

Report to District Development Control Committee

Date of meeting: 2 February 2010

Subject: Planning consultation EPF/2388/09 Land adj to Blakes Golf Club, North Weald, Essex CM16 6RZ.



**Epping Forest
District Council**

Change of use of agricultural land and the importation of 65,095 cubic metres of inert waste to facilitate the construction of phase one of a second 18 hole golf course incorporating an academy, 9 hole training course and range, new water supply and storage reservoirs and associated landscaping and land recontouring plus ancillary engineering works including revised access from A414, temporary construction compound and haulage routes.

**Officer contact for further information: J Shingler Ext 4106
Committee Secretary: S Hill Ext 4249**

Recommendation(s):

That the District Planning Authority raises objections to the proposed development for the following reasons:

- (1) The proposal currently under consideration is restricted to Phase 1. This single phase does not form a logical or coherent form of development in its own right and approval would potentially enable the use of this area of land for waste importation and landraising, with no way of requiring the remaining golf course to be developed. Approval of this phase would imply that that the remaining phases of the development would be acceptable, but we are not being asked to consider this. It is considered therefore that Phase 1 can not be considered in isolation as it would result in a n incongruous and inappropriate area of golf course landscaping not related to any golf course and as such should be refused. A full application covering the whole site is required so that the development can be considered and controlled as a whole.**
- (2) The proposed works are far in excess of those required to enable to creation of a golf course and the landraising proposed is therefore contrary to Policy W9B of the County's Waste Local Plan.**
- (3) The proposed development of the site for waste disposal and subsequent golf facility will cause significant harm to the landscape and visual amenity of the area and be detrimental to the setting of the Essex Redoubt and Ongar Park Farm. Insufficient information has been provided to show that there will not be harm to other historic or archaeological aspects of the site. The proposal is therefore contrary to Policies LL1, LL2, LL7, LL10, HC1, HC3 and HC12 or the Epping Forest District Local Plan and Local Plan Alterations.**
- (4) Inadequate information has been submitted to ensure that the development will not lead to flooding and land drainage issues and /or contamination.**

(5) Inadequate and or contradictory information has been submitted with regard to traffic and HGV movements during the development phase, such that the full impact of the proposal on the surrounding road network can not be fully assessed.

(6) The proposal will result in unacceptable loss of residential amenity to the occupants of Kerr's Cottage in particular and has potential to cause harm from noise dust and disturbance to other properties in the locality throughout the waste disposal phase. As this amount of importation is not required to enable the construction of a golf course these construction impacts are clearly contrary to policies DBE9 and RP5A of the adopted Local Plan and Alterations.

Report Detail

1. The District Council has been consulted by Essex County Council on this application, which is a County matter as it relates to waste disposal. The consultation is brought to this committee at the request of members, as the proposal is of major importance and raises issues that potentially have District wide implications.

Planning Issues

Description of Development:

2. Change of use of agricultural land and the importation of 65,095 cubic metres of inert waste to facilitate the construction of phase one of a second 18 hole golf course incorporating an academy, 9 hole training course and range, new water supply and storage reservoirs and associated landscaping and land recontouring plus ancillary engineering works including revised access from A414, temporary construction compound and haulage routes. The intention is that the proposed new golf courses will utilise the existing clubhouse and there is no proposal for any additional buildings as part of the development. Although the description of development refers to 18 hole golf course and 9 hole training course and range and academy, the current application is actually only for phase 1 of a total development and the application site boundary is drawn tightly round an area of land to the east of the existing golf course, and within which there would be only a small part of the total golf course. The 65,095 cubic metres of waste referred to relates only to the development of this single phase of the development. The expected total waste for the overall development is 468,102 cubic metres of clean inert material from demolition, construction and excavation projects. The fill would be sourced from engineering projects and construction sites in the east London/Essex area routed to the site via the A414, M11 and M25.

Description of Site:

3. The red lined application site is a roughly rectangular area of land located to the east of the existing golf course together with the access road proposed compound and haulage road area. The wider scheme, which although not strictly part of the current application, needs to be taken into consideration is a much larger area of open farmland located to the south and east of the existing course and encircling the Redoubt which is a scheduled Ancient Monument and stretching as far as the Ongar Railway line to the south and Ongar Park Hall to the East.

