

## **ITEM**

<b>Application Reference</b>	<b>DC/070971</b>
<b>Location:</b>	Moorend Golf Driving Range Woodford Road Woodford Stockport SK7 1QE
<b>PROPOSAL:</b>	Demolition of existing club house/driving range buildings and erection of eight dwellings with parking and access
<b>Type Of Application:</b>	Outline Application
<b>Registration Date:</b>	12.10.2018
<b>Expiry Date:</b>	20181207
<b>Case Officer:</b>	Jane Chase
<b>Applicant:</b>	Mrs Barbara Holmes
<b>Agent:</b>	Garner Town Planning Ltd

## **DELEGATION/COMMITTEE STATUS**

Called up to Area Committee by Cllr Bagnall. Should Members of the Area Committee agree the recommendation then the application must be referred to Planning & Highways Committee as the proposal is contrary to the Development Plan.

## **DESCRIPTION OF DEVELOPMENT**

This application seeks outline planning permission for the demolition of the existing club house/driving range buildings and the erection of eight dwellings on the same footprint. The application seeks consideration of access, appearance, layout and scale with only landscaping reserved for future consideration.

The proposed houses would be arranged in 2 groups with a pair of semi-detached dwellings positioned to the front of the site and a terrace of 6 behind to the rear. The dwellings would appear as single storey with a simple pitched roof, however, it is proposed to excavate site levels to provide the associated garden areas to each house such that each house would be 2 storeys high as viewed from the rear garden. The ground floor of each of the houses would comprise a kitchen/diner with external stairs down to a private garden and internal stairs down to the lower ground floor where the bedroom and bathroom accommodation is proposed. The gardens to the 2 houses at the front of the site would be enclosed by walls whereas those to the 6 houses at the rear of the site would be enclosed by hedges.

A 4.8m wide access is proposed via that existing onto Woodford Road with a newly created pedestrian access running parallel to this. Gates are proposed 27m back from the junction with Woodford Road. 16 forecourt parking spaces are proposed as being arranged around the development.

The application is accompanied by a Planning Statement, Green Belt Statement, Energy Statement and Ecology Statement.

## **SITE AND SURROUNDINGS**

The application site is located on the north east side of Woodford Road and accommodates part of a golf driving range and former golf course. The site benefits from access onto Woodford Road leading to a large surface level car park behind which are a T shaped group of single storey buildings. Beyond this group of buildings is the open space associated with the driving range and former golf course.

Adjacent to the access into the site on Woodford Road are detached dwellings forming part of a ribbon of development extending along the north east side of Woodford Road. Behind these houses are the former fairways and greens associated with Moorend Golf Club which wraps around the driving range.

## **POLICY BACKGROUND**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 ("PCPA 2004") requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

### **The Development Plan includes-**

- Policies set out in the Stockport Unitary Development Plan Review adopted 31<sup>st</sup> May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; &
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document adopted 17<sup>th</sup> March 2011.

### **Saved policies of the SUDP Review**

LCR1.1 Landscape Character Areas  
NE1.2 Sites of Nature Conservation Importance  
GBA1.1 Extent of Green Belt  
GBA1.2 Control of Development in Green Belt  
GBA1.5 Residential Development in Green Belt  
L1.1 Land for Active Recreation

### **LDF Core Strategy/Development Management policies**

SD-1 Creating Sustainable Communities  
SD-3 Delivering the Energies Opportunities Plan  
CS2 Housing Provision  
CS4 Distribution of Housing  
H-1 Design of Residential Development  
H-2 Housing Phasing  
CS8 Safeguarding & Improving the Environment  
SIE-1 Quality Places  
SIE-2 Provision of Recreation and Amenity Open Space in New Developments  
SIE-3 Protecting, Safeguarding & Enhancing the Environment  
CS9 Transport & Development  
T-1 Transport & Development

T-2 Parking in Developments  
T-3 Safety & Capacity on the Highway Network

## **Supplementary Planning Guidance**

Supplementary Planning Guidance does not form part of the Statutory Development Plan; nevertheless it does provide non-statutory Council approved guidance that is a material consideration when determining planning applications.

