

Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 15/03067/FULL1

Ward:
**Chelsfield And Pratts
Bottom**

Address : Chelsfield Lakes Golf Centre Court
Road Orpington BR6 9BX

OS Grid Ref: E: 548314 N: 163280

Applicant : Mr Andrew Craven

Objections : YES

Description of Development:

Proposed adventure golf course and associated ornamental features and landscaping

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Local Distributor Roads
Sites of Interest for Nat. Conservation

Proposal

The application was deferred from Planning Sub-Committee 4 on the 17th of December 2015 in order to seek amendments to the lighting, for the submission of an ecology report and to gain further clarification of the proposed features. Amended plans have been forthcoming which remove the proposed lighting from the scheme and also remove two of the proposed pirate features

The site is located on the western side of Orpington By Pass (A224) and forms part of the wider Chelsfield Lakes Golf Centre which encompasses an 18 and 9 hole golf course, driving range and functions/events catering. The development is proposed to be located on the eastern side of the site, adjacent to the main entrance, car park and Driving Range. The site is approximately 0.4314 hectares and is located within the Green Belt.

The application proposes a new 18 hole, pirate themed adventure golf course with associated ornamental features and landscaping. The course will involve the regrading/contouring of the area but will not involve the removal of trees. A concrete base will be provided for the water features and concrete foundations for a number of features and obstacles. The course is proposed to measure approximately 3807sqm, 90m in length and 54m in width. Access to the adventure golf course will be via the driving range pro shop.

Consultations

No comments from neighbours were received. The finalised date for neighbour and consultee responses is the 17th of February, as such if any further comments are forthcoming these will be reported verbally at committee.

Consultee Comments

Drainage - Please advise the applicant that contrary to his answer to the question on the form there is no public surface water sewer near to this site. Surface water will therefore have to be drained to soakaways - No objections subject to conditions

Highways - Following the submission of a parking survey no objections were raised to the application.

Following a re-consultation of amended plans, one comment has been received from Thames Water who raise no objections.

Planning Considerations

The application falls to be determined in accordance with the following policies of the Unitary Development Plan

BE1 Design of New Development
G1 The Green Belt
L1 Outdoor recreation and leisure
T18 Road Safety

Planning History

There is a varied planning history with regards to the site of which the most pertinent applications include:

In 1991 (Ref 91/01779) permission was granted for the change of use from agricultural land to one 18 hole golf course, driving range and associated buildings.

In 1993 (Ref: 93/00/916/DETMAJ) revised details were submitted adding a 9 hole golf course, revised parking layout, additional lighting columns, sewage treatment plant and amended elevations, which was permitted.

05/03793/FULL1 - Regrading and landscape works to par 3 course extension to existing driving range, creation of short game practice area, new pond and creation of temporary access during construction - Permitted

10/00278/FULL1 - 6-10m high protective netting to 3 greens on golf course - Permitted

Conclusions

The primary issues to be considered in the determination of this application are whether the proposal is appropriate development in the Green Belt and, if not, whether very special circumstances have been demonstrated to warrant the setting aside of the normal presumption against inappropriate development within the Green Belt. Highways safety and parking are also material considerations.

The application was deferred from Planning Sub-Committee 4 on the 17th of December 2015 in order to seek amendments to the lighting, for the submission of an ecology report and to gain further clarification of the proposed features. Amended plans have been forthcoming which remove the proposed lighting from the scheme and also remove two of the proposed pirate features

The proposed features will be spaced out throughout the site at a maximum height of 3m and will all be of a 'pirate' theme. Two kiosks are proposed to the western edge of the site at a maximum height of 3m with several bridges, benches, footpaths, boulders, areas of water and pebbled areas interspersed throughout. The site will be bounded with a 2.4m high galvanized steel fencing.

The removal of the lighting from the proposed development does mitigate the Council's concerns regarding the ecological impact of the development and due to the removal of the lighting from the scheme all together Members may no longer consider it necessary for an ecological report to be submitted.

Whilst the removal of two of the pirate features and the high level lighting goes some way in reducing the impact of the scheme upon the Green Belt, Members may not consider this to be sufficient to alter the fundamental objection to the scheme on the grounds that it represents inappropriate development in the Green Belt in this sensitive location and is considered to have an unacceptable impact on openness.

Paragraph 89 of the NPPF states that a Local Planning Authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are: Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries with the purposes of including land within it.