Relevant History:

4. There is no relevant history specific to the red lined area, but Blakes Golf Course has the following planning history:

5. In 1998 planning permission was granted under reference EPF/836/96 for the change of use of 45 hectares of land to a pay and play golf course with associated clubhouse together with a pocket park, and residential development at station road North Weald. This was all tied up with a section 106 agreement and included the demolition of the then existing Ongar Radio Station Buildings and the replacement footprint as a residential development.

6. Since then there have been a number of applications for additional works in connection with the golf course.

EPF/1909/02 Golf Club house and parking. Approved

EPF/2238/03 materials store in connection with golf club. Granted

EPF/1103/03 Tractor shed and materials store. Granted

EPF/2239/03 Tractor Shed and Enclosure. Granted

EPF/2376/03 Tractor Shed and Enclosure revised application. Refused

EPF/0301/05 Secure Material and Golf Cart storage building. Refused

EPF/624/05 Outline application for health and fitness centre together with swimming pool and associated parking. Refused

EPF/1310/05 Surfaced maintenance tracks. Granted

EPF/1510/05 Health and leisure complex with parking for 250 cars. Refused

EPF/0095/07 Construction of 3 mitigation ponds within existing golf course rough. Refused

EPF/1050/07 Construction of irrigation pond below existing ground level. Approved.

Policies Applied:

7. East of England Plan.

SS1 Achieving sustainable development

T1 Regional Transport Strategy objectives and Outcomes

T6 Strategic and Regional road Networks

ENV3 Biodiversity and Earth Heritage

ENV6 The Historic Environment

WM1 Waste Management Objectives

8. Essex and Southend on Sea waste Local Plan

W3A

W3C

W4A

W4B

W4C

W6A

W9B

9. Epping Forest District Local Plan and Alterations

CP1 Sustainable development objectives

CP2 Protecting the quality of the Rural and Built Environment

GB2A Development in the Green Belt.

GB7A Conspicuous Development

GB18 The former radio station at North weald Bassett

HC1 Scheduled Ancient Monuments and other Archaeological Sites

HC3 Registered Parkland

HC12 Setting of listed buildings
NC5 Promotion of Nature Conservation Schemes
NC4 Protection of Established Habitat
RP3 Water Quality
RP4 Contaminated Land
RP5A Adverse Environmental Impacts.
RST1 Recreational, Sporting and Tourist Facilities
RST2 Enhance |Rights of Way Network
RST16 Golf Course Location
RST17 Golf Courses on Derelict or Despoiled Land
RST18 Pay and Play/Simple Golf Courses
RST19 Design, Layout and Landscaping of Golf Courses
DBE9 Amenity issues
U2B Flood Risk Assessment Zones
U3A Catchment Effects
U3B Sustainable Drainage Systems
LL1 Rural Landscape
LL2 Inappropriate Rural Development
LL7 Planting Protection and Care of Trees
LL10 Adequacy of Provision for Landscape Retention
LL11 Landscaping Schemes
ST1, ST2 Location and accessibility of development
ST4 Road safety.
ST6 Vehicle Parking
I1A Planning Obligations

Summary of Representations:

10. As the District Council is not the determining authority in this instance neighbours have been formally consulted by Essex County Council and responses to that consultation will have gone directly to County.

11. The comments that have been received directly by this Authority have been forwarded in full to the County.

13. The extensive comments from North Weald Parish Council are reproduced in full below:

THE PARISH COUNCIL -strongly objects to the above planning application. which proposes the construction of a further 27 holes in total at Blakes Golf Course by means of importation of inert waste.

This waste will be imported via vehicles through the parish of North Weald Bassett causing, concern to local residents. This council has as at todays date received 17 written objections from local residents and had 21 local residents attend the parish council meeting on Monday evening, also voicing their objection. We have also had numerous telephone calls to the parish council office and Council Members.