Design of Residential Development

## **National Planning Policy Framework**

The National Planning Policy Framework (NPPF) initially published on 27<sup>th</sup> March 2012, subsequently revised and published on 24<sup>th</sup> July 2018 by the Ministry of Housing, Communities and Local Government sets out the government's planning policies for England and how these are expected to be applied. The revised National Planning Policy Framework will be a vital tool in ensuring that we get planning for the right homes built in the right places of the right quality at the same time as protecting our environment.

N.B. In respect of decision-taking the revised NPPF constitutes a "material consideration".

Para.1 *"The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied"*.

Para.2 *"Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise"*.

Para.7 *"The purpose of the planning system is to contribute to the achievement of sustainable development"*.

Para.8 *"Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):"*

- a) an economic objective*
- b) a social objective*
- c) an environmental objective"*

Para.11 *"Plans and decisions should apply a presumption in favour of sustainable development."*

*For decision-taking this means:*

*c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. 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”.*

*Para.12 “.....Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed”.*

*Para.38 “Local planning authorities should approach decisions on proposed development in a positive and creative way..... Decision-makers at every level should seek to approve applications for sustainable development where possible”.*

*Para.47 “Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing”.*

*Para. 97 “Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use”.*

*Para.124 “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.*

*Para.130 “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development”.*

*Para.133 “The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”.*

*Para.134 “Green Belt serves five purposes:*

- to check the unrestricted sprawl of large built-up areas;*
- to prevent neighbouring towns merging into one another;*

- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration by encouraging the recycling of derelict and other urban land”.

Para.141 *“Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, 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”.*

Para.143 *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”.*

Para.144 *“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. “Very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”.*

Para.145 *“A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

*g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would not have a greater impact on the openness of the Green Belt than the existing development*

Para.153 states *“In determining planning applications, local planning authorities should expect new development to:*

*a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*

*b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption”.*

Para.213 *“existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)”.*

## **Planning Practice Guidance**

The Planning Practice Guidance (NPPG) is a web-based resource which brings together planning guidance on various topics into one place (launched in March 2014) and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

## **RELEVANT PLANNING HISTORY**

J3872 – erection of 13 houses at Moorend Farm – refused 1975

J3873 – erection of 60 houses at Moorend Farm – refused 1975  
J3874 erection of 2 houses at Moorend Farm – refused 1975  
J3975 – erection of 1 house at Moorend Farm – refused 1975  
J42909 – erection of a single dwelling at Moorend Farm – refused 1988  
J57395 – erection of a detached dwelling at Moorend Farm – refused 1993  
J/67732 - Formation of golf driving range and the erection of shelters with new raised concrete golf driving bays – approved 1997  
DC015659 – erection of 1 detached house on land adj Moorend Farm – refused 2004 (inappropriate development in the Green Belt)  
DC021729 - erection of single storey Golf reception building (Retrospective application) – approved 2006  
DC056201 – erection of a single dwelling at Moorend Farm – refused 2014 and dismissed on appeal (the Inspector concluding that the development did not constitute limited infilling in the Green Belt)  
DC066771 – erection of 9 self build dwellings including 3 affordable units – withdrawn 2017  
DC068554 – erection of 4 dwellings – refused 2018 (inappropriate development in the Green Belt)

## **NEIGHBOUR'S VIEWS**

The owner/occupiers of neighbouring properties have been notified by letter and the proposal has been advertised as a departure to the Development Plan by way of a site notice and in the local press.

