

Agenda Item: 5.2

Site:	JCB Golf Course, Woodseat Level, Rocester
Proposal:	Erection of 10 No. four. bedroomed Golf Lodges to provide (overnight) visitor accommodation and the conversion and alterations to front elevation of Pinewood Cottage to provide golf course related office accommodation, meeting room, locker rooms and store along with the provision of associated vehicular access, parking facilities and landscaping

Report of Head of Service (Section 151 Officer)

This report has been checked on behalf of Legal Services by Sherrie Grant

[Hyperlink to Application Details](#)

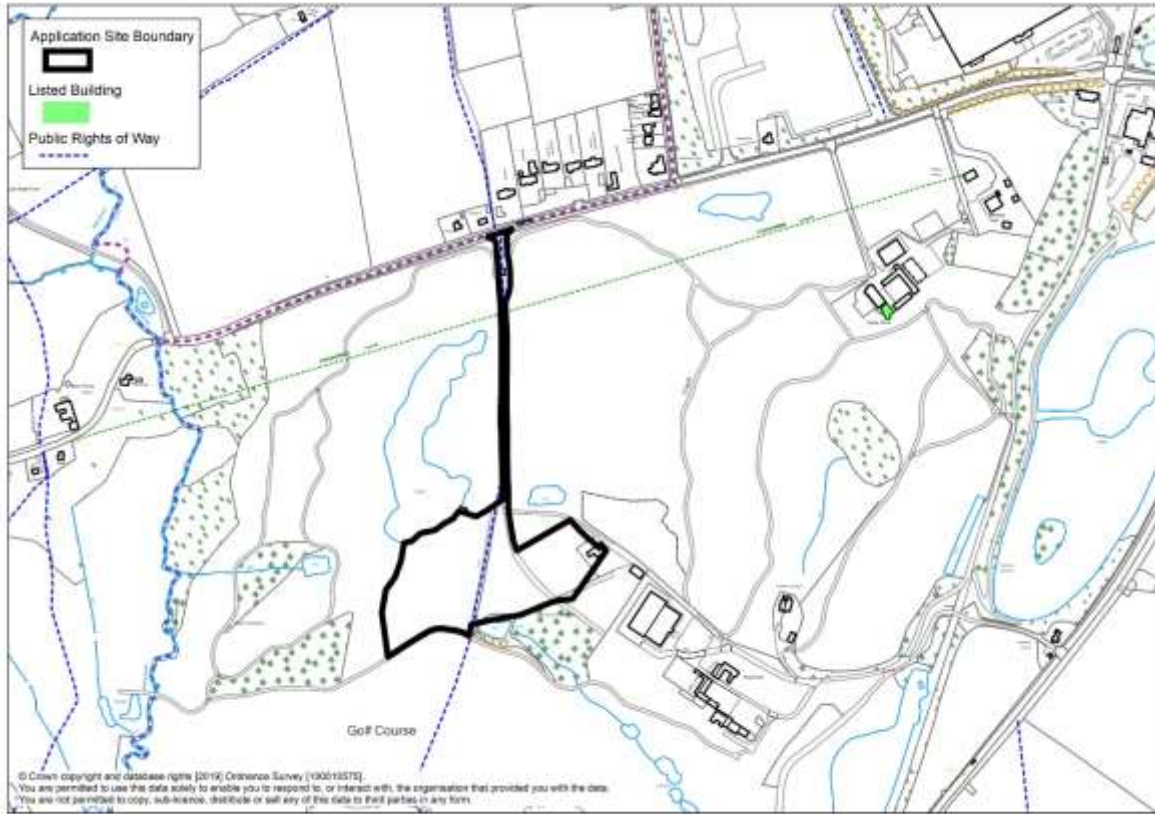
Application Numbers:	P/2018/00846
Planning Officer:	Alan Harvey
Type of Application:	Detailed Planning Application
Applicant:	JCB (Excavators) Ltd
Ward:	Churnet
Ward Member:	Councillor Chris Smith
Date Registered:	7 August 2018
Date Expires:	Extension of time agreed with applicants for the determination to 26 April 2019 to allow for revised/additional submissions and to report the matter to Planning Committee for determination.

1. Executive Summary

- 1.1 This report relates to the erection of 10 No. four bedroomed Golf Lodges to provide (overnight) visitor accommodation on the JCB Golf Course off Hollington Road, Rocester and for the conversion of Pinewood Cottage at the site (including alterations to the front elevation) to golf course related offices, a meeting room, locker rooms and store along with the provision of associated vehicular access, parking facilities and landscaping. The application site, which comprises some 2.4 ha of land, is located outside settlement limits as defined in the Local Plan.
- 1.2 The County Highway Authority has raised no objections on highway safety grounds and other statutory consultees have not raised any objections in principle.

- 1.3 Croxden Parish Council indicate that their concerns as previously submitted in respect of the interim golf clubhouse scheme are that these iterative changes have an impact to the scheme as whole, in particular the level of traffic, impact on the general and local environment etc. which were not identified and reviewed in the original submission and do not get appropriate attention in the revisions. Uttoxeter Rural and Rocester Parish Councils state that they have no comments. No response was received from Denstone Parish Council.
- 1.4 Local residents were notified of the application, a press notice published and a site notice posted. One local resident has responded pointing out the scheme will generate additional traffic, that the lodges will be visible from properties on Hollington Road and from the public footpath that crosses the golf course and commenting that it is noted that the '*site address*' has changed to include the words 'Country Club' which implies an additional type of usage with additional personnel/clients and traffic beyond the original allowance which would not be welcome. An interested party (a resident of Rocester) submitted a detailed critique of the application whereby it was essentially requested that the Borough Council take into account all relevant planning considerations, such as the principle of the development, the impacts on visual and residential amenities, the highway safety implications, the heritage asset impacts and the effects on ecology and the landscape, in assessing whether the scheme represents sustainable development on this approved golf course site in terms of its adopted Development Plan policies and the guidance set out in the NPPF.
- 1.5 In terms of the proposed works to Pinewood Cottage (formerly Jacksons Cottage), these are considered in principle to comply with the criteria set out in Policy SP8 of the Local Plan for development outside settlement limits. The external works are also considered to be in keeping with the host building and the visual amenities of the locality.
- 1.6 In relation to the new build element, it is considered that the applicants have demonstrated that the proposals for the golf lodges would in principle be in compliance with adopted Local Plan Policy SP8 in relation to development outside settlement limits given their association with the primary aim of the golf course to function as an integral part of the business activities of JCB.
- 1.7 With regard to visual impacts, it is considered that the proposed lodges as now revised would not have a sufficiently detrimental impact on the wider rural locality to warrant a refusal of planning permission. The scheme would also not impact negatively on the setting of any heritage assets.
- 1.8 The overall development scheme will also not have a detrimental impact on highway safety nor give rise to significant detrimental impacts on the amenities of local residents. The proposed diversion of the existing public footpath will ensure that the public right of way is retained through the golf course site. The applicants have also demonstrated that the scheme would not impact negatively on the ecological and biological interests of the site.
- 1.9 **Members are advised that the above is a brief summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.**

