

**Application Ref:** 17/01432/FUL

**Proposal:** Change of use from leisure land as an 18 hole golf course (ceased in 2015); to leisure land with 17 holiday lodges/caravans and associated development (part-retrospective)

**Site:** Thorney Golf Club, English Drove, Thorney, Peterborough  
**Applicant:** Mr Morgan, Thorney Golf Centre Limited  
**Agent:**

**Referred by:** **Director of Growth and Regeneration**  
**Reason:** Level of public interest

**Site visit:** 18.08.2017

**Case officer:** Mr Nicholas Harding  
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**Recommendation:** **REFUSE**

**1 Description of the site and surroundings and Summary of the proposal**

**Site and Surroundings**

The application site comprises a small parcel of some 0.65 hectares of land which was formerly part of the wider Thorney Golf Club site, located on the northern side of English Drove. The site is currently laid over to scrub land, having formerly been landscaped as part of one of the holes associated with the Par 3 course of the Golf Club. There is a small single access track serving the site to the eastern boundary which appears to have been modified/extended prior to the submission of this application. Beyond the site to the north and west, the site has been reverted to agricultural land, used for arable crops.

The southern boundary of the site is formed by a 2 metre high close boarded fence with mature hedgerow comprising mature shrubs and trees beyond, albeit these trees were heavily pollarded in circa 2014. The Golf Club extends to the east of the site, beyond the access track.

The site is located within the open countryside, surrounded by arable fields. There are a small number of residential dwellings in proximity of the site, the closest of which is Elder House (immediately to the east of the site). Barroway House and White Hart House are also located in relatively close proximity, to the south-west of the site.

**Proposal**

The application seeks planning permission to change the use of the site to leisure land to allow the siting of 17no. holiday lodges and caravans. The use of land for the siting of such units would fall within Class C3 (residential dwellings) of the Town and Country Planning (Use Classes) Order 1987 (as amended) albeit the lodges/caravans are intended for holiday/leisure use and it is on this basis that the proposal has been considered (i.e. not unrestricted residential use). The proposal also includes associated hardstanding, internal roads and the widening of the existing vehicular access onto English Drove.

As the development has already begun (the access road has been widened in part and some hardstanding has been constructed), but not yet been completed, it is part-retrospective.

It should be noted that the lodges/caravans in themselves do not require the benefit of planning

permission as they do not fall within the definition of 'development' within the meaning of Section 55 of the Town and Country Planning Act 1990. The lodges/caravans, subject to adhering to the dimensions provided by the Applicant, would fall within the definition of a 'caravan', as defined within the Caravan Sites and Control of Development Act 1960 and Section 13 of the Caravan Sites Act 1986. Accordingly, they do not constitute operational development and it is only the use that may be considered as requiring permission.

It should also be noted that the extent of the application site boundary (the red line boundary) has been altered from that which was originally submitted in response to comments made by Officers. This change has reduced the extent of the application site to only contain the lodges and hardstanding proposed (previously additional open land to the north and east was included).

## **2 Planning History**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
92/P0127	Extension to car park (retrospective)	Permitted	28/01/1993
93/P0865	Installation of floodlights on driving range	Permitted	08/12/1994
94/P0083	Conversion and extension of existing building to form enlarged clubhouse	Permitted	23/03/1994
94/P0248	Extension of existing buildings to form members lounge as amended by plan no. 36893/107	Permitted	12/05/1994
96/P0191	Renewal of planning permission 93/P0865 for installation of floodlights	Permitted	02/05/1996
14/01786/FUL	Installation of ground mounted solar PV array	Refused	12/12/2014

## **3 Planning Policy**

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

### **National Planning Policy Framework (2012)**

#### **Section 3 - Rural Economic Growth**

Should be encouraged through sustainable growth and the expansion of business/ enterprise including sustainable rural tourism/leisure developments which respect the character of the countryside, via the conversion of existing buildings and well-designed new buildings. The retention and development of local services and community facilities should be promoted.

#### **Section 10 - Development and Flood Risk**

New development should be planned to avoid increased vulnerability to the impacts of climate change. Inappropriate development in areas of flood risk should be avoided by directing it away from areas at higher risk. Where development is necessary it shall be made safe without increasing flood risk elsewhere. Applications should be supported as appropriate by a site-specific Flood Risk Assessment, a Sequential Test and, if required, the Exception Test.

#### **Section 11 - Biodiversity**

Development resulting in significant harm to biodiversity or in the loss of/deterioration of irreplaceable habitats should be refused if the impact cannot be adequately mitigated, or compensated. Proposals to conserve or enhance biodiversity should be permitted and

opportunities to incorporate biodiversity into new development encouraged.

Development within or outside a Site of Special Scientific Interest or other specified sites should not normally be permitted where an adverse effect on the site's notified special interest features is likely. An exception should only be made where the benefits clearly outweigh the impacts.

The presumption in favour of sustainable development does not apply where development requiring Appropriate Assessment under the Birds or Habitats Directives is being considered or determined.