1 letter has been received objecting on the following grounds:-

- The proposed development does not comply with Green Belt policy as set out in the NPPF, Core Strategy or the Woodford Neighbourhood Plan.
- The proposed barrack style houses would be out of keeping with existing housing stock in Woodford.
- The current clubhouse was built in 2006 to replace separate structures but cannot be considered to be previously developed land through it being ancillary to the recreational use of the land as a golf course. The site remains viable as a pitch and put facility and for crazy golf.
- If the clubhouse is demolished to enable the housing development it would be difficult to argue against it being replaced in the general vicinity. This replacement building could then be replaced again and again until the entire site becomes residential through creeping development.

## **CONSULTEE RESPONSES**

Planning Policy - Having assessed the application, it is clear the proposed development is taking up the footprint of recreational buildings and land associated with the Golf Driving Range. Although the land is not designated as open space in the 2006 Unitary Development Plan, the land clearly functions recreational land and falls under the category of open space according to the 2018 NPPF. Open Space in the NPPF is defined as;

*‘All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.’*

The site of the proposed development comprises the buildings and associated with the Golf driving range, since the buildings are ancillary to the recreational land, the site as a whole should be subject to UDP L1.1 (Land for Active Recreation), Core Strategy Core Policy CS8 (Safeguarding and Improving the Environment) and Paragraph 97 of the NPPF.

Paragraph 97 of the NPPF deals with open space, sports and recreational buildings and land, including playing fields, and sets out that they should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

UDP L1.1 ‘Land for Active Recreation’ sets out that proposals which involve the loss of public or private sports grounds will not be permitted except where the proposed development would provide facilities of sufficient benefit to sport and recreation to outweigh the loss. Development of land currently or last used as playing fields will not be permitted unless;

*‘The playing fields that would be lost as a result of the proposed development would be replaced by a playing field or fields of equivalent or better quantity, quality, usefulness and attractiveness in allocation at least as accessible to current and potential users’.*

Core Strategy Core Policy CS8 ‘Safeguarding and Improving the Environment’ does not allow for development that would not safeguard the permanence and integrity of areas of open space.

Paragraph 12 of the statement submitted sets out that the standards referred to in UDP L1.1 ‘Land for Active Recreation’ do not include Golf courses and precludes any requirement to retain golf courses. The policy wording is clear that it seeks to protect land which is currently used or was last used for active recreation and extends to private sports grounds. It is considered that a golf driving range falls within this category and as such is offered protection under this policy.

Paragraph 8 of the statement makes reference to a proposal for housing which was approved on land which served as Cranford golf driving range. It cannot be argued that this is a comparative case. The scheme submitted at Cranford Driving range put forward a range of measures to enhance the offer of recreational facilities and Green Infrastructure within the site and its immediate location thereby provide more opportunities for people to recreate.

The 2017 Open Space Assessment undertaken for the Borough highlights that all sites containing golf provision score high for value. This is a result of the health and social inclusion benefits they offer, the assessment also recognised that some sites will also provide a visual benefit to the local area; particular to overlooking houses. Furthermore, these sites play a key role within communities to offer opportunities to sports provision.

The Open Space assessment identifies that Golf facilities are well served in the borough and there are enough to meet the Sport England recommended 20 min drive time, however the assessment identifies that there are deficiencies across all types of open space which have a provision standard in the Bramhall and Cheadle Hulme Committee area. It is therefore concluded that the open space is not 'surplus to requirements' owing to the level of deficiency in the area and the loss of recreational land with the associated buildings is not compliant with the policy position above.

Highway Engineer – This is an outline application with all matters reserved for determination except for landscaping. As such I need to appraise the detail of the layout and comment on whether an acceptable arrangement is proposed. A revised drawing has recently been received seeking to overcome my initial concerns with the road layout.

I am satisfied that an access road that is fit for purpose with adequate turning space and suitable access and parking arrangement is able to be provided within the application site. There are some minor issues with respect to the layout that can be addressed by condition, such as the lack of an adequate width footway along the entire length of the road and the need to locate communal refuse and recycling collection points as some dwellings are remote from the end of the access road.