Map of the site



Layout Plan of Lodges



2. The site description

- 2.1 The application site of 2.4 ha is situated within the larger golf course site of 106 ha which is presently being developed by JCB further to an original grant of planning permission of 2014 (see planning history in Section 3.0). The golf course was opened for use during the latter part of 2018.
- 2.2 The JCB 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 (until recently) by JCB to house finance and insurance services, a more modern building used as the international training centre (ITC), and a small number of dwellings associated with JCB. The site, which has vehicular access via a new gatehouse on Hollington Road, lies outside settlement limits as defined by the adopted Local Plan.
- 2.3 The JCB golf course site is bounded by the B5030 Ashbourne to Uttoxeter Road to the south east, Hollington Road 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. New planting has been undertaken and the fairways laid out with the construction of the golf course.
- 2.4 The recent approved interim clubhouse/academy building occupies a position to the south of the practice range in the site some 330 metres to the south of Hollington Road. Pinewood Cottage (formerly Jacksons House) lies immediately to the south-west.
- 2.5 The JCB golf course site is traversed by three public footpaths (which have all been subject to diversion orders). Footpaths - Rocester Parish 45 and 46 - cross the eastern end of the site linking Hollington Road and Combridge Lane; with Rocester Parish 27 footpath running across the centre of the site; again linking Hollington Road and Combridge Lane. 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.
- 2.6 The golf course site is undulating, and is set within the shallow valley of Nabb/Alders Brook with the lands sloping gradually from 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 Road 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. Tree planting has been undertaken along Hollington Road and Combridge Lane.

- 2.7 The site the subject of this current application lies to the south-west of the recently constructed interim clubhouse/academy building and straddles the main access road to serve the golf course from Hollington Road. The application occupies a position a minimum distance of some 320 metres to the south of Hollington Road and approximately 410 metres to the south-west of the Grade II star listed Mince Pie Hall (Banks Farm). Public footpath Rocester Parish 27 runs through the application site, which is bounded - in part - to the south by an area of mature trees.
- 2.8 The application site has an undulating land form, although in overall terms the land falls southwards away from the interim clubhouse/academy building which sits at a higher level.

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, earth works 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.

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

Application ref: P/2016/00423 - Erection of New Gatehouse/Gates off Hollington Road with associated alteration to the internal access road. The application was approved in September 2016.

Application ref: P/2016/00434 - Application under Section 73 for the construction of the golf course and associated facilities without complying with Condition 19 of planning permission ref: P/2014/00228 relating to amended access arrangements; namely that all vehicular access to and from the golf course would be from Hollington Road. The application was approved in September 2016 and included an additional condition requiring a Traffic Management and Monitoring Plan to be put in place for a period of at least five years after the golf course opening (with provision for mitigation if necessary).

Application ref: P/2017/00256 - Erection of golf practice range building (the 'Academy'). Approved in May 2017 (and superseding an original approval in May 2016 under **application ref: P/2016/00166**). The 'Academy' has now been constructed. A condition of the approval requires that the building be used as an ancillary facility to the golf course and not as an independent use.

Application ref: P/2018/00232 - Erection (respectively) of interim golf clubhouse building as an extension to the 'Academy.' Approved in February 2019 subject to a Unilateral Undertaking. A condition of the approval requires that the building be used as an ancillary facility to the golf course and not as an independent use.

- 3.3 Further to the 2014 approval for the golf course, 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); although this provision no longer forms part of scheme having been superseded by the approval of application ref: P/2016/00434. An application has been approved 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). The works on these are due to be completed in the near future.
- 3.4 The discharge of condition submissions reflected the timings of the four stage phasing plan for the construction the golf course envisage and agreed in 2014. Phase 1 comprised land shifting operations/structural planting and Phase 2 related to cut and filling operations (with both now being complete), Phase 3 is the construction of the golf course (also now complete). Phase 4 comprised the proposed provision of the club house/hotel/leisure facilities at Woodseat Hall.
- 3.5 Phase 4 is, however, not to be progressed in the immediate future and hence the recently approved interim golf course clubhouse (under planning permission ref: P/2018/00232) is to serve the course upon its opening. The Unilateral Undertaking attached to the interim clubhouse permission will amongst other things provide that when Phase 4 does come forward unless and until the cumulative impacts of the scheme and future use of the interim clubhouse are considered in full by the Council
- 3.6 There are also a number of conditions that need to be formally 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.
- 3.7 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. Condition 31 - which was added under approval reference: P/2016/00434 - requires that a Traffic Management and Monitoring Plan to be put in place for a period of at least five years after the opening of the golf course.

4. The proposal

- 4.1 This full application relates to the erection of 10 No. four bedroomed Golf Lodges to provide overnight visitor accommodation along with works for the conversion and alterations to the front elevation of Pinewood Cottage to provide golf course related office accommodation, a meeting room, locker rooms and store along with the provision of associated vehicular access, parking facilities and landscaping.
- 4.2 The application as originally submitted proposed that 2 No of the lodges were to be to the north-east of the access road (and therefore adjacent to Pinewood Cottage) with the remaining 8 No. lodges to the south-west. The two northernmost lodges in this group of eight were also proposed to have jetties over the existing irrigation lake on the golf course.
- 4.3 The originally proposed single storey lodges were each to have a footprint of some 244 sq. metres and comprise of 4 No. double bedrooms (each with en-suite facilities) and a shared kitchen and sitting area. The buildings were proposed to have a height to eaves of 2.7 metres and maximum height to ridge of some 7.0 metres. These original submissions also showed the lodges were to have external larch cladding and a timber shingle roof; with one elevation to each lodge to be substantially of glazing.
- 4.4 In early November 2018, at the time of the reporting of the scheme for the Interim Clubhouse to the Planning Committee (application ref: P/2018/00232 as per the planning history at Section 3 above), it appeared that works/services had been started on the layout to serve the proposed lodges and officers sought clarification from the applicants as to the nature of these works. By return correspondence, the applicant's agent advised that activities were undertaken *"whilst there were groundworkers on site (and) the opportunity was taken to complete minimal preparatory works and I can confirm that we will not be undertaking any further works."*
- 4.5 In late February 2019, it was observed, however, by officers that significant additional - and therefore unauthorised - groundworks had subsequently been progressed on the construction of the access roads to serve the lodges (with road bases and kerbing in place) and on the foundation trenches to the lodges themselves. Service infrastructure was also in the course of being put in place and earthworks were being undertaken.
- 4.6 The external works to Pinewood Cottage in relation to its conversion to a golf course related use includes some changes to the fenestration and the additional of external timber cladding to the front elevation (with the works having largely been completed as of late February 2019).
- 4.7 During the application process (in relation to the originally submitted scheme) the Pinewood Cottage element had been amended to omit the proposals to convert the roofspace (to mitigate impacts on bats). The masterplan for the golf course was also amended; whereby 0.6 ha of previously approved tree planting to be undertaken on the site (now to be occupied by the lodges) has been 'replaced' by compensatory measures comprising 0.6 ha of woodland, 0.2 ha of unimproved grassland and 0.1 ha of scrub. The scheme also proposes ornamental trees within the site and it is pointed out by the applicants that it is

now proposed to retain trees in the area around Woodseat Hall (previously shown as being proposed to be removed on the original 2014 scheme).