### **Peterborough Core Strategy DPD (2011)**

#### **CS14 - Transport**

Promotes a reduction in the need to travel, sustainable transport, the Council's UK Environment Capital aspirations and development which would improve the quality of environments for residents.

#### **CS16 - Urban Design and the Public Realm**

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

#### **CS20 - Landscape Character**

New development should be sensitive to the open countryside. Within the Landscape Character Areas development will only be permitted where specified criteria are met.

#### **CS21 - Biodiversity and Geological Conservation**

Development should conserve and enhance biodiversity/ geological interests unless no alternative sites are available and there are demonstrable reasons for the development.

#### **CS22 - Flood Risk**

Development in Flood Zones 2 and 3 will only be permitted if specific criteria are met. Sustainable drainage systems should be used where appropriate.

### **Cambridgeshire & Peterborough Mineral and Waste Core Strategy DPD (2011)**

#### **CS26 - Minerals Safeguarding Area**

### **Peterborough Planning Policies DPD (2012)**

#### **PP02 - Design Quality**

Permission will only be granted for development which makes a positive contribution to the built and natural environment; does not have a detrimental effect on the character of the area; is sufficiently robust to withstand/adapt to climate change; and is designed for longevity.

#### **PP03 - Impacts of New Development**

Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

#### **PP08A - (a) Tourism, Leisure and Cultural Uses in Villages/the Open Countryside**

Permission will be granted for development of an appropriate scale; which would support the local community; is compatible with the surrounding character / would not harm the open countryside; is easily accessible; and is supported by a robust business plan.

#### **PP12 - The Transport Implications of Development**

Permission will only be granted if appropriate provision has been made for safe access by all user

groups and there would not be any unacceptable impact on the transportation network including highway safety.

#### **PP13 - Parking Standards**

Permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

#### **PP16 - The Landscaping and Biodiversity Implications of Development**

Permission will only be granted for development which makes provision for the retention of trees and natural features which contribute significantly to the local landscape or biodiversity.

#### **PP17 - Heritage Assets**

Development which would affect a heritage asset will be required to preserve and enhance the significance of the asset or its setting. Development which would have detrimental impact will be refused unless there are overriding public benefits.

### **Peterborough Flood and Water Management SPD (2012)**

#### **Chapter 4 - Guidance on suite selection for sites within flood zones**

#### **Peterborough Local Plan 2016 to 2036 (Preliminary Draft)**

This document sets out the planning policies against which development will be assessed. It will bring together all the current Development Plan Documents into a single document. Consultation on this document took place between December 2016 and 9 February 2017. The responses are currently being reviewed. At this preliminary stage only limited weight can be attached to the policies set out therein.

#### **4 Consultations/Representations**

##### **Lead Local Drainage Authority (17.11.17)**

Objection – Before removing our objection the applicant needs to demonstrate that soakaways will work on site. Full infiltration tests and calculations demonstrating this must be submitted along with details showing the groundwater level, to make sure this won't interfere with the proposed drainage. Regarding the use of permeable paving on this site, we will need to see the details of the permeable paving along with a typical section showing the depth and materials proposed.

##### **PCC Tree Officer (28.11.17)**

No objections – It is requested that the roadside (southern) boundary planting is retained and adequately protected during the period of construction. Pruning may be required and ideally plots 1-8 should be moved further north to prevent shading. If the application is successful, request a condition regarding a detailed arboricultural method statement to ensure that the boundary trees are not harmed.

##### **PCC Wildlife Officer (22.11.17)**

No objections – Whilst no ecological assessment has been carried out, satisfied that the proposal is unlikely to impact on any protected species or habitats. External lighting should be directed to avoid illuminating the boundary hedgerow and strengthening planting should be secured.

##### **Thorney Parish Council (12.09.17)**

Objection – Whilst some additional details have been submitted in respect of this application to allow a better assessment of some of the matters raised in our original objection, there are areas which remain outstanding.

- There is no consultee representation in respect of Archaeology which seems to be an important omission given that an earlier application for the installation of ground mounted

- solar PV panels was refused on this basis. We recognise that this application differs from that but would anticipate that an archaeological report would be a requirement.
- We note that other consultee representations raise queries and suggest conditions (e.g. the Tree Officer). Please could we be provided with a copy of the responses you receive to these queries?
  - We would like to be informed as to what holiday-related activities may take place in relation to the proposed accommodation, together with an assessment of the possible noise levels that could be generated. This is to allow for assessment to be made as to the possible disturbance/invasion of privacy that these activities may have upon local residents.
  - We are aware that the site is to be well screened by vegetation and fencing which may (or may not) fully screen the lodges from view. Although lack of screening may not be a valid objection on planning grounds, we query the suggestion that a holiday lodge may have a terrace/balcony. Overlooking from such may constitute an invasion of the privacy of the residents of neighbouring properties.
  - Can we be informed as to how the site and its entrance will be illuminated? We would be pleased to see a lighting scheme that meets with the approval of the planning department. Again, this is requested in order that we can be satisfied that any lighting will not have a detrimental or disturbing impact on local residents.
  - The submitted documents contain a certain amount of content which is assumed to represent a Business Plan. We are not experts on this form of plan but would be grateful for the Council's advice as to whether or not the information submitted information constitutes a robust a viable plan on a long-term basis.
  - Is the Council satisfied that the holiday lodges/caravans will not be sold as full-time residential accommodation? What would be the procedure taken should it become apparent that any of the lodges are being used as permanent residences?

