

2013/1126 SHIRLEY GOLF CLUB LTD STRATFORD ROAD SHIRLEY

Application No: 2013/1126/S

Ward/Area: BLYTHE

Location: SHIRLEY GOLF CLUB LTD STRATFORD ROAD SHIRLEY SOLIHULL

Date Registered: 08/07/2013

Applicant: SHIRLEY GOLF CLUB LTD

Proposal: DEVELOPMENT OF A GOLF ACADEMY WITH SPECIALISM FOR DISABLED GOLF WITH ENABLING RESIDENTIAL DEVELOPMENT COMPRISING UP TO 57 DWELLINGS. CONSTRUCTION OF NEW ACCESS ROAD TO CREYNOLDS LANE TO SERVE RESIDENTIAL DEVELOPMENT AND RETENTION OF EXISTING ACCESS FROM A34 STRATFORD ROAD TO SERVE THE GOLF COURSE AND GOLF ACADEMY. (OUTLINE APPLICATION - ALL MATTERS RESERVED)

Documents Online:

<http://www.solihull.gov.uk/planning/dc/ViewAppDetail.asp?Y=2013&R=1126>

This application is being reported to Planning Committee for the following reason(s):

| | |
|---|---|
| X | The proposals are a substantial departure from the Development Plan |
| | A new section 106 agreement is required |
| X | The proposals would have a significant impact outside of its immediate vicinity |
| X | The proposals have given rise to substantial weight of public concern |
| | The application has been called into Committee by a Member |
| | The application has been submitted by (or on behalf of) the Council (or it relates to Council owned land) and there has been one objection or more. |
| | The applicant is a Member or Officer of the Council (who has contact with Development Management) (or a close relative of such a person) |
| | The Head of Development Management has elected to refer the application to Committee |

Planning Committee Members should read this report in the context of another report that appears elsewhere on the agenda regarding this site. As confidential information regarding the viability of the proposed scheme has

been submitted, this needs to be reported to Members via a report that cannot be considered in public session.

PROPOSAL

This application seeks outline planning permission, with all matters reserved for future approval, for the development of a new golf academy with specialism for disabled golf, together with enabling development comprising up to 57 dwellings on land at Shirley Golf Club.

Illustrative details of the golf academy have been submitted together with an illustrative masterplan showing the general location of the housing area to be provided off Creynolds Lane. The intended location for the new access off Creynolds Lane to the housing element is towards the eastern end of the available site frontage to that road.

Amended plans have been received during the lifetime of the application, comprising of the retention of the existing access point off Stratford Road to provide access to the golf club and academy only. In the original plans, the access onto Stratford Road was to be closed with access to the golf club via the new access on Creynolds Lane.

A housing viability report has been provided with the application, which aims to demonstrate that the housing scheme is unable to viably provide the Council's policy level of affordable housing, taking into account the capital receipt required to build the academy, open market values of the new homes, design and build costs and the costs of finance.

The golf academy aims to provide a nationally accredited facility to meet both the club's, Sport England's and The English Federation of Disability Sport's aspiration to open up the sport to those with a disability.

The indicative layout shows the golf range being set back against the inner row of trees, set perpendicular to Stratford Road. Play would run parallel to Stratford Road, beyond the existing short play practice area, which would be drained, re-modelled and fenced inside the highway boundary.

The original proposals indicated that the open part of the range would be enclosed by bunding (5m tall) with a 12m high fence on top. Within the U shape created by the bunding the existing ground level would be increased. Presently over the 240m length of the range area the land rises by 2m. This was to be increased so that a steeper slope is created with the result that the land at the end of the range would be 5m higher than that immediately in front of the driving bays. These level differences would be achieved via importation of material to the site.

Amended plans have now been received which reduce the extent of level changes. The perimeter bunding now varies between 1m & 3m in height and the longitudinal section now shows a more undulating profile with a 3m height increase at the end of the range. Fencing has been reduced, whilst it remains

12m tall, it is now only provide adjacent to the new access road; in front of the telecommunications tower; and adjacent to the green keepers storage area.

The facility is intended to accommodate the following:

- A floodlit driving range
- 36 golf driving bays
- Fully automated tees
- Floodlit short game facility
- 2 teaching and video suites
- 1 custom fitting suite of equipment
- Reception/retail area
- Classroom/meeting room which would be available for hire
- Refreshment/eating area for guests, visitors, schools and anyone using the range.

The building will have a width of 86m and the bay elements will be 8m deep. The central section will be 25m deep and be provided on two levels. Mono pitched roofs are proposed.

The centre is intended to operate at a national, regional and local level for the following purposes:

- Host for the England Advanced Apprenticeship for Sporting Excellence (AASE) program
- UK Home of Disability Golf in conjunction with the England Federation of Disability Sport. Currently disability gold does not have a UK base or training academy, the Midlands would be the first.
- England squad training – Men, Girls and Boys
- Regional and County training – County Academy Centre for men's, ladies, boys and girls
- All local schools catered for, in school and after school option
- Continued special school coaching in conjunction with golf for disabled children.

The centre is intended to attract some of the country's leading golf experts, due to the excellent location and state of the art facilities. Over 20 new jobs are expected to be created locally, including a fully funded post for UK disability golf. Although initially only 5 posts would be created.

