

Item No 05:-

19/00611/FUL

**Cirencester Golf Club Ltd
Cheltenham Road
Bagendon
Cirencester
Gloucestershire
GL7 7BH**

Item No 05:-**Temporary siting of mobile home for 10 years for rural worker at Cirencester Golf Club Ltd Cheltenham Road Bagendon Cirencester Gloucestershire GL7 7BH**

Full Application 19/00611/FUL	
Applicant:	Cirencester Golf Club
Agent:	Avoca PLD
Case Officer:	Hannah Rose
Ward Member(s):	Councillor Jenny Forde
Committee Date:	10th July 2019
RECOMMENDATION:	REFUSE

Main Issues:

- (a) Essential Need for Rural Worker's Dwelling
- (b) Design and Impact on Character and Appearance of the AONB
- (c) Residential Amenity
- (d) Highway Safety

Reasons for Referral:

It is recommended that the application is refused. Cllr Jenny Forde has referred the application to the Planning Committee on the following grounds;

"I believe an essential need for a temporary mobile affordable home has been demonstrated. This 'hidden' mobile home is needed to support this thriving rural 'not for profit' business, to ensure its future and the security of its buildings."

1. Site Description:

The application site comprises a portion of land within the grounds of Cirencester Golf Club, located on Cheltenham Road in between Stratton and Perrots Brook. The site is located within the Cotswold Area of Outstanding Natural Beauty (AONB). The site is located outside a Development Boundary as designated in the Cotswold District Local Plan 2011-2031.

The site comprises a small parcel of scrubland adjacent to the service and maintenance area which is located in a sheltered valley, on a private track approximately 400m from the club house and parking area to the front of the site.

2. Relevant Planning History:

14/01962/FUL - Construction of replacement golf buggy shed. Permitted 25/06/2014

13/04770/FUL - Demolition of buggy store and erection of two detached dwellings with reinstatement of previous access (revised submission). Permitted 04/07/2013

13/01839/FUL - Demolition of buggy store and erection of two detached dwellings with reinstatement of previous access. Refused 23/11/2012

12/02848/FUL- Erection of extension and alterations and improvements to existing Club House. Permitted 17/08/2012

11/01808/FUL - Construction of a care village consisting of a 60 bed care home and 52 extra care units for the elderly (Use Class C2 Residential Institutions), located on the existing golf driving range area, the erection of a replacement clubhouse with altered parking layout and minor alterations to the existing vehicle access points, together with the relocation of the existing driving range building. Refused 18/10/2011

11/00515/FUL - Erection of single storey ancillary outbuilding. Permitted 26/04/2011

3. Planning Policies:

NPPF National Planning Policy Framework
 DS4 Open Market Housing o/s Principal/non-Pr
 H5 Dwellings-Rural Workers o/s Settlements
 EN1 Built, Natural & Historic Environment
 EN2 Design of Built & Natural Environment
 EN4 The Wider Natural & Historic Landscape
 EN5 Cotswold AONB
 EN15 Pollution & Contaminated Land
 INF4 Highway Safety
 INF5 Parking Provision

4. Observations of Consultees:

N/A

5. View of Town/Parish Council:

No comments received.

6. Other Representations:

Two letters of support have been received (from the manager of the club and from a member) stating that; (i) having someone living on the premises would deter burglars, and (ii) that the club has had difficulty in recruiting new staff and that the site is not in view and would not harm the AONB.

7. Applicant's Supporting Information:

Planning Statement dated 27/02/2019
 Additional Information dated 07/06/2019

8. Officer's Assessment:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The starting point for the determination of this application is therefore the current development plan for the District which is the adopted Cotswold District Local Plan 2011-2031.

The Council must also have regard to other material considerations when reaching its decision. In particular, it is necessary to have regard to guidance and policies in the National Planning Policy Framework (NPPF).

Proposal and Background

The golf course was established in 1909. The club operates an 18-hole golf course over an area of 57 hectares and provides social facilities in the clubhouse, with a function room available to hire.