#### **GeoPeterborough (Sites Of Interest)**

No comments received.

#### **Environment Agency (31.08.17)**

No objections – Should the proposal satisfy the requirements of the Sequential and Exceptions tests, no objections provided the flood mitigation measures set out in the Design and Access Statement (i.e. floor levels no less than 1 metre above ground level) are secured by condition.

#### **PCC Minerals and Waste Officer (08.11.17)**

No objections – The site lies within a Mineral Safeguarding Area however the Minerals and Waste Core Strategy states that developments for outdoor recreation facilities (e.g. golf courses) are excluded from the need to consult with the Minerals Planning Authority.

#### **PCC Archaeology Services (08.11.17)**

No objections – The site lies within an area which may contain buried remains including wetland peaty deposits. Insufficient information regarding groundworks has been provided and to ensure that no harm results to undiscovered buried remains, request a condition securing an archaeological watching brief.

#### **PCC Peterborough Highways Services (08.11.17)**

No objections – The revised access would be of sufficient width to accommodate the movement of the lodges as well as service vehicles/deliveries and there is adequate vehicle-to-vehicle visibility which allows emerging drivers to see approaching traffic. Request a condition which requires that the widened access be installed prior to commencement of development, and has a gradient of no steeper than 1:15 for the initial 10 metres.

## Local Residents/Interested Parties

Initial consultations: 6

Total number of responses: 25

Total number of objections: 25 (one of which is the Parish Council)

Total number in support: 0

Two rounds of public consultation have taken place. The first related to the original submission, during which 24no. objections were received on the following grounds:

- Broadly support the introduction of accommodation if it means that the golf course and site can thrive as a local business.
- This development is a blueprint many other courses have successfully followed, and you need only look at the Wyboston Lakes site to see it can be done well.
- Concerned about the potential for additional noise from the site.
- Concerned about the impact on through traffic on English Drove which, at present has no footpaths. Note that the Local Highway Authority raises no objections and suggests that there will be no significant impact on the road. However in future it can be assumed that there will be more lodges built.
- Concerned that the submitted Design and Access Statement appears to contain a thinly veiled threat to sell the site to travellers if the application fails. The tone of this statement is somewhat bullish and dismissive of the objections of many of the interested local parties – surely not a good way to go about appeasing their perfectly valid concerns?
- The concerns of the Parish Council are fair and valid. Not least of which is the lack of a clear business plan, and the contradictory statements that the lodges will be for occasional use. The Thorney Golf Club website is patently advertising the lodges for 365 day use.
- The application contains a number of errors, omissions and contradictions. [The objector has provided a considerable and lengthy list of these however Officers are not presenting them. They have been fully considered during the determination of this application].
- The submitted site plan is deficient for a number of reasons as follows:
  - The red line boundary includes some roadway that the Applicant would like to claim and exclude some hedgerow he would rather disown.
  - No information regarding visibility splays has been included.
  - A small brick building has been started on the site but not included in the drawings.
  - The waste storage area is not shown.
  - The drawing does not include site levels.
  - The drawing does not include the 205 metres of close boarded fencing erected.
  - The area of land to the north of the site is shown as golf course, it is agricultural field.
  - No parking spaces appear on the site plan.
  - Drainage should be shown.
  - The drawing does not show an LPG tank compound and safety clearances to other structures, proposed or existing.
  - None of the overhead wires crossing the site are shown.
- Items missing from the application include: site-specific Flood Risk Assessment; Environmental Impact Assessment; biodiversity checklist; business case; fire risk assessment; road traffic survey; details of landscaping/planting; lighting assessment; television aerials.
- The proposal makes no reference to electric car charging points, cycle parking, disabled parking or any mention of renewable energy or rainwater harvesting. This is contrary to Policy CS10.
- Biodiversity on the site has already suffered from the removal of large mature trees and damage to the hedgerow prior to this application. No reference is made to the planting of new trees or hedges and the existing fence is a clear impediment to the movement of wildlife. The Wildlife Officer comments are noted however no reference is made to a site visit.
- Has the Tree Officer visited the site to see the newly erected fence and the damage that has taken place? He is suggesting pre-commencement tree protection measures yet development has begun. Root damage has already occurred.
- The application displaces approximately 2 hectares of agriculture which constitutes a carbon