The total cost of the facility has been identified by the applicants as nearly £2.5m based on the design indicated at the present time. The design is expected to be finalised at reserved matters stage. The initial submission also indicated that a 'legacy fund' would also be provided, although this wasn't quantified at the time. The legacy fund is intended to provide for the long term sustainability and viability of the operation of the academy.

The application has been submitted on the basis of needing to raise all of the capital required to provide the academy building & range through an enabling

development in the form of the residential development. Therefore, as part of the proposal, a housing scheme is proposed to the north west of the site which is intended to generate enough capital to deliver and equip the facility; and set up the legacy fund. To this end, the proposals indicate a conceptual design of a housing scheme, comprising 57 dwellings to ensure the golf academy can be fully funded following initial developmental years. From 5 years onwards, the facility is expected to make a profit, with monies directed to Disability Golf UK to fund additional posts operating from the academy.

An illustrative master-plan has been submitted to provide indicative information on the scale of the proposed enabling housing development, its broad layout, the principal access point and potential open space and landscape structure. A range of dwelling types are to be provided, to be determined at reserved matters stage. Informal and natural green spaces are to be provided. The layout provides for a density of, at most, 19 dwellings per hectare.

No affordable housing is proposed in relation to the housing element.

CONSULTATION RESPONSES

| | |
|-------------------------------|------------------------|
| Neighbours Notified | : 19/07/13 & 12/02/14 |
| Site Notice posted | : 19/7/2013 |
| Press Notice posted | : 19/7/2013 |
| Landscape | : No objection |
| Ecology | : No objection |
| Highway Engineers | : No objection |
| Forward Planning | : Objection raised |
| Drainage Engineers | : No objection |
| Housing Strategy | : No objection |
| Leisure | : Support proposal |
| Cheswick Green Parish Council | : Objection raised |
| Severn Trent Water | : No objection |
| Highways Agency | : No objection |
| Sport England | : Supports application |
| Environment Agency | : No objection |

Warwickshire County Council : No objection
(Archaeology)

REPRESENTATIONS

168 letters of objection were received to the originally submitted scheme, plus a pro-forma letter for which 36 letters have been submitted from 30 households, and a petition signed by 166 local residents. Cllr Hawkins, Cllr Linda Brown, Caroline Spelman M.P., Cheswick Green Parish Council and Dickens Heath Parish Council also raise objection. In summary, objections raise the following concerns:

- Application shows lack of respect for countryside.
- Site not identified as suitable for housing development.
- Will generate additional traffic on a road not designed to cope with volume of vehicles that will be generated.
- Creynolds Lane too narrow.
- Will put additional pressure on schools already operating at capacity.
- Public transport limited in area with no bus service in the evening or Sundays.
- Golf academy is a red herring.
- Adjacent field to club house already being used as an academy to teach young children.
- Impact on highway safety, free flow of traffic and congestion in Creynolds Lane.
- To achieve safe point of access hedgerows and trees would be lost.
- Stratford Road entrance must be maintained
- Housing should be located elsewhere.
- Has a study been prepared for the centres popularity setting out business case for the golf facility. Small proportion of funds may only go to the disabled centre.
- Noise bund not constructed in accordance with planning approval and retrospective application for variation of condition with remedial work still required demonstrates that Shirley Golf Club does not properly comply with conditions let alone carry out work in accordance with its own application.
- Proposal inappropriate development and no special circumstance to justify development in Green Belt.
- There are golf ranges in the near vicinity i.e. Four Ashes, Widney Manor and Becketts Farm. Proposal will take trade from these facilities.
- No clear financial support for the academy.
- Proposal is simply a means of generating profit for the developer and Shirley Golf Club at expense of character of Cheswick Green area.
- No affordable housing shows application not for the benefit of local people or even disabled golfers. Latter group already catered for by existing facilities at the Golf Club.
- No public consultation by the golf club to local residents.

- Local precedent should be borne in mind – that of Birmingham and Solihull Rugby Club, refused planning permission for 87 houses in 2009 at Sharman's Cross Road to finance refurbishment and extension of facilities.
- Financing of golf academy should be dealt with as a separate application.
- No need for another golf driving range.
- Proposed golf academy does not offer anything which another modern range does not already incorporate or could not adapt should there be a demand.
- Significant impact on openness of frontages on Creynolds Lane.
- Adverse impact on neighbours though increased comings and goings of vehicles to and from residential development.
- Floodlighting of academy will be intolerable for neighbouring homes.
- High pressure gas station and mobile phone mast located adjacent to proposed driving range.
- Majority of disabled people cannot afford high membership charges of the golf club.
- Impact on wildlife such as badgers, bats and foxes.
- Congested housing estate not in keeping with character of area.
- Proposal will add to noise pollution, light pollution and traffic.
- Rise in crime.
- Flooding from site to River Blythe.
- Proposal would set a precedent for similar development elsewhere in Borough.
- Existing access does not cause traffic issues and there would be minimal planning gain in its closure
- Site not part of development plan in allocation for housing development.
- Only 3 disabled parking spaces are and internally, within the proposed academy building, some of the access routes are not DDA compliant.
- Evidence of unsold houses in Dickens Heath shows no need for new houses.
- Land closer to cities should be used for housing.
- Site not in a sustainable location.
- Academy could be built in a more basis manner, still accommodating disabled use, and requiring less residential element to finance.
- Size and scale of the proposed golf academy does not constitute appropriate development in the Green Belt.
- Length of two storey driving range not warranted for use by disabled children from local schools.

