

Agenda Item:	5.1 and 5.2
Site:	Proposed Golf Course & Gatehouse
Proposal:	<p>1) P/2016/00434: Application under Section 73 of the Town & Country Planning Act 1990 for the construction of an 18 hole golf course and associated practice facilities, including the erection of an in fill extension linking Woodseat Hall ruins to the existing outbuildings in order to form club house, erection of a detached building to form squash courts, erection of a detached building to form buggy park and refuse store, erection of two steel framed buildings to form golf buggy charging facility and maintenance store, siting of two rain shelters, conversion of existing bungalow to form workshop and stewards accommodation, demolition of existing JCB International Training Centre and existing steel framed storage shed, formation of attenuation and irrigation lakes, associated landscaping, earth works, drainage works and car parking, formation of tennis courts, and improvements to access to Hollington Road and B5030 without complying with Condition 19 of planning permission P/2014/00228 dated 16/07/2014 relating to amended access arrangements</p> <p>2) P/2016/00423: Erection of a gatehouse, gates, associated walling and the realignment of internal access road.</p>

Report of Head of Service (Section 151 Officer)

This report has been checked on behalf of Legal Services by John Kirkham

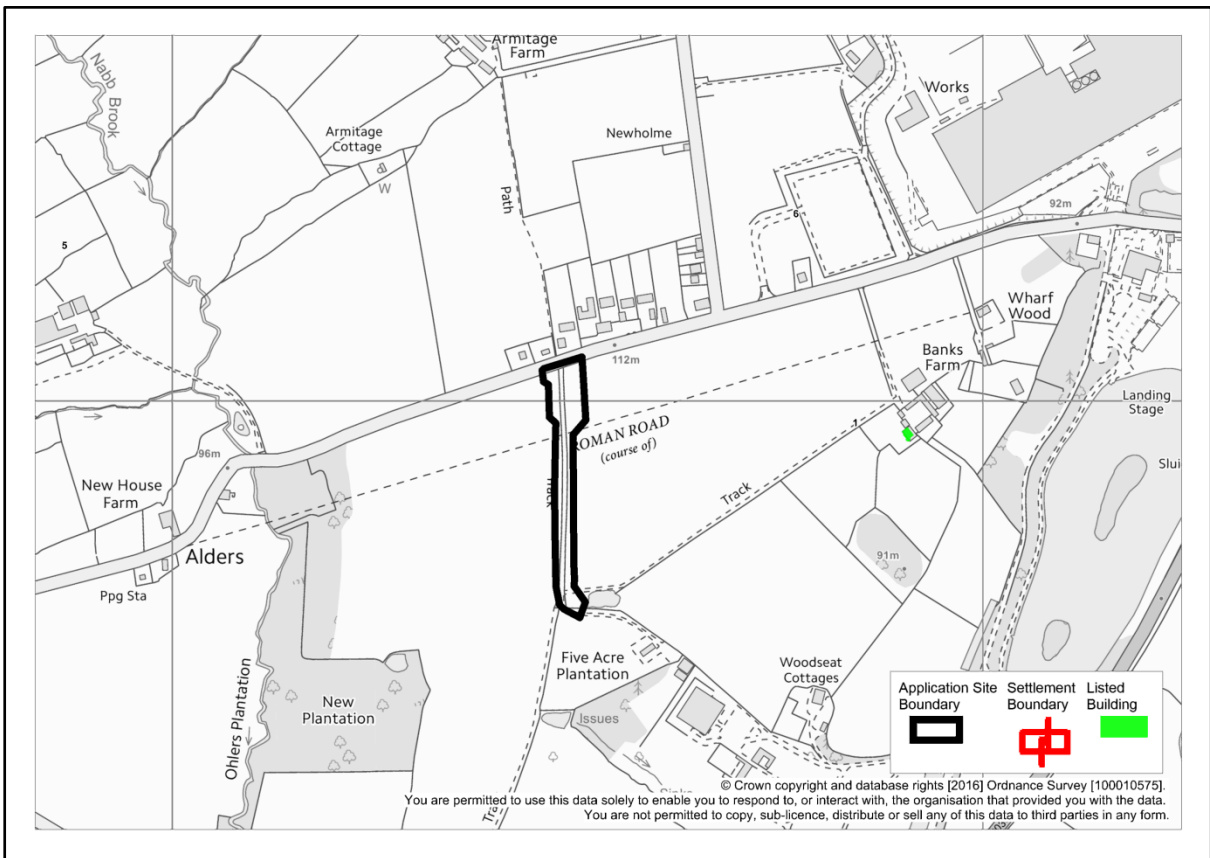
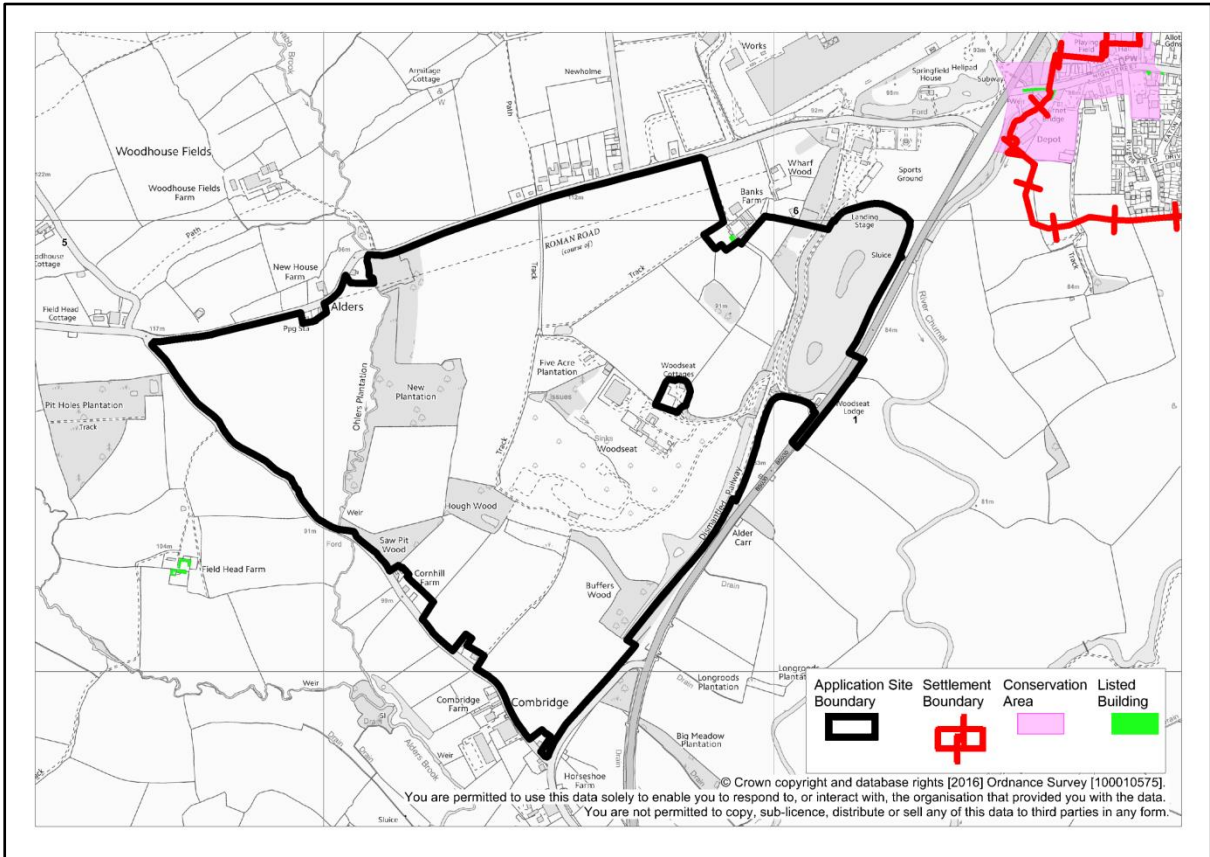
[Hyperlink to Application Details](#)