- sink in the order of half a tonne of carbon dioxide per annum that will be lost.
- The application is some 300m from the nearest lake which puts it within the radius of requiring a Great Crested Newt survey.
- English Drove currently has 26 homes along its 2 and a quarter mile length. The proposal therefore represents a 2/3 increase, assuming that no more lodges are proposed.
- English Drove is, at times, a busy, fast and dangerous road used by heavy agricultural machinery as well as private cars. It does not need any more traffic.
- There is only one water main along the road to meet the needs of both residents and agriculture. The proposed increase might well be outside its capacity.
- 17 lodges, each with 3 bedrooms constitutes 40-50 more people living in Thorney. Local services, especially the Doctor, are already under increasing pressure from extra housing in the village.
- Apart from a café and bar, the golf club has limited facilities to support the development and the nearest facilities in Thorney involve a car journey.
- The local landscape is flat and open with sporadic housing. Densely packed lodges and long runs of close boarded fencing are not compatible with this or enhance it.
- How can the fencing off of 5 acres of farmland and covering it in lodges not constitute harm to the open nature of the countryside?
- The site is not easily accessible by anything other than private car.
- As a brick building has been started on site, but not included on this application, Policy PP8 requires that a business plan be provided.
- None of the requirements of Policy PP8 are met by this proposal.
- Densely packed lodges are not in keeping with, or sensitive to, the surrounding landscape which is contrary to Policy PP20.
- In the event these lodges are granted, should the Council not be seeking Section 106 monies to alleviate the infrastructure pressures?
- If the development discharges directly into the drain, 2 hectares of storm water storage will be lost which will increase flood risk downstream.
- The lack of a site-specific Flood Risk Assessment is a reason for refusal under paragraph 102 of the NPPF, despite the comments of the Environment Agency.
- The assertions of the Applicant in regards to flood risk are incorrect. They site has previously flooded.
- The proposal does involve excavations which would harm the archaeological potential of the site, which is proven.
- Insufficient information regarding the level of parking proposed has been provided. There is concern insufficient parking is proposed which may lead to overflow parking on English Drove which would be dangerous.
- The proposal poses an unacceptable fire risk which has not been considered.
- No evidence has been provided to demonstrate the economic viability, or otherwise, of the Golf Course.
- The proposed lodges would cause loss of privacy to my home (property along Black Drove) and I would lose the right to enjoy not only my privacy, but a quiet and safe environment.
- The proposal will hugely dominate the area.
- The proposal would result in the permanent loss of high grade agricultural land.
- Noise disturbance will result to local residents during unsociable hours.
- The lodges will conflict with the character of the area and the quiet country rural road.
- The road system is inadequate to accommodate the development. The increase in traffic generated by the lodges along with vehicles travelling in excess of 60mph and coming across vehicles turning into the site will be a hazard.
- The proposal will affect listed buildings.
- The lack of demand in this location for the golf club use will inevitably lead to the lodges being used for permanent residences/lettings.
- Insufficient public consultation has taken place.
- Loss of trees.
- Fear that the site will end up being a run-down caravan site attracting a different type of clientele than those proposed.

A revised consultation has taken place following revision to the red line boundary of the application site and submission of additional supporting information. Two letters of objection were received during this time from persons who had previously raised objection. The only additional comments made (not set out above) are as follows@

- Whether the submitted flood risk assessment is adequate or not, I (resident of English Drive) am not in a position to judge. However, the site has flooded in the past and 1 metre minimum heights for floor levels should be enforced as they would be elsewhere.
- The Applicant is now stating that each lodge will have its own dedicated under-lodge soakaway but these are not in the original application as claimed. These soakaways need to be put into both the application and the revised plan. In addition, the Applicant needs to explain why they have not been built under the 3 bases that have already been built on the site.
- Some business information has been submitted but this does not show the demand for the development or that the facilities provided would constitute a viable business proportion on a long-term basis, as required by Policy PP8 of the Council's Planning Policy DPD. In particular, it does not detail how the revenue from sales or rental income will be re-invested into Golf Club facilities.
- The submitted tracking diagram is incomplete and misleading. The size of lorry shown is smaller than the sizes of the proposed lodges. In addition, we need to see that loaded lorries can turn into and out of the site. WE (resident of English Drive) do not want to see the lodges unloaded onto English Drive.
- The revised plan shows a 7 metre wide entranceway but foundations already installed show less than this.
- The revised site boundary is noted however it is not clear as to how this new boundary will be physically demarcated on site.
- The revised site boundary presents new problems as the new fencing/hedgerow is outside the boundary. Therefore, this should be removed from the application.
- The red line boundary does not include the brick hut whose base was cast on site earlier this year. How will this get enforced?
- The lodges are still being advertised as for permanent residential use which, under national planning practice guidance, falls within the 'highly vulnerable' flood risk which should not be permitted within Flood Zone 3.

## **5 Assessment of the planning issues**

The main considerations are:

- Principle of development
- Flood risk and drainage
- Access and highway implications
- Neighbour amenity
- Archaeology
- Minerals and Waste Safeguarding
- Trees

### **a) Background**

During the course of this application, there has been some discussion regarding the lawful planning status of the application site as existing. This has been clarified following an amendment to the red line boundary of the application site which is now reduced from that which as originally submitted.

It is established without question that the application site was formerly in use as part of the Par 3 course of Thorney Golf Club albeit this use ceased in 2015. The Applicant has confirmed that the majority of this wider site (i.e. the land which abuts the application site to the north and west) was then reverted to agricultural land in July 2016 and this remains the use at present. However, the application site does not appear to have been subject to this change of use. As such, it is the view of the Local Planning Authority that the lawful use of the site at present is as a golf course (Class

D2).