- 4.8 The applicants state that the revised proposals have been designed in order to provide biodiversity enhancements above those proposed in the consented golf course scheme and thus point out that the revised proposals not only meet the requirements with regards to the amount of habitat provision being lost with the development of the lodges but the mitigation proposals *“also provide a net gain in biodiversity through the provision of a diverse array of habitat types forming appropriate mosaics which will provide habitats with not only high botanical interest, but also optimal for GCN (great crested newts) and other wildlife.”*
- 4.9 During the application process (in October 2018) the applicants also provided some clarification as to the background for the use of the proposed lodges in terms of those visiting the JCB world headquarters. The applicant’s agent advises that these bookings are predominantly for small groups and will usually be for overseas visitors/members of staff or for dealer conferences. JCB also advised that they *“would have no problems with a condition requiring the lodges to be occupied only by visitors to the golf course and the JCB World HQ.”*
- 4.10 JCB also provided a detailed breakdown of the number of hotel rooms that they have booked in 2017 (total: 6,433 rooms) and between January - mid October 2018 (total: 5,364 rooms) in a tabular form (see also under paragraph 10.7 of the Assessment section below). The applicant’s agent comments that *“as you will see from the above there are a very significant number of visits associated with the World Headquarters and only a small amount of the need will be met through the Lodge development.”*
- 4.11 The applicants were asked - further to a meeting in early December 2018 with officers - to submit additional information in terms of the ‘need’ for the lodges in terms of providing accommodation to clients visiting JCB/visiting the golf course. Officers also raised concerns in respect of the visual impact of the (originally submitted) scheme, in particular in views from Combridge Lane, and questioned whether it would be possible to relocate the lodges to the demonstration arena within the golf course site; or if that was not possible, to explore whether it would be possible to relocate the lodges elsewhere within the golf course site.
- 4.12 No such further information was, however, received prior to it coming to light (in late February 2019 as set out in paragraph 4.5 above) that the applicants had re-commenced (unauthorised) works on the development site. The applicants were at that stage requested to cease works voluntarily by officers but have not been prepared to do so (and by in early April 2019 framework structures to the lodge buildings were under construction).
- 4.13 In early March 2019, the applicants submitted a revised scheme for the lodges element with all 10 No. buildings now re-positioned to the south-western side of the main drive, with them being of a reduced footprint (i.e. floor area) and height and having amended external treatments. The ‘developable area’ has been reduced from 1.8 ha to 1.0 ha as a consequence of the revisions. It is this amended proposal that is before this committee for determination; and which is presently under construction.

- 4.14 The proposed single storey lodges as now revised each have a footprint of some 201 sq. metres and comprise of 4 No. double bedrooms (each with en-suite facilities) and an open plan kitchen/communal lounge area. The lodges are proposed to have a height of 5.72 metres at their highest point to the roof.
- 4.15 The proposed lodges are to be constructed of Hollington Stone and timber panelling to reflect the materials used in the recently completed academy/interim club house building. The open plan kitchen/communal lounge areas have a glazed façades to their front elevations (facing onto the service roads).
- 4.16 The application scheme shows the provision of 4 No. car parking spaces and 3 No. golf buggy spaces to each lodge which will be served off the circulation drive off the main access drive into the golf course site from Hollington Road. The route of the public footpath (No 27 Rocester Parish) is proposed to be diverted around the western periphery of the development site. It is understood that a temporary footpath diversion Order has been applied for to the County Council in relation to the works that are being undertaken on the site.
- 4.17 A supplementary planning statement provides further background to the business case for the development as well as setting out how the revisions to the scheme are considered to address the concerns raised by officers in terms of the visual impacts of the scheme. In relation to the issue of possible alternative siting(s) for the development the agent points out that:-
- *“JCB is not able to relocate the lodges to the demonstration arena within the golf course as the arena is in active use by JCB as a demonstration arena for its product range to customers/dealers and will remain used for that purpose for the foreseeable future.*
 - *JCB has also reviewed with its design and golf course operations team whether there is any scope to relocate the lodges elsewhere within the golf course. Given the fact that the golf course is now built there is no possibility for the lodges to be relocated elsewhere within the site.”*
- 4.18 The revised scheme was also accompanied by updated documentation by way of an ecological addendum and an amended Landscape Visual Impact Assessment (LVIA); the salient points of these documents are dealt with in section 8 onwards below

List of supporting documentation

- 4.19 The following documents have been provided as part of the application:
- Location Plan
 - Proposed Site Layout Plan (Original and Amended)
 - Internal Vehicular Access Layout Plan (Original and Amended)
 - Proposed Elevations of Lodges (Original and Amended)
 - Floor Plans of Lodges (Original and Amended)
 - Existing and Proposed Elevations of Pinewood Cottage (Original and Amended)
 - Existing and Proposed Floor Plans of Pinewood Cottage (Original and Amended)

- Revised Landscape Masterplan (Original and Amended)
- Design and Access Statement
- Planning Statement (along with supplementary submissions)
- Heritage Assessment (Original and Revised)
- Transport Survey
- Ecological Report (including Great Crested Newt Survey and Bat and Bird Survey) and Ecological Management Plan (with subsequent Ecological Addendum accompanying the revised plans)
- Woodland Survey
- Environmental Impacts Note (update of Environmental Impact Assessment to the 2014 approval/Section 73 approval of 2016)
- Flood Risk Assessment (including SuDs Checklist)
- Drainage Survey
- Landscape Visual Impact Assessment (Original and Amended)