Application Numbers:	P/2016/00434 & P/2016/00423
Planning Officer:	Alan Harvey
Type of Application:	<p>1) Application under Section 73 (P/2016/00434)</p> <p>2) Detailed Planning Application (P/2016/00423)</p>
Applicant:	Bamford Property Ltd
Ward:	<p>1) Churnet (P/2016/00434)</p> <p>2) Abbey (P/2016/00423)</p>
Ward Member (s):	<p>Councillor Chris Smith (P/2016/00434)</p> <p>Councillor Colin Whittaker (P/2016/00423)</p>
Date Registered:	<p>1) 15/04/2016 (P/2016/00434)</p> <p>2) 13/04/2016 (P/2016/00423)</p>
Date Expires:	23/09/2016

1. Executive Summary

- 1.1 This report relates to two separate - but associated - applications in connection with the development of the JCB golf course, with associated facilities, on land to the south-west of the village of Rocester further to a grant of planning permission of 2014. The 2014 approval provides for vehicular access from the B5030 Rocester to Uttoxeter road and access/egress from Hollington Road.
- 1.2 Application **P/2016/00434** proposes a variation to Condition 19 of the original permission which essentially seeks to amend the development scheme so that all vehicular traffic to and from the golf course site uses the Hollington Road access drive. Application **P/2016/00423** relates to the proposed erection of a gatehouse and gates/walls at the entrance to the Hollington Road access drive, along with amendments to the Hollington Road access road alignment/arrangements. The Hollington Road access, with its proposed gatehouse and gates/walls, lies opposite a group of residential properties.
- 1.3 The County Highway Authority has raised no objections to either applications and other statutory consultees have not raised any concerns in principle on technical grounds. Historic England has raised no objections in terms of impacts on heritage assets.
- 1.4 Denstone Parish Council comment that they would like the access arrangements 'changed back' to the original planning permission (of 2014) and Croxden Parish Council and 4 No. local residents have raised concerns/objections about all vehicular access being taken via Hollington Road on highway safety grounds and in terms of the impacts on visual and residential amenities on the locality.
- 1.5 The applications are taken forward on their own individual merits in this report and having regard to this it is considered that both proposals would not have an adverse impact on the local highway network and there are no objections on highway safety grounds. It is also considered that both of the proposals would not have a sufficiently detrimental impact on the amenities of nearby residents to warrant a refusal of planning permission. It is considered that the proposed built structures are of satisfactory design quality within their context and that the proposals would not harm the setting of the Grade II* listed building at Mince Pie Hall.

Map of site



2. The site description

- 2.1 The JCB golf course, with associated facilities, is being developed on a 106 hectare area of land further to a grant of planning permission of 2014 (see planning history below). It is understood that the golf course is currently timetabled to open in spring 2018. The golf course site lies to the south-west of the village of Rocester, and the JCB World Headquarters, to the south of the hamlet of Stubwood, and to the north of the hamlet of Combridge. The vast majority of the site was formerly undeveloped farmland, with the exception of the derelict former Woodseat Hall and associated managed estate land, and a number of traditional style buildings used by JCB to house finance and insurance services, a more modern building used as the international training centre, and a small number of dwellings associated with JCB. Also within the site is a former scrap yard (now cleared), and associated dwelling (Jacksons Cottage) which are now also in the ownership of JCB. The site lies outside of any Settlement Boundary as defined by the Adopted Local Plan.
- 2.2 The JCB golf course site is bounded by the B5030 Rocester to Uttoxeter road to the south east, Hollington Road (C10) to the North, and Combridge Lane to the South West. Nabb/Alders Brook runs through the site from north to south and the watercourses at Woodseat and the ornamental lake adjoining the B5030 are also included within the application site. There are a number of areas of mixed leaf woodland within the golf course site, and field boundaries are delineated by hedgerows and stock proof fencing.
- 2.3 The JCB golf course site is traversed by three public footpaths. Footpaths 45 and 46 cross the eastern end of the site linking Hollington Road and Combridge Lane; and footpath 27 running across the centre of the site again linking Hollington Road and Combridge Lane (the footpaths all being subject to division orders further to the golf course approval as per the Planning History below). Outside of the golf course site to the north of Hollington Road, footpath 27 continues northwards as Footpath 49 Denstone.
- 2.4 There are a number of residential properties to the periphery of the site, with small concentrations of properties to the north of the site at Stubwood, and the southern corner at Combridge. The Grade II* listed Mince Pie Hall (also known as Banks Farm) is located to the eastern boundary of the golf course and a series of recent approvals there have provided for conversion and new build development which will provide accommodation at the property for workers on the golf course.
- 2.5 The golf course site is undulating, and is set within the shallow valley of Nabb/Alders Brook with the lands sloping gradually from the east and then rising back up to the junction of Combridge Lane and Nabb Lane, the land also falls away towards the B5030. To the boundary with Hollington Lane the land is raised higher than the highway given the fact that it is made up land which was transferred onto the site when the main JCB factory was constructed in the 1960's. Works have commenced on the golf course site in relation to land re-grading works and structural landscaping provision.