One letter of support has been received from a member of Shirley Golf Club, in summary, that the proposal will provide small, much needed houses in the area and the exit to Stratford Road is difficult at busy times. Access onto Stratford Road would be safer.

A further 72 letters of objection have been received in response to the submission of amended plans. Points raised reiterate those made above, but also note the following:

- Access onto Stratford Road is not the major issue here. It is the inappropriate building on green belt land, plus intensity of housing development accessed from a narrow lane.
- Local Development Plan does not include this land for development.
- Retaining the golf club entrance on Stratford Road will not ease traffic situation as far less than the real statistics we are interested in.
- Amended plans appear to be inaccurate. Highway works appear outside application site on A34.
- Amendments show roundabout within the site and link to Creynolds Lane. This is undesirable in highway safety terms.

POLICY

Government Guidance

The NPPF advises that there is presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. For decision taking this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- **an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to

improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

The NPPF also carries forward the thrust of Government guidance in the Ministerial statement “Planning for Growth” by attributing significant weight in the need to support economic growth through the planning system. The following sections are relevant to this application:

- 4. Promoting sustainable transport
- 7. Requiring good design
- 9. Protecting Green Belt land
- 11. Conserving and enhancing the natural environment

Planning Practice Guidance (2014)

The advice contained within the Government's Planning Practice Guidance, issued on 6 March 2014, has been taken into account in reaching a decision.

Solihull Local Plan 2013

- P4 Meeting Housing Needs
- P5 Provision of Land for Housing
- P7 Accessibility and Ease of Access.
- P8 Managing Demand for Travel and Reducing Congestion
- P9 Climate Change
- P10 Natural Environment
- P11 Water Management
- P14 Amenity
- P15 Securing Design Quality
- P17 Countryside and Green Belt
- P18 Health and Well Being
- P20 Provision for Open Space; Children's Play, Sport, Recreation and Leisure
- P21 Developer Contributions and Infrastructure Provision

SPD's/SPG's

- Vehicle Parking Standards & Green Travel Plans
- New Housing in Context
- Meeting Housing Need

PLANNING HISTORY

[2012/1491](#) (16/1/2013) [Advert Approval] Flag advertising poles

[2012/1640](#) [] Variation of condition 8 of planning approval 2009/843 to allow a variation in the form, grading and appearance of the earth bund.

[2011/403](#) (12/08/2011) [Withdrawn] Outline application for golf academy with new road access and residential development.

[2009/843](#) (18/08/2009) [Full Plans Approval] Landscaped noise bund to the Stratford Road boundary of Shirley Golf Course.

[2008/1818](#) (27/01/2009) [Advert Approval] 1 no. non-illuminated sign affixed to wall at the vehicular entrance to the golf club.

[2007/362](#) (13/04/2007) [Full Plans Approval] Extension of existing telecommunications mast from 15m to 20m with 6 antenna, 2 dishes 2 equipment cabinets and ancillary development.

[2003/330](#) (19/03/2003) [Full Plans Approval] Amendments to approved app. no 96/029, store and entrance extensions and extension to canopy to west elevation.

[2001/584](#) (19/04/2001) [Prior Approval Not Required] 15 metre high lattice mast and equipment cabin and associated ancillary works

[1999/344](#) (28/04/1999) [Approved] Proposed connection into public sewer to replace existing treatment plant.

[1996/297](#) (2/04/1996) [Approved] Lounge/dining room, committee room/office, trolley/bag store and locker room extensions

[1995/740](#) (22/06/1995) [Approved] Retention of entrance signage

[1992/34](#) (30/06/1992) [Approved] Two-storey extension comprising ground floor store room and first floor groundsmans flat including integral alterations

[1991/1796](#) (15/01/1992) [Approved] Erection of storage building and new fence surrounding storage compound

[1989/1843](#) (31/08/1989) [Approved] O/L erection of 2 no. bungalows for accommodation of steward and head groundsman

[1984/1327](#) (11/10/1984) [Approved] New gas governor station

SITE DESCRIPTION

The application site is located off the A34 Stratford Road, Shirley. The proposed residential site lies within the Green Belt and comprises mainly of open farmland, used primarily as low grade pasture for cattle and fronts onto Creynolds Lane. There are no active farm buildings situated within the site. Residential properties lie on the opposite side of both Creynolds Lane and Stratford Road, beyond the north east and south east boundaries of the application site, respectively.

The Plough Public House and Premier Inn Hotel lie immediately beyond the northern boundary of the site.

To the north west lies Grange Farm, with Lloyds TSB Management College beyond.

The remainder of the Golf Course, including Club House, lies to the south and west of the site.

The boundaries of the site comprise mature hedgerows and trees.