4.20 The relevant findings of these documents are also dealt with in section 8 onwards below.

5. Consultation responses and representations

5.1 A summary of the consultation responses on the original and revised submissions are set out below:

Statutory and non statutory consultee		Response to Original Submissions
5.2	Croxden Parish Council	Comment that they <i>“note the latest change to the scheme, our concerns as previously submitted are that these iterative changes have an impact to the scheme as whole, in particular the level of traffic, impact on the general and local environment etc which were not identified and reviewed in the original submission and do not get appropriate attention in the revisions. It seems unlikely for example that the changes identified in P/2018/00846 to provide accommodation on site for around 100 people are not with the expectation of a greater level of use than originally planned and we feel that this could have been reasonably anticipated in the original plans and would expect these changes to be fully considered with particular attention to the local plan (Policy 8 P96, policy 15 P111).”</i>
5.3	Denstone Parish Council	No representations received.
5.4	Rocester Parish Council	State that there are <i>“no additional comments on this application”</i>
5.5	Uttoxeter Rural Parish Council	Have <i>“no comment”</i> on this planning application
5.6	SCC Highways	Raise no objections in principle.
5.7	SCC Public Rights Of Way Officer	Comments that whilst the application needs to address the existence of Public Footpath No 27 Rocester Parish which

		<p>runs through the site as it appears that the development proposals will directly impact on the public rights of way.</p> <p>SCC Public Rights Of Way Officer also advises that there is a Section 53 application with SCC with a plan to upgrade the public footpath (Rocester 27) to a bridleway.</p>
5.8	SCC Ecologist	<p>Undertook a series of reviews further to the submission of a series of revised masterplans whereby concerns were expressed about 'loss' of mitigation woodland planting (as it was shown on the originally approved 2014 scheme).</p> <p>Further to the revision of the masterplan (as per details set out in paragraph 4.7 above) the SCC Ecologist concluded that they were now satisfied that adequate mitigation for loss of woodland planting, plus biodiversity net gain for the present development has been demonstrated.</p>
5.9	Severn Trent Water Ltd	<p>Comment that the proposal has minimal impact on the public sewerage system and therefore have no objections to the proposals and do not require a drainage condition to be applied.</p>
5.10	Environment Agency	<p>Comment that as the proposal is in Flood Zone 1 this is classed as a low environmental risk therefore there are no comments.</p>
5.11	Staffordshire County Council (as Lead Local Flood Authority)	<p>No objections provided the scheme is implemented as per the approved Flood Risk Assessment (FRA)/Drainage Strategy.</p>
5.12	Staffordshire County Council (as the Minerals Authority)	<p>Has no comments</p>
5.13	Historic England	<p>Originally requested additional information to provide a fully informed assessment of the impact on the setting of the Grade II (star) listed Mince Pie Hall. Upon consideration of the additional information provided by the applicants (in the form of a revised Heritage Assessment) Historic England advised they "<i>are happy to defer to the Borough Council regarding the proposal.</i>"</p>
5.14	SCC Archaeology	<p>Comments that taking into consideration the results of previous archaeological works in the area and previous landscaping across this area, including the formation of the golf course under the earlier planning consent, no historic environment concerns are raised regarding the proposals in this instance and no further action is required.</p>
5.15	Architectural Liaison Officer	<p>Has no objections to this application but makes recommendations in relation to security.</p>

Statutory and non statutory consultee		Response to Revised Submission
5.16	Croxden Parish Council	No additional representations received to date. Any response received will be reported on the update sheet.
5.17	Denstone Parish Council	No representations received to date. Any response received will be reported on the update sheet.
5.18	Rocester Parish Council	No additional representations received to date. Any response received will be reported on the update sheet.
5.19	Uttoxeter Rural Parish Council	Have 'no comment'
5.20	SCC Highways	Raise no objections in principle.
5.21	SCC Public Rights Of Way Officer	Advises that given the scheme proposes to divert the existing route of the Public footpath (No. 27 Rocester Parish) around the proposed lodges site the developer will need to apply (in due course) to the Borough Council under Section 257 of the Town and Country Planning Act 1990 to formally divert the right of way.
5.22	SCC Ecologist	Remains satisfied that adequate mitigation for loss of woodland planting, plus biodiversity net gain for the present development has been demonstrated.
5.23	Environment Agency	Have no comments to make as the proposal lies outside the floodplain.
5.24	Staffordshire County Council (as Lead Local Flood Authority)	Re-iterates there are no objections raised provided the scheme is implemented as per the approved Flood Risk Assessment (FRA)/Drainage Strategy.
5.25	Staffordshire County Council (as the Mineral Authority)	Has 'no comments'
5.26	Historic England	Historic England re-iterated they <i>"are happy to defer to the Borough Council regarding the proposal."</i>
5.27	SCC Archaeology	Re-confirm that no historic environment concerns are raised regarding the proposals and no further action is required.

6. Neighbour responses

6.1 Neighbours were notified of the application as originally submitted and a press notice published and a site notice posted. One local resident made representations which are summarised below.

Neighbour response	
Highways Impacts and Residential Amenity	<ul style="list-style-type: none"> • The scheme will generate extra traffic. • The original entrance was on the B5030 road; it is questioned as whether this extra traffic was taken into account when the decision was taken to make the Original Exit (only) on Hollington Road an Entrance as well. • It is commented so long as the traffic increase is minimal, the resident is very reluctantly in agreement.
Impacts on Visual Amenity	<ul style="list-style-type: none"> • The Lodges will be visible from first floor windows of properties on Hollington Road.
Impacts on Users of the Footpath	<ul style="list-style-type: none"> • The Lodge complex can be seen from the existing public footpath, so it is questioned as to how this affects the footpath which goes through the lodges site • It is commented that so long as the footpath is materially unaffected the resident is in agreement.
Other Matters	<ul style="list-style-type: none"> • The reference to 'Country Club' implies an additional usage with more personnel/clients and traffic beyond the original allowance, which would not be welcome.

6.2 An interested party - a resident of Rocester - provided a lengthy critique (see Appendix A) of the original application submissions and in doing so makes the following key principal points:-

- The Council needs to be satisfied that the scheme represents sustainable development in the context of its adopted local plan and the guidance set out in the NPPF; with its economic, social and environmental criteria. It is pointed out that there have already been social disbenefits of the golf course with the closing of the (former) JCB club and it is possible that existing overnight visitor accommodation in the locality could be adversely affected in economic terms.
- Whilst the development is physically separated from residential properties the impact of traffic generation on residential amenities needs to be given full consideration. This traffic generation could be substantial if the golf lodges are not solely used in connection with JCB business activities.
- The visual impact of the lodges on the locality and in terms of the setting of the Grade II* star are material considerations. It is commented that these appear to be likely to be minimal.
- Lighting needs, and impacts thereof, need to be considered in terms of visual amenities and highway safety (in the latter case particularly in terms of any pedestrian use of Hollington Lane to walk between the golf lodges and the JCB HQ). The advice of the Highway Authority should be sought.

- The need for, and the type of works proposed, in relation to the Pinewood Cottage should be fully evaluated.
- The waste requirements of the development should be addressed.
- The Council should be satisfied that the scheme does not have a detrimental impact on ecological and landscape interests.