I also note that gates are proposed and this, whilst acceptable in principle in the location shown, will prevent the road becoming adopted highway. As such all management and maintenance will be the responsibility of the developer and/or residents and access through the gates for refuse collection and deliveries will need to be agreed. The applicant may wish to amend this element and this could be addressed during condition discharge.

The means of access on Woodford Road is generally acceptable, entry radii being sufficient for turning vehicles and visibility adequate. I have some concern with the lack of a footway on either side of the access road around the radii but feel it would be unreasonable to withhold permission on this basis alone.

The site is considered appropriate for residential development having regard to the Council's accessibility assessment criteria for such a use and I note that adequate and Policy compliant levels of car parking for each dwelling is proposed.

In the event that permission is to be granted conditions will be required to deal with the detailed road design and construction; management of the gates and ensuring access for visitors, private driveway drainage, formation and construction; parking bay drainage, construction and surfacing; provision of communal refuse and recycling points and the provision of cycle parking. An informative will also be required advising that the road is not considered suitable for adoption as public highway. I will forward detailed wording if permission is to be granted.

Nature Development Officer - The survey has used reasonable effort to assess the habitats present, signs of protected/priority species and their suitability to support them at other times. The findings of the Report are sufficient to allow the application to proceed to determination. It meets the requirements as laid out in Stockport's policy (Development Management planning policies (Core Strategy Policy SIE-3 para 3.369) and national guidance. There are however a number of matters that need to be considered in the determination, which can be dealt with via conditions.

Planning Policy (Energy) - The energy statement is reasonably clear on the intent with regards to low / zero carbon (LZC) technologies but lacks some information to



ensure it is fully compliant with Core Strategy Policy SD3 requirements around full evidence of consideration of all LZO technologies. Specifically there should be more information on Heat Pumps and Biomass to ensure full compliance.

However there is a commitment to examine technologies in more detail once planning permission has been achieved and I would therefore recommend the following condition on the application to ensure full compliance at a later date:

Suggested condition:

Before the development is commenced a fully policy compliant energy statement, in line with Council guidance, detailing full consideration of low / zero carbon technologies for their technical feasibility and, where relevant, their financial viability shall be submitted to and approved in writing by the Local Planning Authority.

Reason - In the interests of evidencing policy compliance in terms of consideration of carbon emissions on site as required by Core Strategy Policy SD3.

United Utilities - A water main crosses the site. As we need unrestricted access for operating and maintaining it, we will not permit development over or in close proximity to the main. We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines'. Further to our review of the applicant's Development Site Plan, dwg no: 11, dated 07/12/18, dwg revision E, it appears that at least 1 unit is located directly above the water main. United Utilities must OBJECT to this proposal.

The applicant must comply with our 'Standard Conditions for Works Adjacent to Pipelines' document. This should be taken into account in the final site layout, or a diversion may be necessary. Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion required as a result of any development will be at the applicant's expense. If considering a water mains diversion, the applicant should contact United Utilities at their earliest opportunity as they may find that the cost of mains diversion is prohibitive in the context of their development scheme.

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. We request that drainage conditions are attached to any subsequent approval to reflect this approach.

## **ANALYSIS**

### Principles of Development

The change of use of part of this wider site from recreation to residential would be contrary to policy L1.1 and para 94 of the NPPF both of which seek to retain land in recreational use. No assessment has been undertaken to demonstrate that the land is surplus to requirement and the proposal does not seek to replace the existing facilities with those of equivalent or better provision in terms of quantity and quality in a suitable location, nor is the development for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

In support of the application the following Statement has been submitted by the applicant to address this policy position:-

*Paragraph 8.4 of the explanation to Policy L1.1 makes it clear that the standards set out in the policy do not apply to golf courses. Moreover, it is very evident that the whole rationale behind the production of Policy L1.1 was to avoid the loss of playing fields which was a major issue at the time of it being written in the 1990s when it was incorporated into the previous adopted version of the Unitary Development Plan of February 1998. It is not considered by the applicant that the purpose of Policy L1.1 is to preclude the redevelopment of privately owned businesses such as a driving range, but more to avoid the loss of land currently or last used as playing fields as per the exact wording of the policy.*