3. Planning history

3.1 In July 2014 an application for full planning permission ref: **P/2014/00228** was approved for the JCB golf course which comprised the following main elements:

- Construction of an 18 hole course and associated practice facilities on the site including attenuation/irrigation lakes and associated landscape, earthworks and drainage works
- Restoration of the former Woodseat Hall ruins and extension to infill between the former hall to accommodate the clubhouse and leisure facilities and stewards' accommodation;
- Provision of associated car parking on the site
- Demolition of the steel framed JCB International Training Centre and single storey steel framed storage shed associated with the scrap yard
- Provision of two single storey steel framed agricultural barns in relation to course upkeep.
- Construction of two rain shelters adjacent to golf holes 7 and 17
- Access and egress arrangements to serve the proposed golf course including the formation of a right hand turning lane on the B5030 adjacent to the existing Woodseat Lodge access and improvements to the existing scrap yard entrance/egress on to Hollington Road (C10) together with the extension of the current private access road serving the JCB Arena to link it to the current Hollington Road access.
- The Transport Assessment submitted in support of the 2014 planning application indicated that the B5030 access was the main access and the Hollington Road (C10) access was “an additional access” that would serve as: Access and egress to: Service vehicles for Woodseat Hall, course and JCB Arena; Woodseat Hall visitors and the JCB Arena.
- Condition 19 of the planning permission ref: P/2014/00228 requires that *“no development within phase 4 shall take place until details of access onto the B5030 have been submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be completed in accordance with the approved details prior to the development being first brought into use.”*
- The reason given for the condition was *“as recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Saved Policy T1.”*

3.2 Subsequently, separate applications have been submitted for the following proposals related to the development of the golf course site:-

Application ref: P/2016/00166 - Golf practice range building. Approved in May 2016 with the relevant pre-commencement conditions having been subsequently discharged.

Application refs: P/2016/00368 and - P/2016/00436 - New Maintenance Building at Mince Pie Hall (applications for planning permission and listed building consent) - applications are presently held in abeyance at the applicants request further to Historic England objections in relation to impacts on the setting of the Grade II* listed Mince Pie Hall.

Application ref: P/2016/00423 - New Gatehouse/Gates off Hollington Road with associated alteration to the internal access road. Current application the subject of this report.

Application ref: P/2016/00434 - Construction of golf course etc. without complying with Condition 19 of planning permission ref: P/2014/00228 to provide for amended access arrangements; namely vehicular access/egress solely off Hollington Road and therefore for there to be no new access off B5030 road as originally envisaged. Current application the subject of this report (and referred to the 'condition 19' application for ease of reference).

- 3.3 Applications for golf lodges at the site, including a scheme for the extension and conversion of Jacksons Cottage, were submitted to the Borough Council but were subsequently withdrawn by the applicants.
- 3.4 Various applications have also been approved under officer delegated powers to discharge pre-commencement conditions of the original golf course scheme (approved under application ref: P/2014/00228). These applications include the access/egress arrangements in respect of the Hollington Road junction (under condition 13) and the construction details in relation to the formation of the new access road off B5030 road (under condition 19). An application has been approved - but not yet enacted - for the division of footpaths which run across the new golf course including the public right of way (Footpath 27) running south from Hollington Road (adjacent to the new access/aggress road to serve the golf course).
- 3.5 The discharge of condition submissions reflect the timings of the four stage phasing plan for the construction the golf course agreed in 2014. Phase 1 comprises land shifting operations/structural planting, Phase 2 relates to cut and filling operations, Phase 3 is the construction of the golf course and Phase 4 is the provision of the facilities at Woodseat Hall. At the present time the development scheme is within Phase 3. The conditions of planning permission ref: P/2014/00228 that remain to be discharged before the commencement of Phase 4 include the lighting at the site and the landscaping works around Woodseats Hall.
- 3.6 There are also a number of conditions that need to be addressed before the golf course is brought into use including (under condition 20) details of how membership numbers and public access will be managed in the form of a Membership Management Plan. Condition 25 requires that there shall be no major events at the site until an Events Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. A major event is defined as including 'JCB Dealer Days' and any other event expected to attract more than 250 attendees to the application site at any one time.

4. The proposal

- 4.1 This report relates to the two separate applications at the Golf Course site, however, given the common themes to each of their determinations, it is considered appropriate for the material planning matters to be considered alongside each other in a single report. As the assessments/conclusions make clear, however, the applications fall to be determined on their own merits.

Application 1 – Section 73 Application P/2016/00434: proposes a variation to Condition 19 of the original permission

- 4.2 This application (ref: P/2016/00434) relates to the proposed ‘non-compliance’ with Condition 19 of planning permission ref: P/2014/00228 to provide for amended access arrangements. The scheme essentially proposes that vehicular access/egress will solely be provided off Hollington Road and therefore for there to be no new access constructed off the B5030 road as originally envisaged under the 2014 approval.
- 4.3 The applicant’s agent submitted a highway statement to accompany the application which was supplemented by a further report in the light of a request for additional information from the County Highway Authority (see Consultees comments below). The main points of the revised Transport Assessment are as follows:-
- It was shown in the previous Transport Assessment that the proposal would result in a worst case trip generation of 78 No. vehicles during the morning and evening peak hours respectively, on JCB Dealer Days. However, these would only be expected to occur up to four times per year, and these figures therefore represent a worst case scenario. On a typical day the proposals would result in a 51 No. vehicular trips in the morning and evening peak hour.
 - The previously agreed distribution from original Transport Assessment identified that 75% of traffic would be to/from the south on the B5030, from the A50, with the remaining 25% arriving from the north on the B5030, from the A515 via Rocester Town Centre, and from the smaller settlements located to the north. For assessment purposes it was also assumed that all traffic would arrive via the main access on the B5030 and exit the site via the Hollington Road access. To reflect the fact that the main access would now be via Hollington Road, it is assumed that all vehicles would enter / exit the site via this access. Therefore, based on the above previously agreed distribution all traffic would access the site via the B5030 / Station Road compact roundabout. .
 - As regards the potential impact on the settlements of Hollington, Denstone and Stubwood, the use of the site, the traffic generation and traffic distribution has not altered from that previously agreed and the volume of traffic travelling through these settlements would not alter, with no vehicles travelling through Hollington and potentially up to 10 vehicular trips travelling to and from the north. As such it is not anticipated that the proposals would result in a severe impact on the settlements of Hollington, Denstone or Stubwood. Based on this assessment, it is considered that the proposals would not result in a severe impact on the local highway network.
 - A site visit and vehicle speed survey was undertaken on Monday 13 June 2016 between 13.45 and 16.00 hours and this indicated that visibility splays of 120 metres to the east and 110 metres to the west would be required from the site access at Hollington Road. The submitted application drawings demonstrate that suitable visibility splays can be achieved at the existing site access at Hollington Road.

Application 2 – Full Application P/2016/00423: proposes the erection of a gatehouse, gates, associated walling and the realignment of the access road.