6.3 Neighbours/interested parties were re-consulted on the receipt of the revised plans for the lodges scheme. No further representations had been received at the time of the Committee report preparation. Any comments subsequently received will be reported (and addressed) on the update sheet.

7. Policy Framework

National Policy

- National Planning Policy Framework (February 2019)
- National Planning Policy Guidance

Local Plan

- SP1: East Staffordshire Approach to Sustainable Development
- SP8 Development Outside Settlement Boundaries
- SP24 High Quality Design
- SP25 Historic Environment
- SP27 Climate Change, Water Body Management and Flooding
- SP29 Biodiversity and Geodiversity
- 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
- DP8 Trees

Supplementary Planning Documents/Guidance

- East Staffordshire Design Guide
- Revised Car Parking Guide SPD

8. Assessment

8.1 It is considered that the key issues relevant to the determination of this application are as follows:-

- Principle of the Development
- Highway Safety Implications
- Impact on Residential Amenities
- Impact on Heritage Assets/Impacts on Visual Amenities
- Biodiversity Impacts/Impact on Protected Species
- Flood Risk and Drainage/Contaminated Land
- Other Issues

9. Principle of Development

- 9.1 Paragraph 11 of the National Planning Policy Framework (in the updated version of February 2019) states that the starting point for determining planning applications is the Development Plan.
- 9.2 Annex 1 of the NPPF goes on to state that 'existing policies should not be considered out of date simply because they were adopted or made prior to the publication of the Framework (February 2019). Due weight should be given to them, according to their degree of consistency with the NPPF. The closer the policies in the plan to policies in the framework, the greater the weight that may be given'.

10. Local Plan

- 10.1 The policies in the plan provide a clear framework to guide sustainable growth and the management of change, thereby following the Government's presumption in favour of sustainable development.
- 10.2 Strategic Policy 1 sets out the East Staffordshire Approach to Sustainable Development. Principles listed in the policy include social, environmental and economic considerations to be taken into account in all decision making where relevant. The principles are:
- located on, or with good links to, the strategic highway network, and should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of open countryside;
 - it is convenient and safe to walk, cycle and travel by public transport between (and for larger sites, around) the site and existing homes, workplaces, shops, education, health, recreation, leisure, and community facilities and between any new on-site provision;
 - retains, enhances, expands and connects existing green infrastructure assets into networks within the site and within the wider landscape;
 - re-uses existing buildings where this is practicable and desirable in terms of the contribution the buildings make to their setting
 - integrated with the character of the landscape and townscape, provides for archaeological investigation where this is appropriate and conserves and enhances buildings of heritage importance, setting and historic landscape character;
 - designed to protect the amenity of the occupiers of residential properties nearby, and any future occupiers of the development through good design and landscaping;
 - high quality design which incorporates energy efficient considerations and renewable energy technologies;
 - developed without incurring unacceptable flood risk or drainage problems and uses Sustainable Drainage Systems (SUDS) where appropriate;
 - does not harm biodiversity, but rather enhances it wherever possible, including increasing tree-cover, especially as part of the National Forest;
 - creates well designed and located publicly accessible open space;
 - would demonstrably help to support the viability of local facilities, businesses and the local community or where new development attracts

new businesses and facilities to an area this does not harm the viability of existing local facilities or businesses;

- would contribute towards the creation of sustainable communities through the provision of a mix of housing types and tenures;
- uses locally sourced, sustainable or recycled construction materials (including wood products from the National Forest where this is appropriate), sustainable waste management practices and minimises construction waste;
- safeguards the long term capability of best and most versatile agricultural land (Grade 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future; and
- would result in the removal of contamination and other environmental problems associated with the site.

10.3 Strategic Policy 8 provides guidance and criteria on how to deal with development in the countryside and is relevant in this case. This policy states that outside development boundaries, which applies in this case, that planning permission will not be granted unless:

- essential to the support and viability of an existing lawful business or the relation of a new business appropriate in the countryside in terms of type of operation, size and impact and supported by relevant justification for a rural location; or
- providing facilities for the use of the general public or local community close to an existing settlement which is reasonably accessible on foot, by bicycles or by public transport; or
- in accordance with a 'made' Neighbourhood Plan; or
- development under the Rural Exception Sites policy
- Appropriate re-use of Rural Buildings following guidance set out in the Rural Buildings SPD; or
- Infrastructure development where an overriding need for the development to be located in the countryside can be demonstrated; or
- Development necessary to secure a significant improvement to the landscape or the conservation of a feature of acknowledged importance; or
- Provision for renewable energy generation, of a scale and design appropriate to its location
- Otherwise appropriate in the countryside

10.4 Where any scheme is considered acceptable in principle by the initial set of criteria in Policy SP8, it must meet the supplementary criteria for assessment amongst which are the visual impacts (see Section 13 below).

10.5 The application scheme comprises of two distinct elements; being conversion and alteration works (to Pinewood Cottage) and new build development (in respect of the golf lodges). The golf lodges are additional development at the golf course site over and above scheme approved in 2014.

10.6 Insofar as the proposed conversion of Pinewood Cottage is concerned, this element of the scheme is in principle wholly compliant with Policy SP8 of the Local Plan which provides for the conversion of existing buildings to alternative uses.

10.7 With regard to the new lodges in terms of the business case for the application, the agent points out in the supporting statement that :-

- As the Council is aware (from the 2014 submission and thereafter), a principal function of the golf course is to support the growth of JCB's business. In summary, the golf course is seen as an integral part of the JCB Experience for customers and dealers visiting JCB World Headquarters at Rocester and will play an important role in helping JCB deliver continued and sustainable growth for the business.
- JCB's visitors to its World Headquarters comprise customers and dealers many of whom enjoy the JCB Experience whilst at JCB. This involves one or more of the following - hospitality, theatre presentations, the story of JCB, product range demonstrations, and tours of manufacturing processes. JCB also undertakes considerable training at Rocester for its national and international dealership network.
- JCB receives some 40,000 visitors per year and the majority of these are in groups of 4 to 20 in number. Overnight accommodation for visitors is provided principally through a combination of local small hotels/pubs with rooms with larger groups booking into corporate hotels. The table below sets out the number of bookings for 2017 and 2018 (in part):

Hotel	2017	2018 *
Mickleover	623	119
St George's Park	1006	1020
Priest House	17	5
Alton Towers	259	863
Hilton EMA	0	0
Hoar Cross Hotel	2248	1102
Crewe Hall	1267	564
The Belfry	444	417
Radisson Blu	82	591
The Moat House Stoke	238	215
Breadsall Priory	249	388
The Cow Dalbury Lees	0	80
LOCAL ROOM TOTAL	6433	5364
*2018 figures do not currently include all Sept, Oct, Nov & Dec bookings which are peak event periods		

(* the projected/estimated final figure for 2018 was 8,424 rooms)

10.8 The applicants agent goes on to state in the supporting statement that:-

- *“The permitted golf course scheme includes provision of hotel accommodation as part of the facilities. JCB intends to bring that hotel accommodation forward in due course subject to the appropriate consents being obtained from the Council to help meet the business need. The*

supporting documents submitted with the Application explain that the accommodation being provided by the golf lodges is in addition to the hotel accommodation and is to provide a different but complementary form of accommodation. The golf lodges will provide a bespoke form of accommodation ideally suited to accommodating small individual groups of customers/dealers.