MAIN ISSUES

The key issues in determining this application relate to:-

- Green Belt (inc viability of the proposals)
- Transportation
- Landscape
- Ecology
- Neighbour amenities
- Flooding/drainage

APPRAISAL

Green Belt (inc viability of proposals)

National Planning Policy Framework

Section 9 (“*Protecting Green Belt land*”) of the NPPF sets out the approach to assessing planning applications for development in the Green Belt. The preliminary assessment when considering proposals for development in the Green Belt is as follows:

- It must be determined whether or not the development is inappropriate development in the Green Belt. The NPPF sets out the circumstances when development can be considered as not inappropriate.
- If the development is considered not to be inappropriate, the application should be determined on its own merits.
- If the development is inappropriate, then permission should not be granted except in very special circumstances (VSC).
- Substantial weight should be given to any harm to the Green Belt and VSC will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The NPPF also sets out the aim and purposes of Green Belt policy. The fundamental aim is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Green Belts serve five purposes:

- To check the unrestricted sprawl of large built up areas;
- To prevent neighbouring towns from merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Solihull Local Plan

Policy P17 addresses Countryside and Green Belt issues. It indicates that inappropriate development will not be permitted in the Green Belt, except in very special circumstances. In addition to national policy, P17 sets out other provisions that will be applied to development in the Green Belt in Solihull. None of these are directly relevant to the proposals. Therefore the Local Plan policy requires very special circumstances to be demonstrated in line with NPPF if permission is to be granted.

Does the Proposal Amount to Inappropriate Development ?

Potential works can amount to 'development' (as defined by the 1990 Act) if they amount to a building operation, an engineering operation or if they relate to a material change of use (or a combination of these).

Advice in the NPPF regarding these forms of development are set out as follows:

Building Operations

Paragraph 89 of the NPPF states that the construction of new buildings should be regarded as inappropriate in the Green Belt, unless one of the stated exceptions applies. The relevant exception to this case is as follows:

“provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;”

Engineering Operations

Paragraph 90 of the NPPF covers certain other forms of development and this includes 5 bullet points listing potential developments that are not considered to be inappropriate development within Green Belts. To be considered as not inappropriate, such developments must preserve the openness of the Green Belt and not to conflict with the purposes of including land within it.

One of these bullet points includes engineering operations. And so such operations are capable of being considered as not inappropriate.

Mixed Forms of Development

A development of this nature includes a change of use of land, building operations and engineering operations. Even if an application contains elements that on their own would be appropriate development, the Courts have held that the whole of the development is still to be regarded as inappropriate, a principle which was established in the case of *Monor Memorial Gardens Ltd v SOS* [2005] EWCA Civ 835.

So the Green Belt test to be applied against the proposals as a whole is whether there are any VSC that outweigh harm by inappropriateness and any other harm.

However, as the two elements of the proposals are functionally so separate and one is not physically dependant on the other (other than through the enabling argument), it is useful to consider the question of inappropriate development as if they were separate applications, since they could have been pursued under two separate applications. This has been the case with other enabling developments.

- *Golf Academy – whether inappropriate development ?*

With regard to the golf academy building, it is noted that the NPPF allows appropriate facilities for outdoor sport to be considered as appropriate development. This is as long as they preserve the openness of the Green Belt and does not conflict with the purposes of including land within it. In this instance the academy building is a not insignificant structure that due to its physical size will impact upon the openness of the Green Belt. This will be seen in the context of the bunding and other level changes and associated fencing. It will not pass the test of preserving openness and therefore it is necessary to demonstrate Very Special Circumstances (VSC) for the building & associated works.

- *Residential Development – whether inappropriate development ?*

The NPPF do not provide for residential development (other than for purposes of agriculture or forestry) to be considered as an appropriate development. It is therefore inappropriate and VSC need to be demonstrated if it is to be supported.

Green Belt Harm

The NPPF is clear in that inappropriate development is harmful, by definition, to the Green Belt; this is a matter which should be afforded significant weight in the overall planning balance.

The next issue to consider is whether there is any other Green Belt harm, for instance harm to openness or conflict with any of the purposes for including land within a Green Belt.

In this context, the consideration of impact on openness should be addressed separately from landscape and/or visual impact. Whilst these concepts may

appear related they are subject to separate policy considerations and assessment. This section shall continue to consider openness, whilst a later section will address landscape & visual impact.

There is no definition of openness in the NPPF, or other policy. It can best be described as an absence of visible urbanising development. Any features that appear as man-made impositions on the landscape are in principle likely to result in the openness being eroded. The magnitude of this impact will be dependent upon their physical extent and size, irrespective of whether or not they are publicly visible.

- *Golf Academy – Extent of Green Belt Harm*

Whilst the academy building could physically be located away from the golf course it is intended to be operated as an integral part of the sporting offer at the site – eg practicing before commencing a round of golf. In addition the use as a driving range at a golf course is not unusual relationship and is provided for at other locations.

The physical presence of a building can be sufficient to impact upon openness, and given the size of the building and associated works it is considered that this amounts to moderate/significant harm.

- *Residential Development – Extent of Green Belt Harm*

The residential development would occupy an area of the site amounting to some 3.06 ha. Undoubtedly due to the size and extent of the development it would have a substantial impact on the openness of the Green Belt. It would also run contrary to the purposes of including land in the Green Belt. In particular it wouldn't check the sprawl of the built up area and it wouldn't assist in safeguarding the countryside from encroachment.

Along Creynolds Lane, there are developments south of the road, but this stretch of the road provides a strong defining feature & boundary that separates the denser built development north of the road from the open countryside to the south. If this were breached, then the built form wouldn't enjoy such a strong containing feature.

Given the extent of impact as a result of the development, it is considered that this amounts to a particularly severe & substantial level of harm to the Green Belt.

Very Special Circumstances

The applicant's basis for VSC is based upon the benefits to be provided by the golf academy which would not otherwise be provided, in particular opening up the sport to those with a disability.

