



Report of: **Corporate Director of Place & Community**

Contact for further information:

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SUBJECT: PLANNING APPLICATION REF: 2022/0670/FUL

PROPOSAL: Change of use of agricultural area to leisure use as golf practice area including green, nets and lighting (retrospective)

APPLICANT: Hurlston Hall Trading Ltd

ADDRESS: Hurlston Hall Golf Club, Hurlston Lane, Scarisbrick

REASON FOR CALL IN: Application has been called in by Cllr Fowler to consider impact on the greenbelt and surrounding vista and over development

Wards affected: Scarisbrick

1.0 PURPOSE OF THE REPORT

1.1 To advise Planning Committee on an application which seeks retrospective planning permission for the change of use of agricultural area to leisure use as golf practice area including green, nets and lighting.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

2.1 That the application be granted subject to conditions

3.0 THE SITE

3.1 Hurlston Hall Golf and Country Club is located off the A570 Southport Road. A private access road, Hurlston Lane, leads to a golf course, clubhouse, driving range and leisure facilities associated with the business.

3.2 The application site comprises approx. 700sqm of land located to the west of the private access road.

4.0 PROPOSAL

- 4.1 The application is retrospective in form and proposes the change of use of the land to a golf practice area to be used as a practice facility for golfers and enhanced tuition opportunities. The area has been landscaped to provide two practice greens and bunkers. Two practice nets and three tee mats have been located in the northern corner of the site close to the walkway leading to the first tee of the golf course.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2022/0873/FUL - Relocation of existing maintenance yard onto land to west of driving range. Existing track and storage area. Track has been resurfaced with additional gravel. Site area formerly used to store gravel, soil and sand for use on golf course. Area has had the existing drains cleared and permeable hardcore added to aid drainage - Pending consideration
- 5.2 2022/0669/FUL - Retrospective Planning Application of Site No 4 for Change of use of area between ponds and the erection of the marquee for use as a holistic studio - Pending consideration
- 5.3 2022/0668/FUL - Retrospective Planning Application of Site No 2 for Change of use of agricultural land to recreational use providing Football pitch, lighting and changing room and toilet facilities - Pending consideration
- 5.4 2022/0667/FUL - Retrospective Planning Application of Site No 1 for change of use from agricultural land to archery range and storage shed and Multi function shelter - Pending consideration
- 5.5 2022/0666/FUL - Extension to the Driving Range and Golf Shop Building to provide swing suite and golf fitting areas, ball dispensing and collection and enhanced driving range bays and provide new state of the art driving range with all weather surface and ball collection - Pending consideration
- 5.6 2022/0553/FUL - Retrospective Planning Application of Site No 3 for conversion of the bowling green into two padel courts and a tennis court with maintenance and sports storage shed - Pending consideration
- 5.7 2022/0283/FUL - Resurfacing of the existing range with Tiger Turf and reconfiguration of existing surface water drains - Pending consideration
- 5.7 2018/0245/FUL - Alterations to site entrance and signage at entrance to Hurlston Hall Golf Club - Granted
- 5.8 2016/0519/FUL - New site entrance and signage at entrance to Hurlston Hall Golf Club - Refused
- 5.9 2014/0158/NMA - Non-material amendments to planning permission 2012/1161/FUL - Granted
- 5.10 2012/1161/FUL - Two storey extensions and refurbishment of existing club house and function rooms - Granted
- 1.4 2009/1218/FUL - Single storey extension to front elevation of the existing driving range building - Granted

6.0 OBSERVATION OF CONSULTEES

6.1 None received at time of writing.

7.0 OTHER REPRESENTATIONS

7.1 None received at time of writing.

8.0 SUPPORTING INFORMATION

8.1 Design and Access Statement
Ecological Appraisal

9.0 RELEVANT PLANNING POLICIES

9.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 Development Plan Document provide the policy framework against which the development proposals will be assessed.

9.2 The site is located within the Green Belt as designated in the West Lancashire Local Plan 2012-2027 DPD.

9.3 **National Planning Policy Framework**
Promoting healthy and safe communities
Achieving well-designed places
Protecting Green Belt land

9.4 **West Lancashire Local Plan Policies**
SP1 - A Sustainable Development Framework for West Lancashire
GN1 - Settlement Boundaries
GN3 - Criteria for Sustainable Development
IF2 - Enhancing Sustainable Transport Choice
EN2 - Preserving and Enhancing West Lancashire's Natural Environment
EN3 - Provision of Green Infrastructure and Open Recreation Space

Supplementary Planning Document - Design Guide (January 2008)

Supplementary Planning Document, Development in the Green Belt (October 2015)

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

10.1 The main considerations for this application are:

Principle of development - Green Belt

10.2 The National Planning Policy Framework (NPPF) is a key material consideration in assessing the principle of the development. Local Plan policy EN3 states that "Appropriate development for outdoor sports and recreational facilities will be permitted in the Green Belt in accordance with national policy".

10.3 Paragraph 150 in the NPPF states that certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. One such form of development is: e) material changes of use of land (such as changes of use for outdoor sport and recreation, or for cemeteries and burial grounds).