No Proven Need

Members of this Council believe that the applicant has not proved that there is a proved need for this facility within the area. The surrounding local area (a five milie locality) already has the following golf facilities:

1. Blakes – the original application
2. North Weald Golf Course – Rayley Lane

3. Merlin Way Driving Range on North Weald Airfield
4. Driving Range on North Weald Golf Course
5. Par 3 Golf Course at North Weald 9 holes
6. Toot Hill Golf Course
7. Epping Golf Course
8. Upper Clapton Driving Range, Thornwood
9. Hobbs Cross Golf Course, Theydon Garnon
10. Theydon Bois Golf Course
11. High Beech par 3 Golf Course
12. Cannonsbrook Golf Course, Harlow
13. Nazeing Golf Course
14. Loughton Par 3 Golf Course
15. Abridge Golf Course

If Blakes went ahead with this further expansion then where would that leave us, these already established golf courses would suffer.

The Golf Course at Merlin Way has already been looking at alternative ways of diversifying and has made enquiries regarding the possibility of using the land for go karting. A number of Golf Courses have been contacted and have advised that they would be affected if large scale expansion such as this was carried out.

Many golf courses do not have full membership.

You could argue that this could be looked at as competitive business and that other golf courses would just need to up their game and look at expanding also, but where would this end. It would simply not be sustainable.

Loss of Amenity.

Very Strong Concerns have been expressed at the loss of both visual and general amenity over the loss of footpaths and bridleways and also the changes to footpaths and bridleways. It can be clearly seen from the Objections made by Essex County Councils' own Footpaths Officers, the Ramblers Association and North Weald Preservation Society, that their concerns need to be addressed as a matter of urgency.

We are aware that Kerr's Cottage is adjacent to the development but this property has not been shown on any of the plans, yet if the proposal goes ahead this will mean there will be 150 lorries thundering past the property on a daily basis for a three year period. 75 loads bringing soil to the site, 75 lorries leaving the site, this is simply not acceptable to the residents who live in the property.

The Quality of Life for residents over a 3 year period during this proposal will lead to nuisance, noise and severe disruption to their daily life.

Residents throughout North Weald Parish; have been previously affected when wet, mud on roads by lorries carrying the waste through North Weald village High Road, local roads and the A414. These nuisances were all previously experienced when the original golf course at Blakes was constructed and as this proposed project is larger and projected to last over 3 years then will cause even more problems. Essex County Council Highways and EFDC Environmental Health have been contacted over the last two years with regard to the concerns at the works to the golf course at Rayley Lane, North Weald. Wheel Washing Facilities do not address the problem as there is no real way of monitoring the problems when they happen.

Flooding.

The area of North Weald is clearly identified as a flood risk, and has suffered severe flooding in the past it has only been possible with careful and thoughtful planning from the District Council and Environment Agency that the area now benefits from flood alleviation schemes which reduce the risk. The further development and importation of soil would risk these flood defences.

Importation of Waste

The importation of 65,095 cubic metres of inert waste, we believe is purely a device to make money and not necessarily to simply fund a golf course. We're asking the District & County Council to make investigation into the price of 'importing loads' of soil, it is expected that if you look at the business case at the cost of the provision of the golf course and academy against the cost of the importation of the soil there will be a considerable 'surplus' of funding within this project.

Wildlife habitat and Agricultural Land.

The land is within the Metropolitan Green Belt and it is arable land. 60% of food in this country is grown on arable land, therefore the loss of 75 hectares of agricultural land as a change of use for this proposal is unacceptable.

The Parish Council asks that if the County allows a speaker to attend the planning committee where this is determined, then the District Council appoints a Member Councillor to attend and speak on this matter.

If the County is minded to grant this application then a Section 106 Agreement should be put in place for the benefit of the Community of North Weald Bassett Parish, the details of which should be discussed and agreed at a later date.

14. THEYDON BOIS ACTION GROUP- Strongly object. Unsustainable. Not appropriate to permanently pollute agricultural land that could be used in local sustainable food production for an unsustainable golf course. Excessive number of courses already in the locality that are struggling financially. This is another cynical application to make a great deal of money by importing demolition waste and avoiding landfill tax. Harm to residential amenity and highway safety.

Issues and Considerations:

15. This application raises a great many issues, as is illustrated by the Parish Councils comments above. These will be considered under the following headings Green Belt, golf course or waste disposal, landscape impact, Impact on historic environment, flood risk, land drainage and contamination, access and highways, residential amenity

Green Belt.