*The background to the proposed redevelopment of the driving range stems back to the loss of a large area of land for the recently opened Manchester Airport link road which resulted in the forced closure of the previous nine-hole golf course which was in place at the time. The driving range was previously an ancillary use to the golf course with customers making linked trips to utilise both areas. This linked use ceased once the golf course was closed in 2014 and led to an immediate decline in the number of people using the driving range which in turn led to economic issues in regard to turnover for the remaining business.*

*In addition to the loss of the golf course, access to the driving range proved very problematic (if not actually impossible) for more than three years during the elongated period in which the link road was being constructed with lengthy queues of stationary traffic being customary throughout the locality and included numerous road closures and sets of traffic lights. This served to discourage customers trying to reach the driving range and led to them opting to utilise alternative facilities such as at Adlington, without them returning to Moorend.*

*The locational problems of the range, the decline in the number of golfers, and the loss of customers to other facilities such as at Adlington and the Trafford Centre have therefore served to force the owners of the driving range to seek a way forward given that the business cannot economically continue. On this point, the driving range turnover is now at such a low level that it is no longer a viable business and it continues only on the basis that the elderly owner himself is now maintaining and operating the daily running of the range without taking any level of profit. The golf professional who is typically attached to this type of use has long since departed, and the units at the property which were previously tenanted all now stand vacant due to the long-standing access problems outlined above, with the Council also currently seeking to obtain business rates.*

*The economic situation faced by Moorend Golf Driving Range is very similar to the circumstances which were faced by the owners of Cranford Driving Range in Heaton Mersey which was forced to close back in 2014 due to financial pressures. It is noted that the Council granted planning permission ref DC062251 on 28 December 2017 for the redevelopment of the Cranford site for the demolition of the existing buildings and the erection of 75 houses, with the committee report for the application noting that “the Golf Driving Range is classified as a private sports facility, is disused and is currently providing no recreational benefit for the surrounding residents”.*

*It must also be recognised that unlike the driving range at Moorend, the Cranford site was specifically designated within the Unitary Development Plan Review as being ‘Local Open Space’ which was therefore worthy of far greater protection but was still allowed to be redeveloped for housing.*

*The development proposed would provide housing of a form which is entirely acceptable for its position in the Green Belt (see separate statement in this regard) and would also benefit the supply of housing land in the Borough by redeveloping an area of previously developed land, thereby contributing positively to housing land supply.*

*The scheme would also be acceptable in respect of the standard development control considerations such as highways, ecology, and landscaping by virtue of the careful layout put forward and the associated specialist consultant reports provided, and would benefit local residents by introducing a high quality housing scheme. These factors all weigh heavily in the overall planning balance and dictate that the merits of the proposal ensure the loss of the driving range, as per the Cranford precedent, is wholly acceptable.*

*As the clear intention of Policy L1.1 is to seek to avoid the loss of any further 'playing fields', and also specifically precludes any requirement to retain golf courses, it is considered that the factors put forward in this statement are of sufficient weight to allow permission to be granted.*

*The location of the application is also set within reasonable proximity of a number of existing sources of active outdoor recreation, such as Queensgate Sports Club, Bramhall Cricket Club (in Woodford), Bramhall Golf Club, Bramhall Park Golf Club, Bramhall Park Lawn tennis Club, Stockport Rugby Club and Adlington Driving Range, as well as extensive walking and cycling routes in the locality which will ensure that the loss of the driving range will not be detrimental to the overall health of the local population.*

*It would therefore be unreasonable for the Council to seek to enforce the continued unviable operation of the Driving Range given the extensive mitigating factors set out above.*

In response to this Statement, Members are advised that the applicant is incorrect in their assumption that policy L1.1 relates only to avoiding the loss of playing fields and not to other recreational uses such as golf driving ranges. This is evidenced by the first part of the policy which specifically states that 'proposals which result in the loss of public or private sports grounds or other land currently or last used for active recreation will not be permitted except where the proposed development would provide facilities sufficient to benefit sport and recreation to outweigh the loss'.