- 4.4 This application for full planning permission relates to the proposed erection of a gatehouse and associated entrance gates/walls at the Hollington Road access/egress to the JCB Golf Course along with amendments to the alignment of the drive (in comparison with the details approved under the 2014 permission and the subsequent discharge of condition 13). The scheme also proposes to re-route the public footpath that runs southwards from Hollington Road through the golf course.
- 4.5 The proposed gatehouse is a largely single storey building of predominantly brick construction which presents a (in part) glazed gable end towards Hollington Road. The proposed building is set some 45 metres back from the public highway and has a height to ridge of 5.25 metres. The building is to be constructed of brickwork with a Staffordshire tile roof.
- 4.6 The proposed gates will occupy a central position within curved boundary walls. The gates, which have a maximum height of 4.1 metres above ground level, are themselves set some 22 metres back from the public highway. A pedestrian gate is to be provided to the right hand side of the vehicle entrance gates to provide access along the public footpath. Further to changes to the original submissions planting is now proposed to the front of the walls. Feature tree planting is also proposed down the access drive to the south of the gatehouse. The most recent submissions also provide for a revision to the proposed re-routing of the public footpath (No. 27).

List of supporting documentation

- 4.7 The following documents have been provided as part of the application:
- Location Plans
 - Vehicular Access Plans
 - Proposed Site Layout Plans
 - Proposed Elevations of Gate House
 - Proposed Elevations of Entrance Gates/Walls etc.
 - Architectural Details Drawings
 - Design and Access Statement
 - Heritage Assessment
 - Public Right of Way Strategy
 - Transport Assessment/Traffic Management and Monitoring Plan
- 4.8 The relevant findings are dealt with in section 8 onwards below.

5. Consultation responses and representations

5.1 A summary of the consultation responses is set out below:

	Statutory and non statutory consultee	Response
5.2	Croxden Parish Council	<p>P/2016/434: Section 73 application</p> <p>Raised the following concerns: The change of entrance location from access via a main road to access via Hollington Road will have a significant effect on the visual amenity of the immediate area and amenities of nearby residents, through the increase in traffic via the entrance, additional light pollution and general urbanisation resulting from the scheme. The routing of traffic via Hollington Road, whilst not increasing overall traffic volumes generated from the scheme, will lead to further increases in traffic volumes through Hollington via a single track road network which is already overloaded. Under the original scheme traffic would be directed via a main road (B5030), which as the application notes has been subject to significant investment over recent years. In general the case for the removal of the original condition which provided primary access to the site via the main road does not seem to have been clearly made. Croxden Parish Council state that they would like these concerns to be considered alongside any others raised to the Borough Council by the Parishes within which this scheme falls.</p> <p>P/2016/423: Gatehouse and road re-alignment</p> <p>Raised the following concerns: The change of entrance location from access via a main road to access via Hollington Road will have a significant effect on the visual amenity of the immediate area and amenities of nearby residents, through the increase in traffic via the entrance, additional light pollution and general urbanisation resulting from the scheme. The routing of traffic via Hollington Road, whilst not increasing overall traffic volumes generated from the scheme, will lead to further increases in traffic volumes through Hollington via a single track road network which is already overloaded. Under the original scheme traffic would be directed via a main road (B5030), which as the application notes has been subject to significant investment over recent years. In general the case for the removal of the original condition which provided primary access to the site via the main road does not seem to have been clearly made. Croxden Parish Council state that they would like these concerns to be considered alongside any others raised to</p>

		the Borough Council by the Parishes within which this scheme falls.
5.3	Denstone Parish Council	<p>P/2016/434: Section 73 application</p> <p>Commented in respect of the original submission that they would like the access changed back to the original planning permission (of 2014).</p> <p>P/2016/423: Gatehouse and road re-alignment</p> <p>No objections</p>
5.4	Rocester Parish Council	<p>P/2016/434: Section 73 application</p> <p>No objections</p> <p>P/2016/423: Gatehouse and road re-alignment</p> <p>No objections</p>
5.5	Uttoxeter Rural Parish Council	<p>P/2016/423: Gatehouse and road re-alignment</p> <p>Advises that they have no comments to make.</p>
5.6	SCC Highways	<p>P/2016/434: Section 73 application</p> <p>Given that all vehicular access/egress to the site would be along Hollington Road that it would be necessary for the applicants to provide additional information (in the form of a revised Transport Assessment) in respect of changes and impacts of vehicle flows and for the provision of visibility splays to the site access to be based on up to date speed surveys.</p> <p>Further to the additional submissions of the applicants, the County Highway Authority advises that it has no objections in principle to the application.</p>
5.7	SCC PROW Officer	<p>P/2016/434: Section 73 application</p> <p>The PROW officer endorsed the concerns of the Ramblers and the Open Spaces Society that the new proposals are at variance with the footpath diversion proposals agreed previously (in 2014) to take account of the golf course construction.</p> <p>The County Council PROW Officer comments in relation to the revised scheme that the <i>only concerns raised as to why is necessary for a pedestrian gate to be fitted on the new footpath line adjacent to the access road as the County Council operates a 'Least Restrictive Principle' in relation to gates and stiles unless they are needed for stock control.</i></p>

		<p><i>The PROW Officer also requests minimum width footpath width of 1.8 metres within the Public Path Diversion Order along with confirmation of the responsibility for maintaining the surface of the footpath.</i></p> <p>All relevant Statutory Consultees have been re-consulted on the revised submissions and any additional comments received will be reported on the Committee Update Sheet.</p> <p>P/2016/423: Gatehouse and road re-alignment</p> <p>The PROW officer endorsed the concerns of the Ramblers and the Open Spaces Society that the new proposals are at variance with the footpath diversion proposals agreed previously (in 2014) to take account of the golf course construction.</p> <p>The County Council PROW Officer comments in relation to the revised scheme that the <i>only concerns raised as to why is necessary for a pedestrian gate to be fitted on the new footpath line adjacent to the access road as the County Council operates a 'Least Restrictive Principle' in relation to gates and stiles unless they are needed for stock control.</i> The PROW Officer also requests minimum width footpath width of 1.8 metres within the Public Path Diversion Order along with confirmation of the responsibility for maintaining the surface of the footpath.</p> <p>All relevant Statutory Consultees have been re-consulted on the revised submissions and any additional comments received will be reported on the Committee Update Sheet.</p>
5.8	Ramblers Association	<p>P/2016/434: Section 73 application</p> <p>No objection to the proposed developments but are concerned that the scheme(s) will result in proposals to divert the line of the footpath (contrary to what was agreed in 2014) and to which objections are raised.</p> <p>P/2016/423: Gatehouse and road re-alignment</p> <p>No objection to the proposed developments but are concerned that the scheme(s) will result in proposals to divert the line of the footpath (contrary to what was agreed in 2014) and to which objections are raised.</p>
5.9	Historic England	<p>P/2016/434: Section 73 application</p> <p>No Comment</p> <p>P/2016/423: Gatehouse and road re-alignment</p> <p>Commented that in view of the distance of the proposed gates, access road and lodge from Mince Pie Hall, and</p>