16. In planning policy terms, golf courses are generally considered appropriate development in the Green Belt as they enable outdoor recreation, and in this instance no additional buildings are at this time proposed, so in broad terms the development proposed is not inappropriate and would maintain the openness of the Green belt in accordance with national and Local Green belt policies.

Golf Course or waste disposal.

17. The application sets out that there is still a growing demand for golfing facilities in this area and that the creation of a pay and play facility of this nature in this location will help meet this demand. However, it is Officers view that there is little evidence to support this argument. As set out in the Parish Council's response there are 15 golf courses within a 5 mile radius. Little evidence has been submitted with regard to the use of the current facility at Blakes that would indicate that it is operating to capacity. North Weald is very well provided with both senior and junior golfing facilities and would be considered to be at saturation point. The council recently had an application for conversion of the golf club at Nazeing to a single dwelling which argued a significant lack of demand for that facility, and it is considered that if there were a wider demand then this facility would not have contemplated closure. It appears more likely that this application has been prompted not by the need for a golf facility but by the ability to make large amounts of money from the importation of waste. The amount of material that it is proposed to import in Officers view far outweighs the amount that would be necessary to create an interesting golf course and to subsidise the construction of such a course. Therefore whilst a golf course may be acceptable in Green belt terms the amount of work that is proposed here and the timescale for the development means that there will be a waste disposal facility at the site for several years that will have a significant and adverse impact on the visual amenity and character of the area throughout that period. Policy W9B of the County's Waste Local Plan states "Landfill or Landraising for its own sake without being necessary for restoration will not be permitted. Landfill outside the boundaries of the preferred sites will not be permitted unless it can be demonstrated cannot otherwise be achieved. Landfill will not be permitted when at a scale beyond that which is essential for restoration of the site." This proposal is clearly contrary to that policy.

Landscape impact

18.. The key landscape issue is the potential impact of the proposed importation of what would be a very considerable volume of material, augmented by excavation on-site, significantly changing the intrinsic landscape qualities of the site, but extending to the way the site would be viewed from the footpaths, adjacent land and from distance. The council has had experience of three other golf courses where applications have been approved involving importation of significant quantities of soil: the "parent "course, now known as Blakes, a course at Blunts Farm in Theydon Bois, involving at least the same designers, and also another course under other ownership in North Weald. The Landscape officer did have discussions (as stated in the application) with the developer, before it became clear that this was a County Matter. The advice given advice I gave was that the land form as proposed was still unacceptable and that the importation proposals were grossly excessive and unable to be accommodated successfully on the site. The assessment I made was that if permitted the proposal would be grossly harmful to visual amenity, both directly and indirectly. The report of the preliminary discussions is correct in that the proposals had been adjusted prior to that meeting, but only from a preliminary submission that was even more grossly unacceptable. It should be understood therefore there was no basis of support for the application from the District Council on Landscape grounds, indeed quite the reverse.

It is considered that the potential adverse landscape impacts include:

- A negative impact on views onto the site, from roads and other rights of way, from the open land adjacent which is informally open to the public, from houses and gardens and other vantage points;

- A negative impact on the enjoyment of the local landscape from the perspective of users of the footpath crossing it.

19. As a result of the proposed land form a negative impact on existing features on and surrounding the site, both 'natural' (e.g. trees, hedgerows, ponds etc) and those of historic/archaeological interest (in this case the roman road, The Redoubt, the radio mast bases and the remains of the boundaries of the Ongar Great Park. In relation to proposed benefits, including the proposed landscape, tree planting, woodlands, wildflower meadows and water areas, it should be noted that these are long term proposals. Experience on the parent course, and others, has shown that, possibly because of the degree of disturbance involved with the proposed soil importation methodology, the new landscape is very slow to establish. On Blakes, for example, even now, the wildflower meadows elements have still not been delivered. Trees have had to be replaced, in many cases several times over, and are still not thriving. Woodland is referred to, but in reality the plans do not show woodland planting on a meaningful scale. On the parent course a submission was made in relation to the detailed landscaping that woodland was in fact not appropriate to the more open nature of the course that was preferred and was omitted, subject to an increase in the individual tree planting, and an extension of the wildflower meadow, which is noted above, still awaits successful delivery.