- *The sheer volume of overnight accommodation required by JCB demonstrates that there is a strong business case for the additional accommodation being provided by the golf lodges and further supports the view that the Revised Scheme for the golf lodges development complies with strategic policy SP8 of the adopted local plan.”*

10.9 It is recognised that it is normal business practice for large operators or companies to have high numbers of visitors and it is also considered normal, given the distance visitors travel that overnight accommodation is required for many of these. The applicant contends that the availability of nearby overnight accommodation does not meet the needs of the business. Overall it is considered that the proposal is associated with an existing lawful business and therefore the principle of the proposal is considered acceptable. It can therefore be considered that the proposal meets the first ('in principle') criteria of Policy SP8 of the Local Plan. A condition requiring amongst other things the golf lodges to be occupied only by visitors to the golf course and the JCB World HQ will be attached to any approval.

11. Highway Safety Implications and Impacts on the Public right of way.

11.1 The NPPF in section 9 sets out the role transport policies play in facilitating sustainable development which contributes to wider sustainability and health objectives. Decisions should ensure development proposals have taken the opportunities for sustainable transport modes and to ensure safe and suitable access to the site to be achieved for all people. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

11.2 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.

11.3 The Council's parking standards SPD - recently revised - sets out standards for different uses including space size, accessibility and the quantity of car parking spaces required for different uses.

11.4 There are concerns raised by Croxden Parish Council and the local resident/interested party in relation to the impact of additional traffic. The County Highway Authority, however, raise no objection in principle to the scheme.

11.5 In relation to the proposed car parking provision, the allocation of 4 No. parking spaces to each lodge would effectively provide one space per bedroom. This level of parking is therefore considered to be commensurate to the use of the buildings concerned. There is no specific parking requirement for a golf lodge

within the Borough Council's Car parking SPD however a hotel which is the closest use to the golf lodge would be expected to deliver 1 space per bedroom.

- 11.6 Pinewood Cottage would share the car parking facilities provided to the interim clubhouse/academy and as such a condition would require amongst other things that Pinewood Cottage shall only be used for purposes ancillary to the main use of the site as a golf course in the interest of highway safety.
- 11.7 The provision of the associated parking provision and access road facilities would be necessarily secured by a condition of any grant of planning permission. As such the scheme is considered to be compliant with Local Plan Policies SP1 and SP35.
- 11.8 Public footpath Rocester Parish 27 presently passes through the site as it links Hollington Road through to Combridge Lane. It is considered that the submissions have demonstrated that this route can be retained should the development proceed, although the diversion from its presently defined route would necessarily have to be subject to a diversion under Section 257 of the Town and County Planning Acts.

12. Impact on Residential Amenities

- 12.1 Paragraph 127 of the National Planning Policy Framework seeks 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 indicates that amongst other things 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 (including light pollution).
- 12.2 With regard to the proposed buildings themselves, in terms of their physical impact given that the lodges are more than 320 metres from any dwelling outside the site this would mean that there would be no overbearing, overshadowing or overlooking impacts arising.
- 12.3 In relation to potential noise and disturbance issues, it is also considered that the use of the lodges and the associated car parking facilities would not give rise to levels of nuisance that would impact significantly on any existing residential amenities. It is also considered that the lighting associated with the lodges themselves are unlikely to give rise to significant levels of light pollution. This matter will be specifically subject to a condition of any approval.
- 12.4 With regard to traffic generation, it is also recognised as per the submissions of local residents and Croxden Parish Council that there are concerns in relation to the impact on the general and local environment. Nevertheless, it does not necessarily follow that noise levels generated by traffic using the access would at this stage increase as a consequence of any approval of this scheme; as the recently approval of the scheme for the 'interim' clubhouse building (under application ref: P/2018/00232) provides for an undertaking on behalf of the applicants (secured by the Unilateral Agreement) to not construct the Phase 4 development as approved under the Original Permission. JCB will therefore have to submit a new scheme for approval to the Borough Council before developing 'Phase 4' (for a 'permanent clubhouse'/hotel/leisure facilities) and

this will enable the cumulative impacts and the overall development of the site to be assessed by the Borough Council; both in the light of the approval of the interim clubhouse and of the current application scheme for the 10 No. lodges (if approved).

- 12.5 Accordingly, it is considered that the consequences of any grant of permission for this scheme in terms of the noise and pollution impacts (of traffic) on the residents would not be significantly detrimental to residential amenities. 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 (as amended by the Section 73 application) 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. the Golf Course) at any one time.
- 12.6 In relation to light pollution issues connected to vehicular activities, it is considered that the impact of the application would not have any significantly increased impact in terms of glare from headlights.

13. Impact on Heritage Assets/Impacts on Visual Amenities

- 13.1 The NPPF expects the creation of high quality buildings and places, which are fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps to make development acceptable to communities. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision maker as a valid reason to object to development.
- 13.2 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.
- 13.3 Policy SP8 of the Local Plan indicates that proposals falling within one of the categories (deemed as being acceptable in principle) will also need to be judged against applicable criteria including the following:
- Proposals do not introduce considerable urban form
 - The detailed siting of the proposed development and its associated environmental impact are compatible with the character of the surrounding area,
 - The design of the buildings, structures and materials are visually well-related to the proposed site and its setting with careful choice of materials, landscaping, massing of buildings and attention to local architecture and roofscape design.

- Landscaping associated with the proposal takes into account both the immediate impact and distant views of the development.

- 13.4 The Local Plan policies are supplemented by the East Staffordshire Design Guide.
- 13.5 Paragraph 184 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, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 13.6 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.
- 13.7 With regard to the Section 72 duty referred to above, case law (Barnwell Manor Wind Energy Ltd) 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.
- 13.8 The Section 66(1) 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.
- 13.9 Policy DP5 of the Local Plan states that development which protects the character and setting of listed buildings and conservation areas will be permitted. Strategic Policy 25 of the Local Plan indicates amongst other things that development proposals should protect, conserve and enhance heritage assets and their settings, taking account of their significance, as well as the distinctive character of the Borough's townscapes and landscapes. Such heritage assets may consist of undesignated and designated assets including conservation areas, listed buildings, scheduled monuments, archaeological sites, registered parks and gardens and historic landscapes which contribute to the Borough's historic environment and local distinctiveness.
- 13.10 In relation to potential archaeological impacts, the County Archaeologist advises that taking into account the previous archaeological work undertaken on this landscape and the scale of the current proposals that there are no concerns in this instance.
- 13.11 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 overlooks immediately the 16th hole green and the 17th hole tees. The listed building is situated some 410 metres to the north-east of the application proposal. Historic England having considered the additional information provided by the applicants (in the form of a revised Heritage Assessment) advise that they will defer to the Borough Council regarding the proposal.