Planning permission was granted in 2012 to refurbish and extend the existing clubhouse. In 2013, planning permission was granted by the Planning Committee for the erection of two dwellings on a portion of golf course on the grounds that the sale of the dwellings would fund the refurbishment and extension to the clubhouse. The dwellings have been constructed and the works to the clubhouse have been completed. It has become apparent as a part of this application that unauthorised staff accommodation had previously been available on the first floor of the clubhouse, but this was removed as a part of the refurbishment and extension to the clubhouse.

The applicant is now seeking planning permission for the temporary siting of a mobile home within the grounds of Cirencester Golf Club for a period of ten years. The mobile home is proposed to provide rural workers' accommodation for a greenkeeper employed to maintain the golf course. The mobile home would comprise a caravan measuring 12m by 3.7m.

(a) Essential Need for a Rural Worker's Dwelling

The application site is located outside a Development Boundary as designated in the Cotswold District Local Plan. New residential development in such locations is primarily covered by Policy DS4 (Open Market Housing Outside Development Boundaries and Non-Principal Settlements) which states that 'New-build open market housing will not be permitted outside Principal and Non-Principal Settlements unless it is in accordance with other policies that expressly deal with residential development in such locations'. Paragraph 6.4.3 of the new Local Plan states that 'housing for rural workers' can be acceptable in areas covered by Policy DS4. This is supported by Policy H5 (Dwellings for Rural Workers Outside Settlements) which states:

'Outside settlements, new dwellings for rural workers will be permitted where:

- a. It is demonstrated that there is an essential need for a worker to live permanently at or near their place of occupation in the countryside;
- b. A financial test is submitted to demonstrate the viability of the business proposed or as proposed to be expanded;
- c. A new dwelling cannot be provided by adapting an existing building on the holding;
- d. A suitable alternative dwelling to meet the essential need is not available on a defined development site within the 17 Principal Settlements or within a village or hamlet;
- e. The proposed dwelling is located within or adjacent to the existing enterprise or other buildings on the holding;
- f. The size of the proposed dwelling is proportionate to its essential need; and
- g. Occupancy is limited by way of planning condition or obligation.'

In addition to the above, it is necessary to have regard to national policy and guidance when considering the application. With regard to this application, it is of note that the proposed mobile home would be situated in the middle of the golf course, approximately 400m from the clubhouse and Cheltenham Road and can only be accessed via a private gravel track. The only existing buildings adjacent to the site are open, portal framed maintenance buildings. The site is therefore in an isolated position.

With regard to the golf club as a whole; there is a linear form of development along Cheltenham Road, but the site is outside of a settlement. There is a church within walking distance, but otherwise, the nearest services and facilities are in the Stratton which is approximately 1.6km on foot along Cheltenham Road, which does have a pavement and is a busy and fast A-road, and then uphill along Baunton Lane which is a narrow country lane without a pavement. It is acknowledged that there is a bus service that runs past the site, however, this bus service is hourly and only runs until the early evening. It is considered that the service would not encourage

any reduced reliance on private car usage. Overall, it is considered likely that the future occupier is unlikely to walk or cycle to these facilities and would rely on the private car. Taking account of the above, the site is considered to be situated in an isolated position in open countryside.

Paragraph 79 of the NPPF states that planning policies and decisions should avoid the development of isolated homes in the countryside unless special circumstances apply. One such circumstance can include 'an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside'.

The NPPF does not provide a definition of essential need. However, it is of note that Planning Inspectors still regularly have regard to the now revoked Annex A of Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7) when considering the essential need issue. The various tests set out in the aforementioned document represent a tried and tested methodology for assessing essential need and are still considered pertinent when assessing the current application. The guidance in Annex A of PPS7 is therefore still considered to provide a valid tool when considering the matter of essential need.

Paragraph 4 of Annex A stated 'a functional test is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night:

- (i) In case animals or agricultural processes require essential care at short notice;
- (ii) To deal quickly with emergencies that could otherwise cause serious loss of crops or products, for example, by frost damage or the failure of automatic systems.