20. Experience from other courses suggests a realistic carrying capacity for an 18 hole course of around 150,000 cubic metres of land raising. Of course this will vary according to the particular details including the relative size and visibility of the site, how much of it is on ridges or in valleys, and the extent of viewpoints within or over it. It will also depend on how many internal boundaries there are, where the levels need to be respected, and on the boundary features. The need to protect the rooting areas of trees where these are present for example should greatly restrict the areas to be filled. Averaged out, a realistic expectation of the raising of levels might be in the region of 0.2 metres. Our calculations indicate that the raise of levels in this instance would be 0.7 metres, allowing for the impact of the dredging of the water areas.

21. It is not considered that the raising of land for the formation of golf courses is unacceptable as a matter of principle; rather it is that it is a matter of degree and of an assessment of the harm that is caused. However in this case the amount of material proposed and the average ground raising gives rise for concern that these volumes cannot be accommodated on site without the harms referred to above.

22. Additionally it must be remembered that this application relates only to a small phase of the overall golf course. It is not clear from the application how this is intended to be controlled such that the end result is not simply the creation of this element, which would clearly not relate to the existing golf course or the surrounding land and would form an incongruous pocket of raised land, that in itself would be harmful.

23. Overall it is considered that the proposals, both phase 1 and in totality would be likely to cause severe harm. This harm would arise to the intrinsic land form of the course and to the general public amenity as the proposed landform is inappropriate and harmful both visually and to features of the site. The information submitted is not sufficient to allay concerns and indeed confirms that the adverse impact would be excessive. The proposal is therefore unacceptable in landscape terms and contrary to the landscape policies of the adopted Local Plan.

Impact on the Historic Environment

24. With the application is a statement on the impact of the development on archaeology and Cultural Heritage. This lists 3 areas that it considers may have highly significant impacts. Firstly the possible Roman Road from London to Great Dunmow which runs across the site. Secondly the listed buildings at Ongar Great Hall, which are not directly impacted being outside the site but their setting will be significantly changed and thirdly the Concrete mast bases, earthworks and other structures from the Radio station site. The report lists other areas of lesser impact and it is clear that there is a great deal of archaeological and historical significance in and around the site including the 19th century Essex Redoubt which is a scheduled Ancient Monument and will as a result of the development of the golf course be completely surrounded by the course,. The mitigation proposed appears to be minimal, simply recoding or retaining in situ. Officers therefore ask that Essex County Council take advice from English Heritage, listed buildings advisors and their in house Archaeologists on this matter, but that there is considerable concern that the development will cause harm to the historic environment and that the submitted details fail to demonstrate that this can be adequately mitigated. The proposals are therefore contrary to policies. There is no real demonstration that the development will not adversely impact on the setting of the listed buildings, the redoubt, the Ongar Park or the Roman Road and without strong evidence to this effect the scheme is contrary to policies HC1, HC3 and HC12 of the adopted Local Plan.

Flood Risk Land Drainage and Contamination

25. The Councils Engineering Drainage and Water Team have been consulted and have confirmed that the site lies within an Epping Forest District Council flood risk assessment zone. The development is of a size where it is necessary to avoid generating additional runoff and the opportunity of new development should be taken to improve existing surface water runoff. A detailed Flood Risk Assessment (FRA) would be required.

26. The applicant has provided a FRA with the application, and we agree with the findings in principle. The FRA indicates that the changes in contours have been considered and that the flood risk will not change for either the site or the surrounding areas.

27. Section 2.3.3 in the FRA mentions 'a flood defence that consists of a dry storage pond'. We believe this refers to the Council's Flood Alleviation Scheme (FAS) in North Weald which is located to the South West of the site and would seek further reassurance that the development will not have any impact on it e.g. increase flow. Given that the FAS are now a main river asset the Environment Agency should also be consulted with regard to the proposals. In any event given the total site area is greater than one hectare consultation with the Environment Agency is required.

28. There are concerns about the proposed changes in topography which may have an effect of channelling and increasing the run off velocity and hence change the dynamics of the catchment. We also have concerns with regard to the fact that huge amounts of material will be imported onto the site. Given the quantity and likely multiple sources of the infill material we would wish to see further consideration given to potential impact the nature and permeability of the fill may have on the surface and groundwater regime.