The applicants have already established a programme, over the last 10-12 years, in enabling users with a disability to access the sport. This has

included working with a number of local schools and the applicants have described providing coaching (Golf for Disabled Children) which has attracted thousands of disabled children from across the Borough and elsewhere. This has provided professional coaching to introduce disabled children to driving, chipping & putting, who may not have otherwise thought the sport may be for them. The “try-it” days can then lead to a programme of coaching. The applicants believe that the current facilities are weather reliant and the practicalities of facilitating groups at the club are restricted by the current set up. However they report, on average, 15 groups of disabled children have used the facility every week since 2001.

An Active People Survey has shown that over 90% of disabled people don't regularly take part in any kind of sport. The reasons for this are diverse, but many don't believe that their needs are met or that a particular sport is for them. The club's programme has sought to overcome the perception that golf is not accessible to all. Their current facilities restrict the programme from growing and reaching a much wider audience. The English Federation of Disability Sport believe that the single biggest barrier to access for disabled users in sport is lack of adequate facilities, and bespoke facilities are limited

Solihull College also has an established partnership with the golf club. The college offers students the opportunity to undertake a sports science diploma (which is equivalent to 3 A levels). The partnership with the golf club helps to provide the support for the course, but due to lack of facilities at the club, the programme has had to move out of the Borough with students travelling to the Forest of Arden club. The academy would enable the programme to move back into the Borough. The club's professional is the head coach for Warwickshire County and the Midland Performance Golf Academy run in conjunction with the college.

A programme called “Battle Back” through the golf4heros scheme, seeks support from golf courses from around the country. The initiative offers complimentary green fees and use of practice facilities to servicemen when they leave the rehabilitation centre at Headley Court. The programme is designed to introduce injured service personnel to sports & adventure training activities this returning them to a more normal active lifestyle and aiding in their physical and psychological rehabilitation. The proposed academy would allow this programme to become further imbedded with the golf club and provide them with a regional base.

The proposed academy would build upon the existing programme and provide a facility for those with a disability to easily access the sport in a bespoke facility. The programme will include the employment of a full time post dedicated to disability golf, thus enabling the programme to develop and offer support and direction for disability golf.

The applicants have described that the facility will allow an increase in teachers and trainers (possibly up to 15) and that the majority of the normal day the facility will be used by special groups. In the fullness of time this

could be as much as 75% (0800-1700 on Mondays to Fridays). Teaching with one off clients is normally outside of these periods.

- *Sport England*

Sport England have commented on the proposals and have stated that they believe the proposal addresses an identified need for this facility type and has the potential to be of benefit to community sport and the development of disabled golf not just in Solihull but also in the West Midlands and this should be afforded appropriate weight. They believe the design of the building meets the needs of disabled golf.

They note that disabled people are less likely to take part in sport with only one in six playing sport regularly compared with one in three non-disable people.

Sport England have had various detailed discussions with the applicant along with the English Federation of Disability Sport leading up to the first planning application. They believe the applicants have been remiss in not making much in their planning statement of the local/regional benefits for disability sport.

They note the purpose of the academy (which would be the first for disabled people in Europe) is to create a centre of excellence to:

- Introduce disabled children to golf – this already happens, but on a much limited basis.
- Train and develop young talented disabled golfers.
- Create a home for the national disabled golf team.

Sport England have also identified that another material consideration not mentioned is the additional employment which would be created through the golf academy, not just for golf professionals, but also for specialist golf development officers, who could come from Solihull College, which specialises in golf as one of their specialist subjects, as well as other posts both full and part time.

- English Federation of Disability Sport (EFDS)

The EFDS regional manager is reported as describing the golf club as “*a shining light with this work. Not only do they host special sessions for the youngsters but members have flocked to volunteer their help and they have raised funds to allow their professional to go in special schools for coaching sessions.*”

Commentary on VSC

If permission is to be granted Members would need to be satisfied that the benefits from the development achieve a planning purpose; can be adequately secured; and be sustainable.

Policy P18 of the SLP indicates that support will be given to proposals which provide opportunities for formal and informal physical activity; exercise opportunities; recreation; and play. It is recognised that there are positive benefits from physical activity and exercise opportunities on both physical and mental health, as well as child development. Measures should be taken to maximise opportunities to participate in formal and informal sport & recreation. The provision of a golf academy can contribute towards this policy aim and can be considered as achieving a planning purpose.

The timing of construction of both parts of the scheme could result in the academy building being practically complete before all or most of the residential dwellings are complete and/or occupied. In this respect through timings (controlled via condition and/or a S106 agreement), the physical construction of the beneficial part of the scheme can be secured.

The sustainability of the enterprise is less straightforward, in particular the contribution through on-going services to disabled golf. Information as detailed in the private report indicates that the enterprise will make a loss over the first five years, but should then deliver a profit. A legacy fund from the enabling development will be required to cover this initial five year period. It is difficult to be absolutely certain about the long term sustainability of the project, and therefore there is a risk that the associated disabled golf support described above will not be provided in the long term. Whilst the physical facility will remain, it may only function as a more typical driving range and/or be underutilised. Securing on-going support to disabled golf could be attempted through conditions/S106, but this would be dependent on the long term business success of the enterprise.