		<p>given the contours of the intervening land, Historic England are of the view that the proposals will have little impact on the setting of this important Grade II* heritage asset. Historic England, also commented, however, the character of the surrounding area is predominantly rural, and the gates and walling could be something of an incongruous feature within this landscape. Historic England would therefore request that the Local Planning Authority consider opportunities to reduce this visual impact, for example through the use of native species hedging, estate railings rather than brick walling etc. With regard to the proposed lodge, Historic England comment either a traditional or contemporary solution could be appropriate in this location. However, since the applicant has chosen a more traditional building Historic England would strongly recommend that you condition all matters of architectural detail, materials and finish for your consideration.</p> <p>Historic England comment in relation to the revised scheme that they are pleased to note the applicant's efforts to soften the impact of the entrance. Careful planting selection will of course be required in order to ensure that the landscaping complements the surrounding rural setting.</p>
5.10	SCC Archaeology	<p>P/2016/423: Gatehouse and road re-alignment</p> <p>Raises no archaeological concerns given that comprehensive archaeological work was undertaken in order to meet the requirements of the 2014 approval.</p>
5.11	Open Spaces Society	<p>P/2016/434: Section 73 application</p> <p>No objection to the proposed developments but are concerned about the public footpath (No. 27 Rocester Parish) as the current scheme seems to be ignoring a previously agreed route of the footpath. The Society, therefore, consider that they need to see more detailed proposals for the footpath and a diversion consultation or draft order from the Borough Council.</p> <p>P/2016/423: Gatehouse and road re-alignment</p> <p>No objection to the proposed developments but are concerned about the public footpath (No. 27 Rocester Parish) as the current scheme seems to be ignoring a previously agreed route of the footpath. The Society, therefore, consider that they need to see more detailed proposals for the footpath and a diversion consultation or draft order from the Borough Council.</p>

6. Neighbour responses

- 6.1 Neighbours have been notified of the applications and a site notice posted in respect of the original submissions. With the receipt of the revisions neighbours were re-consulted. Two local residents have made representations in relation to application P/2016 00434 raising objections/concerns which are summarised below. Three local residents have made representations in relation to application P/2016 00423 raising objections/concerns which are summarised below. Comments made on both applications have been amalgamated given the cross over between the applications.

Neighbour responses	
Highways Impacts and Residential Amenity	<p>Hollington Road is an already overcrowded route used by local residents, workers from JCB, JCB distribution, Stubwood tankers, local school buses and people accessing Denstone College.</p> <p>The proposals will mean that the Hollington Road access to the golf course will have to cope with both B5030 and Station Road traffic as well as service vehicles which will increase traffic/noise with coach engines revving etc. This will negatively affect local residents and road safety.</p> <p>The development will impact upon the access to the B5030 which is a major trunk road to Alton Towers</p> <p>In the case of any major championships to be played there would be coachloads of spectators which would cause further havoc to local residents trying to get about their business.</p> <p>There is no reason to make the Hollington Road access two-way if traffic is light and thus the Station Road entrance (or exit) is adequate, and it could be service only, though there is no indication of how high/frequent this would be.</p> <p>No traffic flow survey has been done on Hollington Road or Stubwood Lane which would show a higher usage as Factory personnel using those roads, and not Station Road, to access the JCB Rocester Factory.</p> <p>Traffic almost always involves hard acceleration outside the dwellings on Hollington Road opposite the golf course entrance. The 40 mph signs seem not to have made any difference and have also destroyed the open countryside feel of the road, as will any signs associated with the golf course exit.</p> <p>Objections were made application to the original golf course application in relation to impacts on residential amenities from the use of the Hollington Road drive when the Entry was to be off the B5030. Given that all vehicles will now be using this Hollington Road drive this would double the amount of traffic and noise affecting the tranquillity of nearby residents.</p> <p>Not only will there be increased traffic volume as a result of the proposal but also an increase in traffic duration.</p>

	<p>I wish to strongly object to the proposed alteration to the public footpath/access road to Pinewood House almost directly opposite my house entrance. It should remain as it is.</p> <p>It is considered that any flood lighting must have proper deflectors unlike the ones on the Rocester Football Pitch and the Bowling Green.</p> <p>Traffic on Hollington Road and speeding vehicles are already a very contentious local issue and traffic volumes have increased markedly over the past five years. The new roundabout at the bottom of Station road joining the B5030 has made it even easier for traffic to use Hollington Road as a short-cut. Vehicular access to the JCB lorry park has also increased traffic volume.</p> <p>It is pointed out regarding road safety that there have been ten road traffic accidents involving a property opposite the Hollington Road drive, since 2010.</p> <p>The original planning application for the Golf Course had the entrance from the main road [B5030] and the exit from the Course onto Hollington Road. This was subsequently subject to a revised application whereby both entry and exit would be via Hollington Road due to safety concerns regarding vehicles entering the facilities from the B5030. These concerns would have been clearly evident at the time of the original planning application so why were they not voiced then only after planning for the Golf Course had been granted.</p> <p>It seems to me that the most appropriate solution to vehicular access to the Golf Course Development would have been a dedicated entrance/exit off the B5030 where it joint Uttoxeter Old Road - surely that would have been a better solution than having increased traffic on the unclassified, minor, Hollington Road.</p> <p>It pointed out that work has already commenced on the B5030 access to block it on the assumption this application will be successful.</p> <p>It is considered insincere to concentrate the traffic analysis to the periods of when particular golfing fixtures will take place - the extensive sporting and leisure facilities being created by the 'Golf Course Development' will result in an ongoing stream of visitors. To suggest that the significant investment in the sporting facilities and features at the 'Golf Course' will only be used spasmodically is disingenuous.</p>
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Impacts on Amenity	There will be a significant increase in traffic as a result of having the entry/exit on Hollington Road, this will negatively affect local residents and road safety. Not only will there be increased traffic volume but also an increase in traffic duration.
Ward Member Cllr Whittaker	Thanks for the information. One issue in this is the five year plan for highways and traffic movements through our small villages. The facility will still be developing in that period and any real problems will be after that period. Still think that 'historic' gatehouse looks awful and a missed opportunity but that's my opinion!!!