29. Overall it is considered that inadequate information has been provided with regard to the type of material that is to be imported and the controls over the whole

process to ensure that there will be no contamination of the land and groundwater, as a result of the importation. Very strict controls would need to be put in force and the application at present fails to demonstrate that the works can be achieved without environmental harm.

Access and Highway issues

30. The application specifies that the access to the site will remain from the A414 only via the existing access road to Blakes but with an improved access onto the A414. The highway improvements are already the subject of a legal agreement. County as the highway Authority are asked to look closely at the submitted details and traffic assessment. The proposal clearly involves the introduction of a significant number of lorry movements over a three year period and the impact of this on the road network needs to be fully assessed. It appears from the submitted details that the original assessment of construction traffic movements was based on a 5 year construction period with movements of 100 per day 50 in 50 out. This has now been increased to 150 a day 75 in and 75 out over a shorter period. It is unclear whether this change has been considered, and whether the 3 year figure relates to phase 1 which the subject of the application or to each of the remaining phases. In short it is considered that the information provided is inadequate and contradictory and that therefore the impact of the development on the road system can not be adequately assessed. If approval were to be granted traffic/lorry movements during the construction period would need to be tied up with a traffic management plan to include lorry routing and hours of operation to ensure that there would be no harm to the free flow of traffic and highway safety.

Residential Amenity

31. Whilst it is not considered that the use of the land as a golf course would result in significant loss of amenity to surrounding residents the impact during the construction period needs also to be considered. The phase 1 proposal includes the provision of a haul road that runs up from the existing golf course access road around the rear boundary of a residential property and to a site compound about 200m to the east of that property. The proposed haul road then turns back north east to provide access to the phase 1 area. It is considered that the movement of HGV around the boundary of Kerr's Cottage and the use of the compound area in connection with the development of the site for 3 years will inevitably have an unacceptably adverse impact on the residents of that property, and whilst noise and nuisance during construction is not normally a reason for refusal of planning permission in this instance as we are not convinced that the reason for the work is the construction of the golf course as opposed to the disposal waste, it is considered that the noise and disruption from the development would be valid reason for refusal. Although Phase 1 of the development is set away from any residential properties, other phases are relatively close to houses and the impacts of the construction work again in terms of noise dust and disruption are likely to be significant and unacceptable. Again if planning permission is granted very strong controls over the operation of the site will need to be imposed to minimise such problems but it is not considered that the application as submitted demonstrates that the harm can be properly mitigated. The proposal is therefore contrary to policies RP5A and DBE9 of the adopted local Plan.

Conclusion

32 In conclusion it is considered that the development of this site for waste disposal and subsequent golf course facility will cause significant harm to the landscape and visual amenity of the area and be detrimental to the setting of the Redoubt and

Ongar Park Farm and that insufficient information has been provided to show that there will not be harm to other archaeological and historic aspects of the site. Additionally it is considered that the construction period of the golf course will result in unacceptable adverse impact on the residential amenity of the occupants of Kerr's cottage in particular but also potentially on other residential properties in the locality. It has not been demonstrated that there is a genuine need for this facility to serve the community and there is no obvious benefit from the development that would outweigh the very real harm from the scheme. The amount of landfill proposed is in addition clearly not necessary for restoration and is being proposed for its own sake. As such the proposal is contrary to the policies of the adopted Local Plan and the Essex waste local Plan.

33. Additionally it is considered that the current application does not stand up in its own right, as if it were to be approved it would potentially enable the construction of this one small element of the golf course with no guarantee that the remaining development would ever be progressed. It is Officers view that the site (phase 1) cannot be considered in isolation. Approval of the proposal would imply that the remaining phases of development would also be acceptable, yet we are not being asked to consider this. If the remaining phases prove not to be acceptable then this leaves us with the possibility of this small area of land being used for waste disposal with no prospect of a coherent golf facility being completed. Whilst it may be possible to tie the consent to a legal agreement preventing development of phase one until all phases have been approved, this has not been suggested by the applicant who for completeness should have included heads of agreement for any legal agreement with the application.

34. Members are therefore asked to support the Officers recommendation to raise objection to the planning application for the reasons set out above.