- 10.4 Paragraph 149 states that “A local planning authority should regard the construction of new buildings as inappropriate in Green Belt.” There are 7 exceptions to this rule including "b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it".
- 10.5 The proposed use for the land as golf practice area is considered to be an outdoor sport and recreation use and therefore the principle of the development is acceptable. Due to the siting and low level density and nature of the development it is considered the creation of bunkers and practice green would not adversely impact on the openness of the Green Belt and would not conflict with purposes of including land within it.
- 10.6 On that basis it is considered that the proposal complies with the requirements of the NPPF and local plan policy GN1.

Design/Layout/Impact on residential amenity

- 10.7 Policy GN3 along with the Council's SPD Design Guide requires that new development should be of a scale, mass and built form, which responds to the characteristics of the site and its surroundings. In addition Policy GN3 allows development provided it retains or creates reasonable levels of privacy, amenity and sufficient garden/outdoor space for occupiers of the neighbouring properties.
- 10.8 The changes to the appearance of the site are minimal as much of the land remains as grassland with low-lying bunkers. The practice nets are lightweight in form and sited towards to the northern corner of the site where existing trees provide screening. The proposal sits in close proximity to the existing golf course and is in keeping with the appearance of that existing use.
- 10.9 Due to the position of the development in relation to the nearest residential properties and having regard to the proposed use of the land it is considered that there would be no adverse impact on the amenity of any residential property as a result of noise or disturbance due to the proposed floodlighting.
- 10.10 On that basis it is considered the development would comply with the relevant requirements of local plan policy GN3.

Highways

- 10.11 Policy GN3 of the West Lancashire Local Plan 2012-2027 DPD states that development should incorporate suitable and safe access and road layout design in line with latest standards. Parking should be provided in accordance with policy IF2.
- 10.12 The proposal forms part of the Golf and Country Club which is served by a large car park located to the north of the application site and accessed via the existing private road. It is considered that no additional parking is required to serve the proposed golf practice area and that the development would comply with the requirements of local plan policies GN3 and IF2.

Ecology

- 10.13 Policy EN2 (1) of the WLLP states that where there is reason to suspect that there may be a priority species, or their habitat, on or close to a proposed development

site, planning applications should be accompanied by a survey assessing the presence of such species and, where appropriate, making provision for their needs. This allows the LPA to screen the project against the Habitats Regulations and relevant national and local policy.

- 10.14 It is noted that the application has been accompanied by Preliminary Ecological Appraisal Report dated April 2022. Within the report it is stated that surveys took place on 29th March 2022. The recommendation is for presence/absence surveys to be undertaken in respect of Great Crested Newts at all ponds in 250 metres of the site.
- 10.15 Notwithstanding the above recommendation the application is retrospective in form has been received as a result of enforcement investigations. The application form confirms that works began in April 2021 and were completed in July 2021.
- 10.16 The development was therefore undertaken and completed approximately eight months prior to the preliminary survey taking place. The submission does not propose any additional works at this time. On that basis it is considered that any potential impact on Great Crested Newts or any other protected species would have already taken place prior to the submission of this application. If any disturbance or harm to protected species has taken place appropriate action can be taken under the relevant legislation which is outside of the planning regime.

Drainage

- 10.17 The site is located within Flood Zone 2 and the submission has been accompanied by drainage documentation including a Flood Risk Assessment. The submission has been considered by the Council's drainage engineer who raises no objection to this application and it is considered the impact on flood risk due to the proposed development to be negligible.

11.0 CONCLUSION

- 11.1 The principle of the proposed development in the Green Belt is considered to be acceptable. The design and layout of the development would be in keeping with the existing Golf and Country Club uses of the wider site and the proposal is not considered to have any significant adverse impacts on highway safety, neighbouring amenity, drainage, ecology habitat or protected species. I therefore consider that the proposal satisfactorily meets the requirements of Policies GN1, GN3, IF2 and EN2 of the West Lancashire Local Plan 2012-2027 DPD.

12.0 RECOMMENDATION

- 12.1 That any planning permission granted by the Director Of Place And Community subject to the following conditions:

1. The development hereby approved shall be carried out in accordance with details shown on the following plans:

Plan reference A06 and 5A 500 revA received by the Local Planning Authority on 7th July 2022.

Reason: For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

13.0 SUSTAINABILITY IMPLICATIONS

13.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder.

14.0 FINANCIAL AND RESOURCE IMPLICATIONS

14.1 There are no significant financial or resource implications arising from this report.

15.0 RISK ASSESSMENT

15.1 The actions referred to in this report are covered by the scheme of delegation to officers and any necessary changes have been made in the relevant risk registers.

16.0 HEALTH AND WELLBEING IMPLICATIONS

16.1 There are no health and wellbeing implications arising from this report.

Background Documents

In accordance with Section 100D of the Local Government Act 1972 the background papers used in the compilation of reports relating to planning applications are listed within the text of each report and are available for inspection in the Planning Division, except for such documents as contain exempt or confidential information defined in Schedule 12A of the Act.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, no Equality Impact Assessment is required.

Human Rights

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from Article 8 (the right to respect for private and family life, home and correspondence) and Article 1 of Protocol 1 (the right of peaceful enjoyment of possessions and protection of property).

Appendices

None.