- 13.12 The scheme 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 development 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 66(1) is not engaged in this regard.
- 13.13 Turning to the impact of the proposal on the setting of the listed building at Mince Pie Hall by the nature of the development increasing the built form on the golf course this will materially change the wider setting of the Mince Pie Hall in terms of views over the golf course as now constructed. However, given that the proposed will be seen in the context of that newly created golf course landscape, along with having regard to the separation distance and intervening landform and screen planting, means that the proposed development would not have a harmful impact on the setting of Mince Pie Hall. Accordingly, this assessment of there being no harm discharges the statutory duty under Section 72 and leads officers to also conclude that the proposals in terms of their impacts on the historic environment comply with Local Plan Policies SP25 and DP5.
- 13.14 With regard to the impact on the immediate environs, the (now completed) works associated with the conversion of Pinewood Lodge are considered to be sufficiently in keeping with the established character of the existing property whilst reflecting the more contemporary approach of the design of the nearby interim clubhouse.
- 13.15 With regard to the proposed lodge buildings, it is considered that given their design, scale and materials of construction, along with their position in the landform of the golf course in relationship to Hollington Road, means that the new buildings have little visual significance in the landscape when viewed from the north. There are distant views through the site entrance beyond the gatehouse.
- 13.16 With regard to views from Combridge Lane, whilst the proposed lodges will sit on rising lands at a higher level (relative to Combridge Lane), it is considered that the development by reason its revised scale and form will not have a sufficiently detrimental visual intrusion in this rural locality to warrant a refusal of planning permission. In time, this impact will be further mitigated by the maturing of the trees planted to date to the golf course boundaries and those which are proposed to be planted as an integral part of this current application.
- 13.17 The proposed lodges will be clearly visible to users of the (to be diverted) footpath, however, these will appear in the wider visual context of other

development integral to the golf course development; including the gatehouse and the academy/interim clubhouse and their associated infrastructure.

13.18 It is therefore concluded that the scheme would be in accordance with the relevant policies of the East Staffordshire Local Plan on visual impacts.

14. Biodiversity Impacts/Impact on Protected Species

14.1 Paragraph 175 of the National Planning Policy Framework states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, planning permission should be refused.

14.2 The Natural Environment and Rural Communities Act 2006 states that public authorities in England have a duty to have regard to conserving biodiversity as part of policy or decision making

14.3 Strategic Policy 29 lists criteria including development needing to retain features of biological interest to produce a net gain in biodiversity in line with Staffordshire biodiversity action plan species and supporting developments with multi-functional benefits.

14.4 The initial application submissions demonstrated that the proposed lodges scheme did not directly impact on protected species, however, the proposals to convert the roofspace of Pinewood Cottage element would have negatively impacted on bats. The scheme was therefore amended to omit the roof conversion works to address this concern.

14.5 During the application process the masterplan for the golf course was also amended to compensate for the loss of some 0.6 ha of tree planting that was to be undertaken on the site as part of the 2014 approval on land now being proposed to be occupied by the new golf lodges development. The proposed compensatory measures comprise the following :-

- 0.25 ha tree planting on the application site; along with the retention of existing trees around the pond area to the south-east (which was not proposed to be retained on the 2014 approval).
- 0.35 ha of additional woodland planting near to Cornmill Farm (with this being an increase to that shown on the 2014 scheme)
- The provision of some 0.2 ha of unimproved (MG5) grassland with appropriate delineation along with some 0.1 ha of ‘scrub area.’

14.6 The role of the proposed grassland is that *“in conjunction with the proposed woodland planting will provide connectivity for Great Crested Newts (and other wildlife) across the site whilst also providing a graduated buffer between the golf course planting and the retained/created woodland.”*

14.7 These amended compensatory proposals have been reviewed by the County Ecologist who concludes the scheme provides for adequate mitigation for loss of woodland planting, plus biodiversity net gain for the present development has been demonstrated. The mitigation would of course necessarily need to be

secure by condition(s) of any grant of planning permission. An additional condition would provide for protection of existing trees throughout the construction phase.

14.8 It is therefore concluded, that the issue of the impacts on protected species and biodiversity on the scheme has been appropriately addressed.

15. Flood Risk and Drainage/Contaminated Land

15.1 Section 14 of the National Planning Policy Framework seeks to ensure that new development is not at risk from flooding, or does not increase flood risk elsewhere. It advocates the use of a sequential test with the aim of steering new developments to areas with the lowest probability of flooding. The Environment Agency produces flood risk maps which classifies land according to probability of flooding. The areas of highest risk are classified as Flood Zone 3, with a 1 in 100 or greater annual probability of flooding, and the areas of lowest risk are classified as Flood Zone 1, with a less than 1 in 1000 annual probability of flooding.

15.2 Strategic Policy 27 expects all new development to incorporate Sustainable Drainage Systems (SUDS). Systems will discharge clean roof water to ground via infiltration techniques, limit surface water discharge to the greenfield run-off rate and protect and enhance wildlife habitats, heritage assets, existing open space, amenity areas and landscape value.

15.3 The application site is situated in Flood Zone 1 and Staffordshire County Council (as Lead Local Flood Authority) have no objections provided the scheme is implemented as per the approved Flood Risk Assessment (FRA)/Drainage

15.4 Detailed foul and surface water systems are proposed to be put in place to serve the development, although in any event Severn Trent Water Ltd have commented that the proposal has minimal impact on the public sewerage system and therefore they did not require a drainage condition to be applied to any approval in relation to this scheme.

15.5 It is therefore concluded that scheme would meet the necessary technical requirements in terms of flood risk and drainage.

16. Other Matters

16.1 The local resident points out that there will be views towards the proposed lodges from properties on Hollington Road, especially from first floor windows, nevertheless the loss of any view in itself is not material to any planning application determination.

16.2 With regard to waste generation by the scheme, it is considered that the use of the lodges is a matter that would fall to be dealt with by the applicants as part of their day to day operation of the site.

16.3 It is noted that it has been contended by the interested party that there have already been disbenefits of the golf course with the closing of the (former) JCB club and that it is considered possible that existing overnight visitor accommodation in the locality could be adversely affected by the construction

of the lodges. Insofar as the closure of the JCB club is concerned, that matter is not material to this application. With regard to potential loss of bookings for existing accommodation in the locality it is not the role of the planning system to seek to control competition.