In considering an application that results in the loss of a use protected by policy, the applicant is often asked to demonstrate that the use of the site for the lawful planning purpose is no longer viable. This is normally evidenced through the marketing of the site over a period of around 12-18 months. The applicant advises that the site has not been put on the market as this was considered pointless given the viability and economic circumstances set out in the supporting statement outlined above. The applicant also cites the consent for the driving range at Stanley Road (DC010354) which was formally commenced and is therefore extant but which has never been continued with, again demonstrating the decline of the driving range businesses in general.

The lack of this marketing exercise is unfortunate as it could have provided for a much stronger case in favour of the application. Notwithstanding that, it is accepted that the compulsory purchase of part of the former golf course to facilitate the A6MARR which effectively resulted in the closure of that business will have in turn had an impact upon the viability of the driving range which was

ancillary to the golf course. In support of the application it is also accepted that the proposed development results only in the loss of part of a much wider parcel of land in recreational use and the wider site will retain the lawful planning use for recreational purposes should the proposed development go ahead. Whilst it is certainly not clear what use the adjacent recreational land could be put to, it will nonetheless remain in that lawful use.

Policy CS4 of the Core Strategy directs new residential development towards the more accessible parts of the Borough identifying 3 spatial priority areas (Central Housing Area; Neighbourhood Priority Areas and the catchment areas of District/Large Local Centres; and other accessible locations). Policy H-2 confirms that when there is less than a 5 year deliverable supply of housing (as is currently the case) the required accessibility scores will be lowered to allow the deliverable supply to be topped up by other sites in accessible locations. This position has been regularly assessed to ensure that the score reflects the ability to 'top up' supply to a 5 year position. However, the scale of shortfall is such that in order to genuinely reflect the current position in that regard the score has been reduced to zero. Using the Council's accessibility model, the application site scores 36- 37 and therefore meets the minimum score. The proposal is therefore in compliance with policies CS4 and H2 of the Core Strategy.

Whilst the scheme proposes only 8 dwellings and will not make a significant contribution toward addressing the position of housing undersupply in the Borough, it will nonetheless make a contribution. On balance, having regard to this contribution, the impact that the A6MARR has had upon the recreational use of the site and the fact that a large area of land beyond the application site will be retained with a lawful planning use for recreational purposes, it is considered that an exception to policy L1.1 and para 94 of the NPPF can be justified in this instance.

Policies L1.1, L1.2 and SIE-2 require new residential developments to make provision for children's play space and formal recreation through the payment of a commuted sum. Policy H-3 requires the provision of affordable housing. Revisions to the National Planning Guidance and guidance in the NPPF, however, mean that such contributions cannot be sought on developments of 10 or less units.

In Green Belt terms, the relevant Development Plan policies are contained within the UDP Review and the NPPF. Planning law requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. With regard to the Woodford Neighbourhood Plan, Members are advised that this has yet to be examined and as such is far from the point of adoption. On this basis and having regard to the fact that the Neighbourhood Plan would have to be in any event compliant with the NPPF, very limited weight should be attached to this document.

UDP Review Policy GBA1.2 confirms that there is a presumption against the construction of new buildings unless it is for one of 4 purposes (agriculture/forestry; outdoor sport/recreation; extension/alteration/replacement of existing dwellings and limited infilling/redevelopment of Major Existing Developed Sites). UDP Review Policy GBA1.5 states that residential development in the Green Belt will be restricted to agricultural dwellings, re-use of buildings and limited infilling/redevelopment of Major Existing Developed Sites. The proposed development does not fall within any of those exceptions and therefore for the purposes of policies GBA1.2 and GBA1.5 must be considered inappropriate development in the Green Belt.