However there is also the potential for the academy to gather significant momentum, become a centre of excellence & regional asset that is self-sustaining and encourages further expansion of programmes to open up access the sport. A facility which is well used and popular has a prospect of expanding and becoming a real success. The club already have experience and enthusiasm in encouraging the take up of the sport by those with a disability, and this recognised by Sport England & EFDS. The provision of a golf academy would provide the basis for developing this still further.

On balance it is considered that there is sufficient merit in the academy and associated enterprise for it to be considered as a very special circumstance and significant weight can be given to this in the balancing exercise.

Affordable Housing/Viability

The size of the residential development does trigger the affordable housing requirements of the Local Plan and 40% of the dwellings (23) should be provided as affordable dwellings. This policy allows certain factors to be taken into account if full provision is not to be provided. This includes the economics of provision (including any particular costs that may threaten the viability of the site) and whether the provision of affordable housing would

prejudice the realisation of other planning objectives that ought to be given priority in the development of the site.

The later point is especially relevant in the context of an enabling development. If it is considered that the VSC allow the realisation of other planning objectives then this can take precedence over affordable housing. And this could justify that no affordable housing should be provided. However if this is to be accepted then it is necessary to demonstrate the viability of the residential development is just sufficient to provide the funding for the golf academy. Any excess income over and above this (having allowed for usual developer profit) should be used to either contribute towards affordable housing or a smaller development should be pursued thus reducing the land take from the Green Belt to accommodate the enabling development.

With enabling development it is usual practice that the aim is to achieve the minimum necessary development without affordable housing. Increasing the size of the site (and therefore land take from the Green Belt) just to provide for affordable housing would be similar to pursuing an affordable housing development in the Green Belt through the rural exception policy of the SLP. This would be expected to provide for purely local need and have the support of the Parish Council.

The viability reports submitted with the application were provided on a confidential basis and therefore their full content cannot be revealed in this report. However they have been provided to Members of the Committee for scrutiny during that part of the meeting that is not open to members of the public.

The viability reports have been subject to review by both the Council's Strategic Land & Property Team and the Council's retained consultants (CBRE), and have been subject to further comment from the applicants.

The conclusion from the Head of Strategic Land & Property is that with a development of 57 dwellings the development would remain viable (and provide the necessary funding to the golf academy) even if full compliance with the Council's affordable housing policy was to be achieved. This therefore demonstrates that the proposed development is more than the minimum necessary to provide the funding for the academy.

Proposed Density

The application seeks consent for up to 57 dwellings on a 3.06 ha site. The resulting density would be no more than 19 dph. This is a low density and recent developments in the area have achieved a higher density. For example, the recent full application at Braggs Farm had a gross density of 27 dph and 37 dph taking into account the net developable area.

It is noted in the SLP that the desire is to maximise density to secure the efficient use of scarce development land, maximising the level of housing land provision, meeting local needs, whilst protecting green field and Green Belt

land. On allocated sites, the intended densities generally range between 40 & 45 dph.

An appeal example at Four Ashes Road in Bentley Heath considered the question of housing mix & density. Housing mix was a particular issue in that case as all of the market properties were indicated to be 4 bedroom properties. The provision of larger house types also impacts on overall density. In the appeal example a density of 30 dph was achieved. The Inspector noted that there was no substantive evidence that a higher density development could not be designed to ensure it did not detract from the character of the area or that an increase in density could not be achieved by the provision of three storey housing. The Inspector concluded that that the development would not represent a suitably efficient use of land which would be reflective of local housing need.

In the present case, the layout, albeit indicative, shows a form of development with particularly large garden areas for some plots and generous spacing between the dwellings themselves. It is considered that through refining the design a more efficient layout could be produced, without creating a layout that is out of character with the wider area. Not only does this issue raise questions as to whether the development is making efficient use of land (as required by policy P5 of the SLP) but it will also result in a larger land take from the Green Belt than may have otherwise been necessary.

Transportation

Since the application has been submitted, the Council has adopted and implemented the Solihull Local Plan. Policy P7 of the Solihull Local Plan sets out accessibility criteria that development should meet, in terms of linear distance and route characteristics (relative attractiveness and perceived safety). The policy goes on to state that investment in improvements to local public transport provision, cycling and / or walking measures will be sought in association with development proposals which do not meet the accessibility criteria set out by this policy. The table below assesses the site accessibility credentials against that set out within policy P7

| Service/Facility | Local Plan Criterion | Site Distance* | Attractiveness of route | Consistent with Policy P7? |
|-------------------------|-----------------------------|-----------------------|--|-----------------------------------|
| Primary School | 800m | 750m | A continuous footway to Cheswick Green Primary School is available although not on the same side of the road as the development site. Pedestrians would be required to cross a relatively high speed semi-rural road twice | ✓ |

| Service/Facility | Local Plan Criterion | Site Distance* | Attractiveness of route | Consistent with Policy P7? |
|---|----------------------|----------------|---|----------------------------|
| | | | to access the school. Once on the other side of the road, there are good levels of natural surveillance. | |
| Foodstore | 800m | 1400m | Fresh food at Cheswick Way is 1400m from site but is not considered to offer a good range of day to day facilities. Nearest convenience store is Tesco's Extra at Stratford Road which is approx. 1600m from site. | x |
| GP | 800m | 1400m | A continuous footway to Cheswick Green Primary School is available although not on the same side of the road as the development site. Pedestrians would be required to cross a relatively high speed semi-rural road twice to access the school. Once on the other side of the road, there are good levels of natural surveillance. | x |
| High Frequency (every 15mins) bus stop | 400m | 3400m | Nearest high frequency bus service located at A34 Stratford Road, outside desirable and maximum walking parameters. | x |
| High Frequency (three per hour) train service | 800m | 3900m | Nearest railway station is located at Whitlocks End, outside desirable and maximum walking parameters. | x |