As detailed within Section 1 above, the development has already begun but is not yet complete, thereby making this application part-retrospective. On 12 July 2017 the Local Planning Authority took the action of serving a Stop Notice which came into force on 18 July 2017. This notice (and the related Enforcement Notice) was subsequently withdrawn on 24 November 2017.

Notwithstanding this, the application must be considered on its own merits and the unauthorised development that has taken place cannot form part of the consideration of this application. In addition, only that development which is proposed may be considered at this time. Any works which have taken place without the benefit of permission, which are not included within this application cannot be considered.

#### **b) Principle of development**

Policy PP8 of the Peterborough Planning Policies DPD (2012) is the starting point in considering whether the principle of the proposed development is acceptable. This policy states that planning permission for the development of tourism and leisure uses, such as that proposed, will be granted provided that a number of criteria are met. Accordingly, assessment (set out below) must be undertaken of those criteria before determining if the principle is acceptable. This policy is considered to be in line with the provisions of paragraph 28 of the National Planning Policy Framework (2012) which supports sustainable rural tourism and leisure developments that benefit businesses in rural areas.

##### *i) Scale of development*

The policy requires that the development be consistent in scale with its rural location and should not have unacceptable impacts upon the environment. Turning first to scale, the proposal seeks to develop a relatively small area of a wider parcel of land immediately adjacent to the existing Golf Club. Whilst the level of physical development visible, consisting of the 17no. lodges/caravans and associated hardstanding, would be more obvious within the historic context of the site and its surroundings, particularly given the site's long-established soft landscaping of the golf course, it is considered that the overriding scale would not be visually dominant or obtrusive. Subject to appropriate mitigating landscaping on land within the Applicant's ownership but not within the red line application boundary (to the north of the lodges proposed), it is considered that the overall degree of impact to the visual amenity of the surrounding countryside would be limited. Accordingly, the scale is considered appropriate.

With regards to environmental impacts, the issue of drainage and flood risk is discussed in detail below. In terms of ecology, the application has not been accompanied by any form of ecological assessment or survey. Notwithstanding this, the City Council's Wildlife Officer has advised that the ecological potential of the site is low, and he is satisfied that the proposal is unlikely to impact upon any protected species or habitat. There is some potential for the proposal, which is likely to include external lighting, to impact upon bat foraging surrounding the existing hedgerows within the locality, however this could be appropriately conditioned to ensure no unacceptable levels of light reach this ecological features. In this respect, it is considered that the proposal would not give rise to unacceptable environmental impacts.

Taking the above into account, this criteria of Policy PP8 is considered to be met.

##### *ii) Impact to local services and facilities*

It is not considered that the proposal would have an unacceptable detrimental impact upon the existing local services and facilities, primarily located within the nearby settlement of Thorney which is some 2km from the site (driving distance to the village centre). The lodges/caravans proposed would be for holiday accommodation, not permanent residential dwellings, and as such, no additional demand for doctors, dentist or school places would arise. Suitable restrictive conditions could be imposed upon the development to ensure that the lodges/caravans are retained solely for holiday accommodation, thereby preventing future unrestricted residential use. In addition, it is acknowledged that the proposed lodges may result in increased revenue to the shops and public houses located within Thorney albeit the exact level of this cannot be determined

accurately. On this basis, this criteria of Policy PP8 is considered to be met.

It is noted that the Applicant has proposed that the development would seek to enhance and sustain the existing Golf Course, providing indicative financial information as to how much money could be brought into the existing facility. However, none of the information provided is detailed and does not include any evidence to demonstrate that these figures are realistic. Accordingly, it cannot be concluded that the proposal would result in a benefit of local facilities.

iii) *Character and appearance of the landscape*

The policy requires that the development be compatible with, or enhance the character of the landscaping in which it would be situated. The landscape character of the fens, within which the application site is situated, is primarily formed by vast open arable fields interspersed with delineating hedgerows and drains, with some sparse trees. The immediate character of the site is somewhat different from this overriding character however, by virtue of the landscaping associated with the existing Golf Course (which includes undulations, vast grassed areas and significant tree coverage).

As set out above, within the wider locality the application site is not readily visible owing to the established existing hedgerows which surround the wider parcel of land (along English Drove to the south and Black Drove to the west). Accordingly, the proposed lodges/caravans would not appear visually prominent or obtrusive. Owing to flood risk mitigation (set out below), the lodges would stand at 1 metre above ground level. Their maximum height would not exceed 3.48 metres internally (as this is the stipulation for meeting the definition of 'caravan' within the Caravan Act) and the overall maximum height could be conditioned accordingly. Taking this into account, it is not anticipated that the lodges/caravans would exceed 4.5 metres above ground level. Furthermore, subject to the provision of the proposed additional landscaping to the northern boundary (in the form of a native hedgerow), the proposal would to some degree enhance the existing character of the locality by providing an appropriate and sympathetic boundary treatment where one does not currently exist. The proposal would also bring about the redevelopment of a parcel of land which is currently set to scrub, where some degree of harm to the visual amenity of the locality exists at present.

