the highway network. It is accepted that the development will be accessed by private car, as it is effectively an extension to the consented driving range which is under construction.

Therefore the proposals are not considered to be environmentally unsustainable.

ECONOMIC SUSTAINABILITY

Employment

Although there are no specific details, the proposed development will provide employment for the construction and final running and maintenance of the golf course.

Economy of the wider area

The addition of a recreation attraction such as a short golf course within Cheshire East in the Chelford area is considered to be beneficial locally as it is likely to encourage people to the area, and could have a beneficial impact on local businesses particularly in Chelford and Knutsford both within reasonable access by private car.

It is considered therefore that it would create a modest enhancement to the local rural economy, which key Council, local and national objectives as set out in the emerging CELPS and the NPPF.

Economic Sustainability Conclusions

The proposals will result in additional employment which is a social and an economic benefit, in the short term employment will be greater through the construction of the site along with an economic boost locally through the increase in visitor numbers to the area. It is considered that the proposals will make a meaningful contribution to the local area by adding to a new sporting facility on the local area.

Representations

A large number of representations have been received in relation to the two neighbour representations have been received in relation to the proposal, these are both objecting to the proposals, it is considered that the material planning considerations have been addressed through the officers report and through the conditions imposed on the proposed development.

Paragraph 14 of the NPPF states that should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

PLANNING BALANCE

The site is a greenfield Green Belt site, and has a current use for turf production. It is considered that the proposed use has the Very Special Circumstances required and is acceptable as it is for outdoor sport and recreation, and accords with guidance as set out in the National Planning Policy Framework paragraph 81 which states that:

‘Once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

It is not considered that the proposal harms the openness of the Green Belt or impacts the Green Belt through any other harm.

For the reasons mentioned in the preceding text it is considered that the proposal is socially, environmentally and economically sustainable.

Therefore, it is considered that the proposal is acceptable and accords with the Macclesfield Borough Local Plan and the National Planning Policy Framework which aims to achieve sustainable development.

The proposal is considered to be sustainable in terms of social and economic sustainability.

The benefits in this case are:

- The proposal will provide a sporting and recreational facility for the local community and wider community to enjoy which compliments the adjoining site.
- It will encourage sport participation to contribute to the health and wellbeing of the local and wider community
- The development would provide economic benefits through the provision of employment during the construction phase, job creation during the operation of the facility and benefits for local businesses.
- The proposal is not considered to have a detrimental impact on the highway network.
- Due to the absence of hardstanding the proposal would not cause an increased flood risk at the site.
- No trees will be removed as a result of the proposed development.

The development would have a neutral impact upon the following subject to mitigation:

- The impact on protected species can be mitigated through effective surveys and mitigation measures.
- The impact upon the residential amenity/noise/air quality/landscape and contaminated land can be mitigated through the imposition of planning conditions.

The adverse impacts of the development would be:

- A more intensive use of the land than at present.
- Formalisation of the landscape.

On balance, it is considered that the proposal represents sustainable development when assessing the three strands of sustainability the proposals accord with the development plan and national planning policy and guidance. Therefore for the reasons mentioned above the application is recommended for approval, subject to appropriate conditions.

RECOMMENDATION

Conditions

1. Time Limit
2. Approved Plans
3. Lighting Details to be approved
4. Tree Retention
5. Tree Protection measures
6. The proposed development to proceed in strict accordance with the Great Crested Newt Reasonable Avoidance measures detailed in Table 3 of the submitted Great Crested newt Survey and Mitigation Strategy prepared by NLG Ecology dated December 2016.
7. Detailed design of new pond to be submitted.
8. Updated badger survey to be submitted prior to commencement of development.
9. Protection of Nesting birds
10. 10 year habitat management plan
11. Construction Management Plan
12. Drainage strategy/design in accordance with the appropriate method of surface water drainage chosen dependent on the ground testing on site. This should be submitted to the Lead Local Flood Authority to be assessed and deemed appropriate for the specific site before construction can commence.
13. Prior to the development commencing:
 - No materials shall be imported, stored or placed at the site until a suitable plan for the assessment, verification and management of imported materials has been submitted to and approved in writing by the Local Planning Authority. This plan should include:
 - full details and specifications of the infilling works;
 - proposals for the preparatory works for the receiving land area (this should include any remediation of existing contamination and management of existing Japanese Knotweed) ;
 - proposals for contamination testing of imported materials including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment and should include solid and leachable contamination) and source material information;

- proposals for the screening of invasive species within imported materials, such as Japanese Knotweed;
- proposals for the quarantine of suspected contaminated materials;
- actions to be taken where allowable contaminant concentrations have been exceeded or other non-compliance (e.g. rejected at site or treatment on site);
- proposals for dealing with unexpected contamination;
- proposals for the mitigation of pollution/nuisance from site works;
- proposals for monitoring and verification reporting of the infilling engineering works in terms of land contamination and suitability for use;
- Timescales for which the infilling engineering works will be carried out.

14. Hours of operation