| Service/Facility | Local Plan Criterion | Site Distance* | Attractiveness of route | Consistent with Policy P7? |
|-------------------------|-----------------------------|-----------------------|---|-----------------------------------|
| Bus stop | 400m | 200m | Direct footway access to bus stops to access half hourly bus services but services are daytime only Monday – Saturday with no evening services. | N/A |

*From site access at Creynolds Lane

The table above shows that access to local services and facilities for the development falls outside the P7 criteria except for access to a primary school. Whilst there is access to bus services close to site, the services are daytime only Monday to Saturday (with no services on a Sunday). This is likely to be a significant barrier to accessing employment and local facilities (particularly in Shirley) and, in your highway officer's view, residents are likely to be reliant on private car use which goes against the transport thrust of the NPPF.

With the above in mind, it is considered that improvements to access to bus services are required to make the development acceptable in policy terms, through revenue support for existing bus services to provide evening and weekend services and/or travel planning measures in the form of personalised travel planning to the wider Cheswick Green area (to assist increasing bus patronage) and/or subsidised bus travel. To secure these improvements, a contribution of £133.5k is sought equating to a contribution of £2,300 per property which is considered proportionate to the development and consistent with the CIL regulations and NPPF.

In summary, the site is not considered to be in an accessible location as defined by Policy P7 of the Solihull Local Plan. However, subject to the S106 contributions as detailed above, it is considered that the accessibility issues can be acceptably mitigated.

The contribution noted above has been incorporated into the viability appraisal undertaken by the Council, but has not been included in that provided by the applicants.

Landscape

According with the Warwickshire Landscape Guidelines (1993), the proposed development is located within the Arden Pastures local landscape type. Relevant characteristics include a well-defined pattern of small fields and paddocks, numerous hedgerow oaks as well as permanent pasture often grazed by horses.

In the Guidelines the site has also been classified as an “enhancement zone” defined as an area where the structure and character of the landscape is in decline. This is a priority area where resources for landscape and habitat restoration should be targeted.

Whilst in the Green Belt, and presenting with landscape elements of a medium sensitivity, the site is also located at the edge of Shirley’s built form, adjoining the A34 to the northwest and residential development to the north on Creynolds Lane. The Council’s Landscape Architect agrees with the Landscape Consultant’s statement on p. 23 where it reads: “the location of the site at the settlement edge and its relationship to the existing built edge is therefore considered to be of a low sensitivity to change”.

As a result of the proposed development (site entrance and visibility splay) there will be a loss of approximately 75m of hedgerow. In addition, if a footpath is created along Creynolds Lane, an additional 100m of vegetation, whilst not completely lost, will be significantly reduced increasing visibility of the adjoining pub and hotel from Creynolds Lane.

Whilst none of the mature trees are being removed (in relation to the residential development), the development will also result in the loss of pasture fields and a change in topography. This will result in a change in character from open land to urban. However, being as this a degraded landscape and since the surrounding character is already urban, it is not considered that this change to be significant in the long-term if an extensive mitigation scheme including hedgerow replacement is in place.

Another important element of this application is its visibility extent. The main visual receptors are located alongside Creynolds Lane, i.e. the residents of those properties, the pedestrians and motorists, as well as pedestrians and motorists along the A34. While the residents are considered to have a high sensitivity, the pedestrians and motorists are considered to be of a low sensitivity to visual change. There is also some visibility of the site from the Golf Course itself, although users are screened by the existing mature vegetation framework.

It is not considered that the nature and extent of these visual impacts would cause a long-term significant detrimental visual impact if extensive mitigation planting is in place.

The tree survey information is incomplete. However, at the reserved matters stage a survey could be submitted to include all the land to be developed, including the enabling residential scheme to the north. In relation to the residential development, other than the removal of hedgerow sections and pruning works, none of the trees are proposed for removal in that area in accordance with the landscape and visual assessment.

The forthcoming indicative housing layout and academy scheme should take into account the root protection area and shading of existing trees.

The enabling development layout needs to be developed to ensure connectivity, retention of existing trees and enhancement of existing character. An extensive mitigation planting proposal along with a high quality soft/hard landscape scheme is to be submitted at reserved matters stage. The position of any play should be carefully positioned to ensure passive surveillance and wider connections with the golf course.

With regard to the academy building it is noted that it would result in the removal of the avenue of trees (c38 no.) that currently line the access drive within the site. These are Ash trees, generally of a height ranging from 15m to 20m.

The trees along the edges of the range area will be retained.

The academy building will be largely screened by the existing bunding alongside Stratford Road. The reduction in the extent of proposed bunding and fencing will help reduce the visual impact of these associated structures. However with bunding and fencing having an overall height of 15m will still result in the potential for these to appear as prominent features in the landscape. The use of light weight netting/fencing would help reduce this still further, but support poles would still be rather obvious features.