To ensure that the lodges/caravans themselves are of an appropriate and sympathetic design/appearance, it would be prudent to require the elevation treatment/design to be submitted and approved by the Local Planning Authority. This approach is commonplace in many permissions granted for such development and would ensure that the overall appearance of the lodges was appropriate in the context of the site thereby preventing undue harm from arising to the local landscape context.

On this basis, it is considered that the proposal would not result in unacceptable harm to the character or appearance of the surrounding area or its landscape, and accordingly this criteria of Policy PP8 is met. Furthermore, the proposal would not be contrary to policy PP20 of the Peterborough Planning Policies DPD (2012).

iv) *Open nature of the countryside or designated sites*

The matter of impact to the open nature of the countryside is intrinsically linked to the impact of the proposal in terms of the character and appearance of the landscape. This is discussed in detail above. Furthermore, the site and its surroundings are not designated natural or heritage assets and therefore, this does not apply. Accordingly, this criteria of Policy PP8 is deemed to be met.

v) *Accessibility*

This part of the policy requires that the development be easily accessible, and indicates a preference for this to be by public transport. It is clear that this is not the case for the application site as there are no bus stops or services which run along English Drove or indeed the wider area. Accordingly, the proposal would be entirely reliant upon trips by private car. However, this is also true of the adjacent Golf Course which has been in situ for a considerable number of years. Furthermore, there are numerous examples across the country whereby rural tourism and leisure

facilities are not served by public transport and they could not readily or acceptably be accommodated within or close to existing settlements. Accordingly, whilst the proposal fails this criteria of Policy PP8 it is not considered to be a factor for which the proposal should be resisted.

vi) Business plan

This criteria of the policy relates to the construction of a new building only. As the proposed lodges/caravans do not constitute 'operational' development, and the hardstandings/access road are not buildings, it is not considered that this criteria is applicable to the proposal.

Conclusion

Taking all of the above into account, and notwithstanding that the proposal fails to be 'accessible' as defined by the policy, it is considered that the proposal sufficiently accords with the provisions of Policy PP8 of the Peterborough Planning Policies DPD (2011) and paragraph 28 of the National Planning Policy Framework (2012) to accept the principle of development.

**c) Flood risk and drainage**

Flood risk

The application site is located within Flood Zone 3 which is at the highest risk of flooding. In accordance with the National Planning Policy Framework and the National Planning Practice Guidance, all applications for new development within these areas are required to be accompanied by a site-specific Flood Risk Assessment. No such assessment has been submitted with the proposal however the Environment Agency, the Statutory Consultee for such matters, has raised no objection in this regard as some flood information has been provided by the Applicant and the site is not located within an identified safety hazard area.

Notwithstanding this lack of Flood Risk Assessment, both national and local adopted policies require that development within Flood Zone 3 meet both the Sequential and Exceptions Tests. The Environment Agency do not comment on such matters (save for the safety aspect of the Exceptions Test) and it is instead the responsibility of the Local Planning Authority to determine whether a proposal is acceptable in these regards.

Turning first to the Sequential Test, it is a requirement that all new proposals demonstrate that the development could not be accommodated on available sites located within areas of lower flood risk – first being directed to Flood Zone 1 and then Flood Zone 2. The Applicant has undertaken such an assessment, identifying those sites which are currently available. It is considered appropriate that land allocated or available for residential dwellings be discounted, as the dwellings are required over and above the proposed holiday accommodation. In light of this, it is considered that the assessment undertaken is sufficient for the purposes of this exercise, and the Applicant has acceptably identified that there are no more sequentially preferable sites upon which the proposal could be accommodated. Accordingly, the Sequential Test is met and passed.

However, the proposal must also pass the requirements of the Exceptions Test which are broken down as follows (as set out in paragraph 102 of the National Planning Policy Framework):

- 1) it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk; and
- 2) a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere and, where possible, reduce flood risk overall.

Turning to the latter in this first instance, the matter of safety forms the basis of assessment by the Environment Agency. As detailed above, whilst no site-specific FRA has accompanied this proposal, the EA is content that sufficient information has been provided to demonstrate that the development would be safe for its lifetime. The proposal seeks to ensure that the finished floor levels of the lodges/caravans are set no lower than 1 metre above existing ground levels which would be sufficient to ensure, in an event of flooding, that the development would be safe. Subject to securing this floor level by condition (as required by the EA), it is considered that part two of the Exceptions Test is met.

With regards to the first part, the development is required to demonstrate that it would provide a wider sustainability benefit to the community that would outweigh the flood risk. The main crux of the Applicant's argument in this regard, is that the lodges/caravans, and the income that they would generate not only from their sale but also the ongoing rents/revenues throughout the year, would be used to sustain the existing Golf Course. The Applicant has provided some information in this regard however, despite requests from Officers, no robust, detailed or evidenced business plan has been provided. Officers consider that the information provided by the Applicant in support of their view is at best anecdotal. Whilst the Applicant has provided examples elsewhere, and within their ownership, of similar facilities, no evidenced financial information has been provided. As such, Officers are unable to corroborate the statements made regarding income generation. Furthermore, no information regarding the current finances of the Golf Course have been provided and as such, it cannot be determined with certainty that the Golf Course would struggle to survive without the income arising from the proposal. In light of this lack of information, it is considered that the proposal cannot demonstrate wider sustainability benefits to the community that outweigh the flood risk and as such, the proposal fails part one of the Exceptions Test.