The NPPF was published in 2012, revised in 2018, post dates the UDP Review and sets out the Governments most up to date policy position in relation to development in the Green Belt. It is against this policy framework that the application is principally determined in relation to Green Belt matters.

The NPPF confirms that inappropriate development is harmful to the Green Belt and should not be approved other than in 'very special circumstances' (para 143). Paragraph 145 of the NPPF reiterates that the construction of new buildings is inappropriate in the Green Belt however confirms that an exception to this (amongst others) is the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would not have a greater impact on the openness of the Green Belt than the existing development.

The glossary to the NPPF defines previously developed land (PDL) as 'land which is or was occupied by a permanent structure, including the curtilage of developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agriculture or forestry buildings;; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built up areas such as residential gardens, parks, recreation grounds and allotments' and land that was previously developed but where the remains of the permanent structure or fixed surface infrastructure have blended into the landscape.'

In response to this it is noted that the application site comprises land which is occupied by a permanent structure (the golf driving range buildings) together with part of the curtilage of this building (including part of the open range, the car park and access to Woodford Road). The lawful use of the land does not fall within any of the exclusions listed in the glossary to the NPPF and as such Members are advised that the site comprises PDL. That being the case it remains to be determined whether the redevelopment of this site would have a greater impact on the openness of the Green Belt than the existing development.

The assessment of the impact of the development on the openness of the Green Belt centres not only upon the scale of the proposed development (its volume, height and footprint) vs that existing but also its position within the site and relationship with the wider Green Belt beyond the application site.

In respect of the siting of the proposed development, it is noted that the access into the site is located in a similar position to that associated with the golf driving range building. As existing the parking is positioned to either side of this access towards the front of the site, however that proposed is positioned around and adjacent to the proposed houses. Notwithstanding this difference it is noted that the parking would project no further into the undeveloped areas of the adjacent and wider Green Belt. The proposed houses occupy a virtually identical position as the existing clubhouse buildings and other than the gardens to the 6 houses at the rear of the site, protrude no further into the undeveloped areas of the Green Belt. Whilst these 6 gardens extend some 12m into the undeveloped Green Belt, they are enclosed by hedging which will be in keeping with the rural character of this part of the site and where closest to the houses, will be sunken below existing ground levels; only the rearmost 5m sections of these 6 gardens will be at the same level as existing site levels. Unless removed by condition it would be possible within permitted development rights to erect outbuildings within these

gardens and if these were sited at the higher, far end of the gardens, they could intrude upon the openness of the Green Belt. To enable the Local Planning Authority to consider the impact of such buildings it is recommended that a condition be imposed removing such permitted development rights. On this basis, it is not considered that the extent of the gardens would detract from the openness of the Green Belt. Whilst it would still be possible to install other paraphernalia such as rotary washing lines, BBQ's and outdoor furniture without the need for planning permission, it is not considered that this would have a greater impact on the openness of the Green Belt than the existing paraphernalia associated with the golf driving range.

It is important to note that whilst ordinarily the change of use of land to residential curtilage would be considered inappropriate in the Green Belt, where it is associated with otherwise appropriate development such as the erection of a dwelling/dwellings and is clearly essential to the quality and amenity of that development, it is considered appropriate and not to have an adverse impact on openness.

The siting of the houses is virtually identical to the existing clubhouse buildings, it is also important to note that the proposed houses would have a significantly smaller footprint than the existing buildings (circa 476m<sup>2</sup> as proposed, 704m<sup>2</sup> as existing). As proposed, however, the houses are to be constructed on 2 levels and this results in the proposed development having a slightly greater volume than the existing buildings (circa 2778m<sup>3</sup> as proposed vs 2500m<sup>3</sup> as existing). Crucially, however, the volume of the proposed buildings above ground level is actually less than that existing (1636m<sup>3</sup> as proposed vs 2500m<sup>3</sup> as existing). In addition to this, the height of the proposed houses above ground level will be no greater than that existing (2.5m to eaves, 4m to ridge as proposed vs 2.7m to eaves, 4m to ridge as existing). On this basis, and noting that the increase in volume afforded by the excavation will have no impact on the openness of the Green Belt, it is accepted that the proposed development will have no greater impact on the openness of the Green Belt than the existing development and as such is compliant with para 145g of the NPPF.