7. Policy Framework

National Policy

- National Planning Policy Framework
- National Planning Policy Guidance

Local Plan

- SP1: East Staffordshire Approach to Sustainable Development
- SP8 Development Outside Settlement Boundaries
- SP15 Tourism, culture and leisure development
- SP24 High Quality Design
- SP25 Historic Environment
- SP35 Accessibility and Sustainable Transport
- DP1 Design of New Development
- DP5 Protecting the Historic Environment: All Heritage Assets, Listed Buildings, Conservation Areas and archaeology
- DP7 Pollution and Contamination

Supplementary Planning Documents/Guidance

- East Staffordshire Design Guide

8. Principle of Development

- 8.1 Paragraph 12 of the National Planning Policy Framework states that the starting point for determining planning applications is the Development Plan, and where this is up to date, development that conflicts with its policies should be refused unless other material considerations indicate otherwise.
- 8.2 Both application sites lie outside of any designated settlement boundary as set out in the adopted Local Plan. Policy SP8 of the Local Plan relates to development outside of designated settlement boundaries. In addition Policy SP15 of the plan relates to Tourism, Culture and Leisure Development and advises that the Borough Council will support new tourism and cultural developments providing they respect the character and quality of the

landscape, champion exemplar design, make positive use of the natural assets of the Borough, and do not affect local transport infrastructure or residential amenity.

- 8.3 Application **P/2016/00434** relates to lands within the boundaries of the 18 hole golf course which was approved in 2014 in accordance with the development plan.
- 8.4 Application **P/2016/00423** relates to the proposed gatehouse/entrance gates and because the proposal is ancillary to the existing (approved) golf course it is considered that the application complies in principle with adopted Local Plan Policies SP8 and SP15 and the economic and social arms of sustainability as defined by the National Planning Policy Framework. The compliance of the proposals with the environmental arm of sustainability will be considered within the relevant sections of the report below.

9. Highway Safety Implications

- 9.1 Strategic Policy 35 Accessibility and Sustainable Transport of the East Staffordshire Local Plan states that new development must ensure appropriate infrastructure is provided to mitigate the adverse effects of development traffic and other environmental and safety impacts.
- 9.2 As outlined in this report local residents have expressed objections to the 'Condition 19' application (**P/2016/00434**) on the basis that the scheme would compromise highway safety by increasing the number of vehicles using Hollington Road. Croxden Parish Council have also expressed concerns that the routing of (all) traffic via Hollington Road, whilst not increasing overall traffic volumes generated from the scheme, will lead to further increases in traffic volumes through Hollington Road via a single track road network which is already overloaded. Croxden Parish Council concludes that the case for the removal of the original condition which provided primary access to the site via the main road (the B5030) does not seem to have been clearly made by the applicants. Denstone Parish Council comment that they would like the access 'changed back' to the original planning permission (of 2014).
- 9.3 In the County Highway Authority's original response to application **P/2016/00434** they were mindful that the scheme raised the issue of the altered vehicle flows on the local highway network and consequently required the submission of a revised Transport Assessment that took into account the proposed revised access strategy and revisions to the junctions previously modelled. The Highway Authority also requested that the Transport Assessment addressed the potential impact on the settlements of Hollington, Denstone and Stubwood and to include any recommendations required to deter golf course related vehicles from travelling through these settlements. Finally, County Highway Authority required a speed survey be undertaken to demonstrate that the visibility splays to the Hollington Road access to the golf course were adequate to take into account the proposed intensification of use of the Hollington Road.
- 9.4 Further to the provision of the revised Transport Assessment, the County Highway Authority raises no objections to the 'Condition 19 application: **P/2016/00434**' subject to provision being put in place for events monitoring - with any necessary future mitigation measures to be agreed - in line with the

applicants submitted Traffic Management and Monitoring Plan. It is considered that this matter could be addressed by an amendment to condition 25 of the 2014 permission should the 'Condition 19 application: **P/2016/00434**' be approved.

- 9.5 In relation to the proposed changes to the access drive alignments/arrangements **P/2016/00423** in association with the provision of the gatehouse and gates/walls, the County Highway Authority also advises that it has no objections on highway safety grounds.

10. Impact on Residents' Amenities

- 10.1 Paragraphs 17, 122 and 123 of the National Planning Policy Framework seek to ensure new development will not have an adverse impact on the amenities of the occupiers of nearby residential properties. Policy SP1 of the adopted Local Plan sets out the overall approach to sustainable development in the Borough and amongst other things indicates that proposals should be designed to protect the amenity of the occupiers of residential properties. Policy DP7 of the adopted Local Plan inter alia requires new development not to give rise to unacceptable levels of noise and other pollution and paragraph 17 of the National Planning Policy Framework requires that development proposals should respect existing residential amenities.
- 10.2 With regard to the 'Condition 19' application: **P/2016/00434**, it is recognised as per the submissions of local residents that the action of not providing the new access off the B5030 would effectively double the vehicle movements coming in and out of the Hollington Road access. Nevertheless, it does not necessarily follow that noise levels generated by traffic using the access would double as a consequence; rather the likelihood is that the noise of traffic in connection with the golf course will occur more often as a result of the increased traffic movements but not necessarily at any significantly higher acoustic level. Similarly, this would be the case in relation to the generation of any exhaust fumes. Accordingly, it is considered that the consequences of the 'Condition 19 application: **P/2016/00434**' in terms of the noise and pollution impacts on the residents would not be sufficiently detrimental to amenities so as to warrant a refusal of the application. Where major events at the site occur in the future, it is also pointed out that provision exists under condition 25 of the 2014 approval for an Events Traffic Management Plan to be agreed with the Local Planning Authority. A major event is defined as including 'JCB Dealer Days' and any other event expected to attract more than 250 attendees to the application site (i.e Golf Course) at any one time.
- 10.3 In relation to light pollution issues connected to vehicular activities, it is considered that the impact of the 'Condition 19' application: **P/2016/00434** of concentrating all traffic movements on the Hollington Road access would not have any significant increased impact in terms of glare from headlights towards residential properties over and above that of the 2014 application given that the approved scheme already provided for the main access to be out from the site northwards onto Hollington Road.
- 10.4 In relation to physical impacts, the proposed application for the gatehouse building **P/2016/00423** and its associated enclosures would not have any significant overbearing or overshadowing impacts on residential properties given its scale and location. There would similarly be no significant overlooking

towards existing dwellings on the northern side of Hollington Road given the separation distances involved. Having regard to the separation distances involved to any residential properties, it is also considered that the traffic and associated activities in respect of the use of the proposed gatehouse building itself would not be likely to give rise to any significant impacts to nearby residents in term of noise and disturbance. It is also considered that the gatehouse scheme as proposed would not give rise to levels of light pollution that would impact negatively on residential amenities. A condition of any approval will required details of lighting to be agreed.