It is considered that should the Applicant, through a future planning application, submit a robust and evidenced business plan, demonstrating that the income generated by the proposal would sustain a well-established leisure facility to the benefit of the rural area around Thorney, Officers would deem that the Exceptions Test was met.

Taking into account the above, as the proposal fails to meet the requirements of the Exceptions Test, it is considered to be contrary to Policy CS22 of the Peterborough Core Strategy DPD (2011), Chapter 4 of the Peterborough Flood and Water Management SPD (2012) and paragraphs 100, 102 and 103 of the National Planning Policy Framework (2012).

#### Drainage

The proposal, as first submitted, applied to a site area greater than 1 hectare which therefore meant that the proposal fell within the 'major' classification. In accordance with the National Planning Policy Framework, all major development must adopt Sustainable Drainage Systems (SuDS) and be subject to consultation with the Lead Local Flood Authority (in Peterborough this is the City Council's Drainage Officer). During the initial round of consultation, the Drainage Officer raised objections to the proposal as no information regarding surface water drainage was submitted. The Applicant has not provided clarification that all hardstandings would utilise soakaways, principally beneath the lodge/caravan bases. However, no details regarding the capacity of the land to allow infiltration have been provided and the Council's Drainage Officer has maintained his objections.

Whilst these concerns are noted, the level of physical development only extends to an area of 0.65 hectares and the amount of hardstanding is even less than this. Given the context of the wider area, and this relatively limited amount of development, it is not considered that the lack of permeability information could be sustained as a reason for refusal. The specific means of surface water drainage, which would need to include ground infiltration results, could be secured by condition and it is considered that this would be sufficient to ensure that surface water run-off was not increased from greenfield (undeveloped) levels.

#### **d) Access and highway implications**

##### Access

The application proposal has been revised to alter the width of the access into the site. At present, the access exists onto First Drove and has been used for a number of years by the Golf Course for maintenance vehicles. The proposal would intensify the use of this access, as it would not only be used by maintenance vehicles but also occupants of the 17no. proposed lodges/caravans. To accommodate this intensification, and the size of vehicles which would deliver/take away the lodges/caravans proposed, it is proposed for the access to be widened to no less than 7 metres for a distance of 10 metres from the back edge of the public highway. This then reduces to a width of

3 metres to serve the lodges/caravans themselves. To demonstrate that this access width is sufficient, the Applicant has provided tracking diagrams. The Local Highway Authority (LHA) has advised that this new access arrangement would be sufficient. Not only would it accommodate the delivery vehicles for the lodges/caravans but also refuse/emergency service vehicles and would allow two vehicles to pass one another. Accordingly, it is considered that the proposed access arrangement would be sufficient to accommodate the proposed use without posing an unacceptable danger to highway safety.

#### Highway implications

It is noted that a number of objections have been received from local residents in respect of the additional traffic generation arising from the proposal. It is accepted that at present, the site generates little traffic movement as it has only ever been a maintenance access. The proposal would clearly increase the amount of traffic entering/leaving the site and this would be notable to surrounding residents. However, the number of lodges would be limited to 17no. which would, at worst, result in one or two traffic movements per day. By virtue of the leisure/holiday use, these movements would not all arise during the same times and as such, the impact would be relatively spread out and not result in a peak as other uses might generate. The LHA has not raised any objections in this regard and it is considered that the level of traffic generated would not pose an unacceptable impact to the surrounding highway network .

#### Parking

Whilst the proposed lodges/caravans would be for leisure/holiday use, in planning-terms they would fall into the same use class as typical residential dwellings and it is on this basis that the parking demand is assessed. Whilst no specific details regarding the internal layout of the lodges/caravans proposed have been provided, it is not anticipated that the lodges would exceed 2 or 3 bedrooms each. Each plot proposed would provide parking for at least 2no. vehicles and this is accords with the Council's minimum adopted parking standards for dwellings of this size. With regards to visitor parking, no provision is to be made within the site. However, the site is associated with Thorney Golf Course and in the rare event that occupants would receive visitors, it is considered that this parking could be accommodated within the Golf Course's car park.

Taking all of the above into account, it is not considered that the proposal would result in an unacceptable impact to the surrounding public highway network, in accordance with Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

#### **e) Neighbour amenity**

A relatively large number of objections have been received from local residents in respect of the proposal, many of whom have expressed concern regarding the impact that the proposal would have upon their amenity. These concerns are noted, however the proposed lodges would be entirely contained within the site which is, or will be, screened from the surrounding public realm by fencing and natural hedgerows. Accordingly, the lodges would not be readily visible from those nearby properties, the closest of which are located to the south-west some 23 metres (boundary to boundary).