Having regard to the fact that the total volume of the development is slightly greater than that existing, it is recommended that a condition be imposed removing permitted development rights in relation to extensions as well as outbuildings. This will enable the Local Planning Authority to consider the impact of any further development in terms of its impact on the openness of the Green Belt.

In response to the objections received, and in particular to that relating to the possibility that the approval of this application could give rise to the replacement building being replaced again and again until the entire site becomes residential through creeping development, Members are advised accordingly. The NPPF sets out a prescriptive approach to development in the Green Belt with only a limited number of exceptions. Whilst any future applications would be determined on their own merits (and indeed this application should not be determined on the basis of what may follow) it is difficult to see how the current NPPF would enable the redevelopment of the entire site to residential.

#### Impact on the Character and Amenities of the Locality

The existing locality is derived mainly from 2 storey detached dwellings in spacious plots. The application site however accommodates a low range of single storey buildings; the proposed development will replicate that existing in terms of its height, scale and layout. Given the set back of the proposed houses

from the public highway, circa 56m, and their similarity with that existing in terms of height, scale and layout, it is not considered that the development will adversely impact on the character of the locality. On the contrary the redevelopment of this site with attractive landscaping and bespoke parking areas dispersed around the development will enhance the immediate setting which currently has a somewhat run down and ad hoc appearance to it.

The proposed development is set well away from any existing neighbouring dwellings, being 14m to the boundary of the closest property to the south west of the site. As such, the relationship of the proposed development to that existing is acceptable and will not give rise to any loss of amenity.

The pair of houses to the front of the site are positioned 11.2m from the terrace of 6 houses facing them; this relationship is slightly below the 12m suggested as appropriate in the SPD 'Design of Residential Development'. As this is a relationship within the proposed development and does not affect existing residential occupiers outside the site, there is however an argument that prospective purchasers will buy into the scheme only if they are comfortable with this relationship. On this basis and noting the infringement (which in any event is minor) is limited to 2 of the 8 dwellings only, it is not considered that an unacceptable impact will arise.

On the basis of the above, it is considered that the development will retain and provide an acceptable level of amenity for existing and future occupiers.

#### Highway Matters

The comments of the Highway Engineer are noted. The scheme will have an access that is safe and convenient to use, together with parking in accordance with the Council's maximum standards. Conditions can be imposed to secure the details requested by the Highway Engineer. On this basis there is no objection to the development in this respect.

#### Other Matters

Each house would have a private rear garden ranging in size from 88m<sup>2</sup> to 108m<sup>2</sup>. This provision complies with and exceeds the Council's SPD 'Design of Residential Development' which advises that small family housing should have 75 sqm (50m<sup>2</sup> for terraced) of private amenity space preferably to the rear of the property.

The demolition of the existing buildings does not raise any issues in relation to protected species. Conditions relating to the protection of existing species and hedgerows can be imposed and should the development not be commenced within 2 years of the date of the ecology survey, then development shall not proceed until the findings of a repeat survey have been submitted to and approved by the Local Planning Authority.

The omissions within the Energy Statement as outlined by the Planning Policy Officer are noted. A condition can be imposed as requested. Subject to this condition, the proposal can be considered compliant with policy SD-3 which seeks to ensure that new development assists in the reduction of carbon emissions.

The issue relating to the pipeline as raised by United Utilities is a private matter between them and the developer. If it transpires that the scheme requires amendment to reflect the position of this pipeline then a further application will have to be submitted. This does not however affect the determination of this

application. A condition can be imposed with regards to the sustainable drainage of the site. On this basis the development accords with policy SD-6.

**RECOMMENDATION** Grant subject to the imposition of conditions.