Although no objection on purely landscape grounds is proposed, it is recognised that a number of the issues outlined above will impact on the openness of the Green Belt.

Ecology

The site to accommodate the golf academy is already used as a practice area laid to grass and has little potential to be of any ecological significance. The area to accommodate the residential development is pasture land, again with little potential to be of any ecological significance.

A phase 1 habitat survey was included with the application, and this should be updated at the reserved matters stage should permission be granted. This will address any changes in habitat between the original survey and the RM application and will also be used to update the Ecological Mitigation Plan submitted with the application.

A Great Crested Newt survey was also submitted with the application. This shows a medium population of newts in a pond 390m from the application site and will not therefore be impacted upon. However there will be a loss of terrestrial habitat, but this is considered to be a low impact given the distances involved and can be compensated for via the Ecological Mitigation Plan.

As the development won't have an unduly harmful impact on habitats of particular significance, or on protected species, there is no objection to the proposals, subject to conditions, based on ecological matters.

Impact on neighbours amenities

The nearest neighbouring properties to the residential development are those located on the north side of Creynolds Lane and will face the development. The dwellings would be separated by a distance of some c35m. Although the development would result in a significant change to the outlook presently enjoyed by these properties, this is more a matter of the 'loss of a view' which is not a matter that any significant weight can be given to. The resulting relationship (i.e. dwellings facing each other with a road in between) is a very common relationship and it is not considered that this would create a situation that is overbearing or otherwise substandard.

The golf academy would be some 140m from the houses on the opposite side of Stratford Road and 130m from the location of the bunding and fencing. At these distances it is not considered that the development would appear as an overbearing feature.

Flooding/Drainage

The river Blyth runs through the golf club site some 350m south of where the academy is to be provided and some 500m south of the proposed residential development.

The site is located in flood zone 1. This means that the site is beyond the 1:1000 year flood event contour.

The application was submitted with a Flood Risk Assessment (FRA) that has been considered by the Environment Agency. They initially raised an objection to the proposal because the FRA was not robust enough to demonstrate that flood risk will not be increased elsewhere by ensuring the satisfactory storage of/disposal of surface water from the site.

A revised FRA was submitted which dealt with the deficiencies of the earlier submission and the EA have withdrawn their objection.

Other Examples of Enabling Development

A recent example of an enabling development that has been approved in the Borough relates to the site at the Old Sils off Warwick Road near junction 5 of the M42. This related to a development of a 60 bed care home on a 0.52 ha site – this was previously developed land and included the replacement (albeit larger) of an existing building. The returns from which are funding the refurbishment & extension of the existing clubhouse. As part of the package the club are to take on Community Amateur Sports Club (CASC) status. This requires open membership to all and any fees are set at a level that does not pose a significant obstacle to membership or use of the club's facilities.

National Planning Casework Unit (NPCU)

If permission is to be granted, then the application would first have to be referred to the NPCU to give the opportunity for the Secretary of State to decide whether he should call the application for determination by himself.

CONCLUSION & BALANCING EXERCISE

For planning permission to be granted the VSC must clearly outweigh the harm to the Green Belt and any other harm.

In this instance it is considered that the academy can be considered as meeting a planning objective to open up access to the sport – particularly for those with a disability. This can be afforded significant weight.

The harm to the Green Belt is caused by inappropriateness; impact on openness; and being contrary to the purposes of including land in the Green Belt. This harm is considered to be substantial & severe when taking into account the academy building and the residential development.

In balancing these elements in is not considered that the harm is outweighed by the VSC and therefore permission should not be granted.

Furthermore, it has not been demonstrated through a robust viability analysis that the proposed enabling development is the minimum necessary to deliver the anticipated benefits, which together with an inefficient use of land would result in a greater incursion in to the Green Belt that would be otherwise necessary.

Had the two components been the subject of separate applications, it would have been necessary to carry out the above balancing exercise twice, although any cumulative impact would have also needed to have been taken into account. Had an application been made for the academy building alone, it is considered that the more limited harm that it produces would have been outweighed by the very special circumstances (if it had been possible to deliver the academy building and associated enterprise).

Other areas addressed in the assessment namely landscaping; ecology; transportation; neighbour amenities; and flooding/drainage do not raise any issues of concern to warrant refusal of the application. The determination therefore falls squarely on the Green Belt balancing exercise.

RECOMMENDATION

That the application be refused for the following reasons:

- 1 The proposed development of the golf academy and residential development amount to in appropriate development in the Green Belt. This causes harm by definition, harm to openness and contrary to the purposes of including land in the Green Belt. Taken cumulatively this amounts to severe & substantial harm. It is not considered that the circumstances put forward in support of the proposals clearly outweigh

this harm and therefore they do not amount to the Very Special Circumstances that would need to be demonstrated in accordance with the NPPF and Policy P17 of the adopted Solihull Local Plan if the presumption against inappropriate development in the Green Belt is to be overcome. The proposed development is therefore contrary to the NPPF and Solihull Local Plan (Policy P17).

- 2 It has not been demonstrated through a robust viability appraisal and assessment of site density that the release of a 3.06 ha site from the Green Belt to provide up to 57 dwellings is the minimum necessary to provide the enabling development required to fund the golf academy (were it to be considered that very special circumstances referred to in reason 1 had been demonstrated). The proposed development is therefore contrary to the NPPF and Solihull Local Plan (Policy P17).