This is further reiterated with policy G1 of the Unitary Development Plan in which it states: the construction of new buildings or extensions to buildings on land falling within the Green Belt will be inappropriate, unless it is for the following purposes:... (ii) essential facilities for outdoor sport and outdoor recreation and open air facilities and other uses of land in it. Policy G1 of the UDP is superseded by the requirements of the NPPF and whilst the development does not have to be 'essential', it does have to be appropriate and retain the openness of the area, which Members may consider that this scheme does not.

In the Planning Statement and supplementary emails the agent makes the case that the proposed adventure golf course falls within the category of essential facilities for outdoor sport and recreation as it involves little building structure and

therefore is appropriate development in accordance with policy G1 and the NPPF. The Council does not agree with this; whilst outdoor sport and outdoor recreation are considered appropriate development within the Green Belt, this is only where the openness of the site is retained and the use of the site in such a manner does not conflict with the purposes of including land within the Green Belt.

The application proposes the erection of several 3m high pirate features, 2 x 3m high kiosks and 2.4m high galvanized steel fencing around the periphery of the site. The topography of the land sloping steeply upwards from the car park is also considered to accentuate the prominence of the development. Whilst the tree screening mitigates the views of this area from the Orpington by-pass, views of the development will still be visible from the south and west of the site. It is noted that the Applicant states that the site will only be visible from the car park, however no evidence has been provided to substantiate this claim i.e. in the form of viewpoints or a VIA. This information has not been forthcoming since the deferral from the December committee.

On balance, Members may consider that whilst it is recognised that the number of structures are an integral part of the concept of adventure golf on the sporting experience of its users, these structures and the amount of associated development may not be considered appropriate facilities for the provision of outdoor recreation within this highly sensitive Green Belt location. Members may consider that the scheme is inappropriate within the Green Belt given the level of built development and intervention on the land needed to allow for the use as an adventure golf course which conflict with the purposes of including land within the Green Belt and impact upon the openness of the site.

Paragraph 87 of the NPPF states that "as with previous Green Belt policy, inappropriate development is by definition harmful to the Green Belt and should not be approved, except in very special circumstances".

The Applicant does not explicitly state very special circumstances within the planning statement however does make a case with regards to the need for the development to keep the business viable, creating new jobs, bringing young people into the game, encouraging people to participate in outdoor recreation and the overall lack of impact of the proposal on the Green Belt.

Some information has been provided with regards to golfing trends in the UK which show a gradual decline in participation since the late 2000's. The planning statement also makes reference to falling membership numbers at Chelsfield Lakes Club stating that the proposed development will reverse this trend. Whilst the viability of the club can in some instances be considered to contribute to a very special circumstance case, the Applicant in this case has failed to provide any specific data that relates primarily to this site. The financial situation of the club is unknown and no financial projection has been provided which may indicate the benefits to the club from the development.

It is noted that participation in sport is supported within policy 3.19 of the London Plan in which it states that development proposals that increase or enhance the provision of sports and recreation facilities will be supported, however, it also

states that where sports facility developments are proposed on existing open space, they will need to be considered carefully in light of policies on Green Belt and protecting open space. As stated above, given the size and number of the proposed features and the extent of the boundary fencing, it is not considered that the proposal is considered appropriate within the Green Belt and conflicts with the purposes of including land within the Green Belt. Furthermore, whilst cross-sectional drawings have been provided demonstrating the heights of the features within the site, no evidence has been provided as to the wider impact on the Green Belt from the scheme including an absence of long views.

Whilst very special circumstances have been presented in support of this application, none of these - either in their own right, or collectively - are considered sufficiently compelling or far-reaching enough to outweigh the harm caused to the Green Belt and to justify such inappropriate development in the Green Belt. A lack of evidence as to the wider impact of the scheme is also absent. Overall the harm caused by this proposal to the Green Belt is considered to outweigh any benefits, and none of the circumstances put forward, in particular the argument that this proposal will improve the openness of the site, are considered to be very special.

In terms of highways, no objections have been raised.

Consideration must also be given to any impact upon the amenities of adjoining residential properties. The location of the site is away from residential dwellings and as such the scheme is not considered detrimental in this regard.

On balance, the proposed development within this location, and in the absence of information stating the contrary, represents inappropriate and harmful development within the Green Belt by virtue of its siting and design, and none of the benefits or very special circumstances outweigh the harm that this will cause.

as amended by documents received on 25.01.2016

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The site is within the Green Belt where there is a presumption against inappropriate development. The Council does not consider that very special circumstances have been demonstrated that outweigh the harm caused to the openness and character of the Green Belt and the potential visual impacts of the scheme have not been fully assessed, as such the proposal is considered contrary to Policy G1 of the Unitary Development Plan and the NPPF.**