In terms of the general level of activity/noise arising from the proposal, it is acknowledged that the lodges would bring about additional noise/general disturbance by virtue of the number of lodges and potential occupants. This would clearly represent an intensification from the former use of the site as a golf course. However, it is not anticipated that the use would generate such a significant level of noise or general disturbance that undue harm would result to neighbouring occupants (except for during the construction period which could be managed by virtue of a condition securing a Construction Management Plan).

On this basis, it is considered that the proposal would not result in an unacceptable degree of harm to the amenities of neighbouring occupants and is therefore in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

#### **f) Archaeology**

The City Council's Archaeologist has advised that the application site is located within an area which may contain buried remains dating to the Mesolithic period (this has been demonstrated by recent past archaeological investigations). The site and its surroundings would have been deep fen in the past, becoming progressively wet from the Bronze Age period. Accordingly, the area may contain wetland deposits and peaty soils. The Archaeologist has advised that these deposits are an important archaeological resource in their own right but can also mask other archaeological activity. The proposed hardstandings and associated service may result in an adverse impact upon the water table and compromise the preservation of [potential organic deposits and as such, the Archaeologist advises that it is important to establish the presence/absence of such deposits.

Accordingly, to ensure that the proposal does not result in harm to potential undiscovered buried heritage assets, a condition regarding that all groundworks be carried out under archaeological supervision is considered necessary and appropriate. Subject to such a condition, the proposal is considered to be in accordance with Policy CS17 of the Peterborough Core Strategy DPD (2011), Policy PP17 of the Peterborough Planning Policies DPD (2012) and paragraph 128 of the National Planning Policy Framework (2012).

#### **g) Minerals and Waste Safeguarding**

The application site lies within an identified Mineral Safeguarding Area, as set out by the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (2011). However, the policy which governs this identifies that developments relating to outdoor leisure, including golf courses, are exempt. Whilst the proposal is not itself a golf course, that is deemed to be the lawful existing use of the site and it is on this basis, that the City Council's Minerals and Waste Officer has raised no objections to the proposal.

#### **h) Trees**

Along the southern boundary of the application site, as set out in Section 1 above, is a mature and established hedgerow which contains heavily pollarded mature trees. The City Council's Tree Officer has raised no objections to the proposal but has requested that further information be provided to ensure that no harm results to these trees which are considered to be of key value to the amenity of the locality. It is therefore considered necessary and appropriate to require an arboricultural method statement be secured by condition, to ensure that no harm results to these trees during the period of construction/operation.

In addition the Tree Officer has expressed some concern regarding the siting of some of the proposed lodges/caravans which may result in the requirement or future pressure to prune owing to shading. These concerns are noted however the lodges/caravans are not for permanent residential use and would be sited at least 5 metres from the hedge/tree line. Accordingly, it is considered that this pressure would be limited and in any event unjustified as the units are not to be permanently occupied by one person/family.

On this basis, it is considered that the proposal would not result in unacceptable harm to trees of key amenity value, in accordance with Policy PP16 of the Peterborough Planning Policies DPD (2012).

#### **i) Other matters**

In response to those objections received which are not discussed above:

- Fencing – The fencing that has been erected around the boundary of the wider site did not require the benefit of planning permission and does not form part of the current application.
- Brick building – Whilst some objectors have raised queries regarding the base and brickwork that has already taken place, this again does not form part of the current application.

- *Potential future expansion* – This application can only be considered on its own merits and potential future development cannot be taken into account. In the event that permission were to be granted, the Local Planning Authority would strictly condition the number of lodges/caravans permitted and any increase would require the submission of a further planning application which would be assessed against the provisions of the Local Plan in force at the time.
- *Permanent residential accommodation* – Again, the Local Planning Authority would strictly restrict the occupancy of the lodges/caravans if permitted to prevent unrestricted residential use.

## **6 Conclusions**

As set out in detail above, the principle of the proposed use is considered to be acceptable when considered against Policy PP8 of the Peterborough Planning Policies DPD (2012). However, this must be balanced against all other policies contained within the adopted Local Plan and other material planning considerations. Whilst the proposal has been considered acceptable in respect of highway safety, neighbour amenity, archaeology, drainage, trees and minerals and waste safeguarding, the proposal has failed to meet the requirements of the flood risk Exceptions Test. It is considered that the harm arising from permitting development within an area of flood risk without sufficiently robust justification, outweighs the benefits arising from the proposal and on this basis, the proposal is unacceptable.

## **7 Recommendation**

The Director of Growth and Regeneration recommends that Planning Permission is **REFUSED** for the follow reason:

- R 1 The application fails to adequately demonstrate, through the submission of a detailed, evidenced and robust business plan, that the development proposed is required to support and sustain the existing and well-established Thorney Golf Club. Accordingly, it has not been demonstrated that the proposal would result in an overriding wider sustainability benefit to the community that would outweigh the flood risks and the proposal fails to meet the requirements of the exceptions test. On this basis, the proposal is contrary to Policy CS22 of the Peterborough Core Strategy DPD (2011) and paragraphs 102 and 103 of the National Planning Policy Framework (2012).

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