11. Impact on Heritage Assets/Impacts on Visual Amenities

- 11.1 Paragraph 126 of the NPPF states that Local Planning Authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.
- 11.2 In determining planning applications with respect to any building or other land in a conservation area, local planning authorities are under a statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Case law has established that this means that considerable importance and weight has to be given to that statutory duty when balancing the proposal against other material considerations. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 11.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Again, as for the Section 72 duty referred to above, case law has established that this means that considerable importance and weight has to be given to that statutory duty when balancing the proposal against other material considerations.
- 11.4 Strategic Policy 25 states that Development proposals should protect conserve and enhance heritage assets and their settings, taking into account their significance, as well as the distinctive character of the Borough's townscapes and landscapes.
- 11.5 Detailed policy 5 goes into more detail regarding Historic Assets, Listed Buildings, Conservation Areas and Archaeology. Detailed policy 6 aims to protect other heritage assets which are not necessarily covered by listed building or conservation area status, such as shopfronts and the setting of important historic landscapes.
- 11.6 The proposal site is not located in a Conservation Area nor does it involve the alteration or demolition of a Listed Building. The nearest Listed Building is the grade II* listed Mince Pie Hall (Banks Farm) and its associated outbuildings - which will overlook the 16th Green and the 17th tees – the listed building is

situated some 410 metres to the south-east of the application proposal: **P/2016/00423**. Having regard to the scale, design, separation distances and intervening land contours involved English Heritage consider that there would be little impact from the proposed gate house and associated entrance gates and road realignment upon the setting of Mince Pie Hall.

- 11.7 The proposal P/2016/00423 is not within a conservation area; with the nearest such designation being that of the Rocester Conservation Area some 1km away. The built development proposals would have no impact on the conservation area due to the separation distances between it and the gatehouse proposal. Given these separation distances and the form of existing built development, it is considered that the proposal would not have an impact on views into, or those out of the conservation area. Accordingly, the assessment on the conservation area is such that the statutory duty under Section 72 is not engaged.
- 11.8 Turning to the impact of the proposal on the listed building, Mince Pie Hall, Historic England considers there to be “little impact” of the proposal on that listed building. Once there is assessed to be any impact, however small, on a listed building, Section 66 of the relevant legislation is engaged and needs to be considered in the planning balance. The case law on this legislation has established that not only is the duty to have “special regard” and “careful consideration”, but also “considerable importance and weight” to be given to the objective of preserving listed buildings and their settings. The effect of Section 66 is to create a strong presumption against the grant of planning permission where there is any harm to a listed building or its setting. The strong presumption against granting permission in such circumstances then has to be weighed in the planning balance against other material considerations which may weigh in favour of the grant of permission. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 11.9 An assessment of the proposal in relation to Local Plan policies SP25 and DP5 leads officers to conclude that the proposals do not comply. Whilst the gatehouse is well designed for its purpose and screened to soften the effect of the proposal. The little harm set out by Heritage England effectively clarifies that the proposal does not protect the setting of the Listed Building. The harm associated with this is discussed in this section of the report and in more detail and concluded at the end of the report in the planning balance.
- 11.10 Policy SP24 of the East Staffordshire Local Plan states that development proposals must contribute positively to the area in which they are proposed and reinforce character and identity through local distinctiveness. Policy DP1 expands upon this aim with specific reference to the design of new development. The Local Plan policies are supplemented by the East Staffordshire Design Guide.
- 11.11 Considering the benefits of the proposal which may weigh in favour of permission, the proposal itself is a private golf course for the sole use of JCB and their clients. Whilst the proposal is not a public benefit in itself, the public benefit arises indirectly through the business deals undertaken whilst using the golf course which will support the future of business and its operations; the head quarters of which are located immediately adjacent to the golf course.

East Staffordshire as a whole benefits from the JCB business within the Borough and many of the employees who work at the Rocester site will also live or use the facilities of East Staffordshire which improves the prosperity of the Borough. The public benefits therefore are defined as those benefits which flow from the economic prosperity of the JCB company which will be directly related to the activities associated with the golf course.

- 11.12 The 'little' impact on the setting of the listed building will lead to less than substantial harm to the setting of Mince Pie Hall. In this context the economic benefits of the scheme which the JCB business will rely and thrive upon and which generates employment in the local area is considered to substantially outweigh the less than substantial harm.
- 11.13 In terms of visual impact Historic England have commented that the character of the surrounding area is predominantly rural, and the gates and walling could be something of an incongruous feature within this landscape and Historic England suggested that opportunities be explored to reduce this visual impact. This mitigation has subsequently been addressed with new planting shown on the revised plan in response to which Historic England have responded that they are pleased to note the applicant's efforts to soften the impact of the entrance. The planting will be secured by a condition of any approval.
- 11.14 In respect of the proposed gatehouse, Historic England commented in relation to the original submissions that since the applicant has chosen a more traditional building and that they would strongly recommend the conditioning of all matters of architectural detail, materials and finishes. These details have now been provided and would also be addressed by a condition of any approval.
- 11.15 It is also noted that Croxden Parish Council raised concerns that the gatehouse/gates/walls scheme will have a significant effect on the visual amenity of the immediate area through additional light pollution and general urbanisation resulting from the scheme. It is considered, however, that in terms of their scale and design the proposed structures are commensurate to the proposed nature of the golf course development and as such, with the necessary landscaping proposals, they would be sufficiently sympathetic to the wider countryside environs. In relation to light pollution, given that no lights are proposed to the gates/walls as part of the scheme and that the gatehouse is of modest scale, it is considered that the proposed development would not give rise to levels of lighting that would be detrimental to this rural locality.
- 11.16 With regard to archaeology, the proposed built development will have no implications in terms of impacts on archaeological assets.

12. Impacts on Public Rights of Way

- 12.1 In relation to both applications Staffordshire County Council's Public Rights of Way (PROW) Officer endorsed the concerns of the Ramblers and the Open Spaces Society that the original proposals for the proposed gatehouse area were at variance with the footpath diversion proposals agreed previously (in 2014) to take account of the golf course construction. The PROW Officer, however, in principle raises no objections to the amended proposals.

12.2 The PROW Officer nevertheless questions as why is it necessary for a pedestrian gate to be fitted on the new footpath line adjacent to the access road as the County Council operates a 'Least Restrictive Principle' in relation to gates and stiles if they are not needed for stock control. Whilst these concerns are recognised, it is considered that the insertion of the gate would be beneficial to the architectural composition of the gated entrance.

12.3 The PROW Officer also requests that the public footpath be a minimum width of 1.8 metres and that the responsibility be set out for maintaining the surface of the footpath. It is pointed out that these issues would necessarily be addressed by way of a planning condition and within a Public Path Diversion Order respectively (with the latter being required should planning permission be granted for the gatehouse scheme). It is nevertheless pointed out at this stage that the applicant's agent has indicated a path width of 1.8 metres would be in order.

13. Impacts on Ecology/Flood Risk and Drainage

13.1 In relation to the 'Condition 19' application: **P/2016/00434** it is considered that should the new access road not be constructed off the B5030 any approval should put in place details of landscaping works for the land that would have been occupied by the proposed drive.