- 16.4 The local resident and Croxden Parish Council also raise concerns that the golf course scheme is evolving - by iterative additions - to include built development over and above that was provided for in the 2014 approval. The local resident also points out there appears to have been a change of name and focus for the development which suggests the overall nature of the golf course scheme is evolving. These concerns are recognised, however, it is incumbent on any Local Planning Authority to determine planning applications on their own merits; and for the reasons outlined in this report it is considered that the impact of this particular scheme would be acceptable. It is also incumbent on the Local Planning Authority to determine the application on its own merits even though substantial works are now underway on the site in connection with the development the subject of this application.

17. Conclusions

- 17.1 In relation to the new build golf lodges, it is considered that the applicants have demonstrated that the proposals for the lodges would in principle be in compliance with adopted Local Plan Policy SP8 in relation to development outside settlement limits given their employment related function as part of the JCB business activities. It is also considered that the conversion and alteration of Pinewood Cottage is in principle compliant with Policy SP8.
- 17.2 The separation distances between the development and nearest dwellings are such that the scheme would not have any significant physical impact on residential amenities. It is also considered that the scheme would not give rise to any significant levels of light pollution, noise and disturbance in the relation to the use of the buildings, car parking and access facilities.
- 17.3 The Highway Authority has confirmed that there are no issues in relation to highway safety and other statutory consultees have not raised any issues that cannot be addressed by conditions. It is also considered that the mitigation of all ecological and biodiversity impacts been successfully addressed during the application process.
- 17.4 With regard to visual impacts, it is considered that the proposed lodges as now revised would not have a sufficiently detrimental impact on the wider rural locality to warrant a refusal of planning permission. The external works to Pinewood Cottage respect the character of the host property and its environs. The new golf lodges will be clearly visible to users of the (proposed to be diverted) footpath, however, these will appear in the wider context of other development that serves the golf course scheme.
- 17.5 In terms of the impact on heritage assets, the proposed development is not within a conservation area and given the separation distances (at least 1km) and the form of existing built development, it is not considered that the proposal would have an impact on views into, or those out of, the nearest conservation area. The proposed development would not have a harmful impact on the setting of the listed building at Mince Pie Hall. The statutory duties under Section 66(1) and 72 are therefore addressed.

17.6 The proposal is therefore considered to be in accordance with the relevant policies of the adopted Local Plan and the National Planning Policy Framework.

17.7 **That PLANNING PERMISSION BE APPROVED, subject to the following conditions:**

Condition 1 - Development to accord with the list of approved plans unless otherwise required by another condition of this approval. (Bespoke)

Condition 2 - Tree protection shall be put in place and retained during the construction phase in line with BS 5837:2012. (Bespoke)

Condition 3 - Details of a lighting scheme to Pinewood Lodge and its environs (to the north-east of the main service road) shall be submitted within 28 days of any approval. No lighting other than that approved shall be installed unless permission has first been granted by the Local Planning Authority. (Bespoke)

Condition 4 - Details of a lighting scheme to serve the proposed golf lodges and associated service roads/facilities (to the south-west of the main service road) shall be submitted prior to the first bringing into use of any golf lodge. No lighting other than that approved shall be installed/erected unless permission has first been granted by the Local Planning Authority. (Bespoke)

Condition 5 - The service access road and car parking facilities shall be provided in accordance with the details shown on the approved plans before any of the golf lodge(s) are first brought into use and thereafter retained as being available for the parking of vehicles at all time for the lifetime of the development. (Bespoke)

Condition 6 - The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA)/Drainage Strategy. (Bespoke).

Condition 7 - Details of how the unimproved ('type MG5') grassland to be provided will be delineated shall be submitted for approval prior to the implementation of the landscaping scheme. (Bespoke).

Condition 8 - Landscaping to be undertaken in the first planting season following the completion of the development the subject of this application (Bespoke).

Condition 9 - No service or delivery vehicles serving the development shall enter or exit the golf course site to serve this development outside of the hours of 07:00 - 18:00 Mon-Sat, with no deliveries Sundays or Bank Holidays. (Bespoke).

Condition 10 - The golf lodges are to be occupied only by visitors to the golf course and the JCB World HQ (Bespoke).

Condition 11 - Pinewood Cottage shall only be used for purposes ancillary to the main use of the site as a golf course. (Bespoke).

Informatives

1. Standard Engagement note to applicants.
2. Timing/cost of discharge of condition application informative.
3. You are reminded to discharge condition 20 of application ref: P/2016/00434 (Golf Club Membership)
4. You are reminded to comply with condition 31 of application ref: P/2016/00434 which requires a Traffic Management and Monitoring Plan to be put in place for a period of at least five years after the opening of the golf course.
5. With regard to the condition(s) above in relation to the provision of lighting the County Ecologist advises that the scheme ought not to provide for any external lighting of the upper floors of Pinewood Cottage and that all external lighting should be designed in accordance with Bat Conservation Trust/ILP Guidance Note 08/18 Bats and Artificial Lighting in the UK
6. The applicants should ensure the habitats of nesting birds are not disturbed during the construction phase in line with the requirements of the Wildlife Acts.
7. Your attention is drawn to the attached comments of the Architectural Liaison Officer.
8. The County Council's PROW Officer advises that Public footpath No. 27 Rocester Parish which currently runs through the application site will need diverting as part of these proposals and therefore the developer will need to apply to the Borough Council under section 257 of the Town and Country Planning Act 1990 to divert the right of way to allow the development.
9. The County Council's PROW Officer advises that it is important that users of the footpath network are still able to exercise their public rights safely and that the paths are reinstated if any damage to the surface occurs as a result of the proposed development.
10. The County Council PROW Officer advises that SCC has received an application under Section 53 of the Wildlife and Countryside Act 1981 to add or modify the Definitive Map of Public Rights of Way, which affects the land in question. Details of this application reference no. LF610G can be found at the link below.

<https://apps2.staffordshire.gov.uk/SCC/PROW/>

For more information regarding the application under Section 53 of the Wildlife and Countryside Act 1981, please contact the SCC legal section

It should be noted, however, that this does not also preclude the possibility of the existence of a right of way at common law, or by virtue of a presumed dedication under Section 31 of the Highways Act 1980. It may, therefore, be necessary to make further local enquiries and seek legal

advice in respect of any physically evident route affecting the land, or the apparent exercise of a right of way by members of the public.

Background papers

17.8 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/2018/00846
- Papers on the Planning Application file reference P/2018/00232
- Papers on the Planning Application file reference P/2017/00256
- 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/2016/00166
- Papers on the Planning Application file reference P/2014/00228 and the associated discharge of condition application files.

18. Human Rights Act 1998

18.1 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.

19. Crime and Disorder Implications

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

20. Equalities Act 2010

20.1 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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