13.2 The proposed gatehouse application **P/2016/00423** and associated works development will not have any significant material impact on existing woodland and trees over and above that of the approved scheme for the golf course. This will similarly be the case in relation to ecological impacts. There are no flood risk implications and adequate foul and surface drainage facilities can be provided to the proposed gatehouse. Land contamination issues are already being addressed under the 2014 approval.

14. Conclusions

14.1 Accordingly, having regard to the above planning issues it is recommended that both applications **P/2016/00434** and **P/2016/00423** should be approved subject to conditions. However, as also set out above the applications themselves fall to be decided having regard to their own merits.

14.2 Insofar as the 'condition 19' application: **P/2016/434** is concerned, the scheme is considered not have a sufficiently material impact on highway safety and residential amenities so as warrant a refusal of planning permission.

14.3 With regard to the proposed gatehouse/gates/walls scheme; **P/2016/423**, this is considered to be acceptable in terms of its impacts on highway safety/public rights of way and services, the effects on residents amenities, the impacts on the visual amenities of the locality and in respect of any ecology/flood risk/drainage/land contamination implications.

14.4 The impact of the proposal on heritage assets is described as 'little' and as such Section 66 of the relevant legislation is engaged. In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority need to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The duty to have 'special regard' requires

not only 'careful consideration', but also 'considerable importance and weight' to be given to the objective of preserving Listed Buildings and their settings. There is a strong presumption against the grant of planning permission where there is any harm (however little it may be) to any Listed Building or its setting.

- 14.5 Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 14.6 The 'little' impact on the setting of the listed building will lead to less than substantial harm to the setting of Mince Pie Hall. In this context the economic benefits of the scheme which the JCB business will rely and thrive upon and which generates employment in the local area is considered to substantially outweigh the less than substantial harm.
- 14.7 Furthermore, it is also clearly necessary to firstly consider and determine the 'Condition 19' application as this deals with the fundamental issue of whether all vehicular access to the golf course site should be to/from Hollington Road (with no access from the B5030 road). It is nevertheless also pointed out that the determination of the application for the gatehouse scheme is not dependant on any determination (i.e. the outcome) of the 'Condition 19' application. This is because the 2014 approval already provides a detailed scheme for access/egress arrangements off Hollington Road irrespective of the construction (or otherwise) of a new access of the B5030 road.

14.8 **RECOMMENDATION**

Application 1 ('Condition 19' Application): **P/2016/00434**

PERMIT Subject to the 2014 approval conditions as amended as follows

Condition 1 - Three year commencement

Condition 2 - Approved Plans list

Condition 3 - Construction Management Plan as per the details agreed in relation to discharge of condition application ref: P/2014/00984.

Condition 4 - Tree Planting as per the details agreed in relation to discharge of condition application ref: P/2014/01494.

Condition 5 – Tree Root Protection Zones Compliance

Condition 6 – Soil Handling Methods Compliance

Condition 7 – Tree Removal Method Statement as per the details agreed in relation to discharge of condition application ref: P/2014/01517.

Condition 8 – Tree Protection Measures as per the details agreed in relation to discharge of condition application ref: P/2014/01517.

Condition 9 – Wildlife Mitigation as per the details agreed in relation to discharge of condition application ref: P/2014/01517.

Condition 10 – Land Contamination Mitigation as per the details agreed in relation to discharge of condition application ref: P/2015/00146.

Condition 11 – Landscape and Ecology Management as per the details agreed in relation to discharge of condition application ref: P/2014/01517.

Condition 12 – Lake Works - The development shall be undertaken as per the details agreed on 5 May 2015 in relation to discharge of condition application ref: P/2015/00531.

Condition 13 – Hollington Lane access/egress details - **The development shall be undertaken as per the details agreed in relation to discharge of condition application ref: P/2015/00864/as amended by any grant of planning permission ref: P/2016/00434.**

Condition 14 – Phase 3 Landscaping as per the details agreed in relation to discharge of condition application ref: P/2015/00830.

Condition 15 – On site Historic Interpretation as per the details agreed in relation to discharge of condition application ref: P/2015/00864.

Condition 16 – Phase 4 Sample Material Details

Condition 17 - Phase 4 Landscaping Works Details

Condition 18 – Lighting Details

Condition 19 – **Present wording to be ‘deleted’ by any approval of application ref: P/2016/00434 and replaced with wording seeking details of landscaping works for the stretch of land that would have been occupied by the 2014 approved access road off the B5030.**

Condition 20 – Membership Management Plan Details

Condition 21 – Archaeological Mitigation Compliance

Condition 22 – Flood Risk Assessment Compliance

Condition 23 – Stewards Accommodation Compliance

Condition 24 – Parking Provision Details

Condition 25 – Events Traffic Management Plan Details **as amended by the requirements of the Highway Authority in relation to the approval of the current ‘Condition 19’ application.**

Condition 26 – Events Traffic Management Plan Compliance

Condition 27 – Drainage Strategy Compliance

Condition 28 – Landscaping Implementation Compliance

Condition 29 – Vegetation Removal Compliance

Condition 30 – Service/Delivery Vehicle Days/Hours Compliance

Informatives

Engagement
 Diversion of Footpath Order
 Liaising with Staffordshire Wildlife Trust/Environment Agency
 Public sewer located within the application site.
 Environment Agency comments
 SCC Highways informatives
 Foot and mouth burial site on southern portion of the golf course.

Application 2 (Gatehouse etc Application) P/2016/00423**PERMIT, subject to the following Conditions**

Condition 1 - Standard Three Year
 Condition 2 - Approved Plans Condition
 Condition 3 - Surface and Foul Drainage details to be agreed
 Condition 4 - Diverted public right of way construction details to be agreed
 Condition 5 Details of all lighting
 Condition 6 - Details of Materials.
 Condition 7 - Details of landscaping works.
 Condition 8- Door and window details (including finishes) as per the approved plans.
 Condition 9 - The implementation of the landscaping scheme.
 Condition 10 - Visibility Splays to be provided and retained.
 Condition 11 - New Footway provision

Informatives

Engagement
 Diversion of Footpath Order requirement
 SCC Highways informatives
 No implications of support for any proposed developments shown in illustrative form outside the application site.

15. Background papers

15.1 The following papers were used in the preparation of this report:

- The Local and National Planning policies outlined above in section 7
- Papers on the Planning Application file reference P/2016/00434
- Papers on the Planning Application file reference P/2016/00423
- Papers on the Planning Application file reference P/2014/00228

16. Human Rights Act 1998

16.1 There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

17. Crime and Disorder Implications

17.1 It is considered that the proposal does not raise any crime and disorder implications.

18. Equalities Act 2010

18.1 Due regard, where relevant, has been had to the East Staffordshire Borough Council's equality duty as contained within the Equalities Act 2010.

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