In the case of the current application, it is evident that the proposal relates to a well-established business. The agent has submitted financial records from 2016 - 2017 which demonstrate that the club makes a small profit, but this is generally reliant on continued membership. An exceptional VAT refund was also received in 2017 which significantly increased profits that year. The applicant is seeking permission for a temporary mobile home in the form of a caravan in the first instance to gauge if interest from prospective greenkeepers increases, before considering a permanent new dwelling. The principle issue concerning this application is therefore whether there is an essential need for a mobile home on site, in response to Local Plan Policy H5(a) and having regard for PPS7(A) as guidance.

The agent claims that staff accommodation was provided on the first floor of the clubhouse "for some years" (without planning permission) before it was deemed unsafe by a fire officer and subsequently renovated and converted into a function room in 2014 (following planning permission 12/02848/FUL). It is not known how long the staff flat was occupied and which role the employee occupying the flat had at the club. Presumably, if it was essential for the functioning of the club to provide staff accommodation, the staff flat would have since been relocated. It can be reasonably assumed that there have been significant periods of time during which the staff accommodation was not occupied, the golf course had been functioning without a greenkeeper living on site.

Planning permission is now sought for the temporary mobile home for a greenkeeper in the hope that the club can attract a qualified and experienced greenkeeper, following difficulty to recruit an appropriately skilled worker, in order to maintain the competitive attractiveness of the club or existing and new members.

In the original submission the agent also sought permission for the home to act as a deterrent to burglars. However, within the additional information submitted on 07/06/2019, the agent concedes and agrees that it is not essential for a greenkeeper to live on site to provide security. Consequently, this reason will not be discussed in this report.

The agent states that despite advertising for experienced greenkeepers over the last few years, there was no suitable interest and the club had to recruit an unqualified person out of school and embark on a training/apprenticeship programme. The agent states that it is not feasible to run the

golf course with trainees and apprentices and considers that offering accommodation would make the job more appealing, in the hope that it would attract a skilled, experienced greenkeeper.

The agent has not detailed the specific roles of the greenkeepers but states that the greenkeepers begin working between 06:00 - 06:30 in busy summer months and 07:30 in winter months. The agent has confirmed that club employs six greenkeepers; five on a full time basis, year round. Generally, a greenkeeper is responsible for maintaining the turf on the course and surrounding landscaping and for the health and safety of the users of the course. It is considered that neither of these responsibilities requires a greenkeeper to be readily available day and night.

With regard to PPS7 (A), it is considered that the agent has failed to demonstrate that a greenkeeper must be on hand day and night to provide essential care of the club or course at short notice. There are also no apparent instances where being present to deal with a systems failure or other emergency could cause a serious loss of product (i.e. the golf course).

The agent also states that failure to maintain an attractive golf course would result in a loss of playing members and visitors and therefore the functioning of the business is heavily reliant on the availability of a skilled workforce. This is, however, the prospect of employers in all employment sectors and is not in itself sufficient to prove that there is an essential need for a worker to live on the site. The proposal therefore fails to accord with Local Plan Policy H5(a).

With regard to the remaining, relevant criteria of Policy H5; officers have enquired as to whether there are any existing buildings on the site that could be converted and the applicant has not demonstrated that this is not possible. In addition to the two five-bedroom dwellings permitted on the land of the golf course in 2013, which have presumably been sold as market dwellings, the clubhouse is large and may have potential to provide ancillary accommodation. Furthermore, the agent has not addressed the possibility of a suitable alternative dwellings being available in a nearby settlement, village or hamlet. However, Stratton and Cirencester are nearby which have a range of housing mix and tenure.

Overall, although officers understand the need to ensure the viability of the club, it is considered that an essential need cannot be demonstrated for the proposed dwelling. The proposal is therefore in conflict with Local Plan Policies DS4 and H5 and paragraph 79 of the NPPF.

(b) Design and Impact on Character and Appearance of the AONB

Local Plan Policy EN1 seeks where appropriate, to promote the protection, conservation and enhancement of the historic and natural environment. Local Plan Policy EN2 states that 'Development will be permitted which accords with the Cotswold Design Code. Proposals should be of design quality that respects the character and distinctive appearance of the locality.'

Section 12 of the NPPF seeks to achieve well-designed places. Paragraph 124 states that, 'The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'

Section 85 of the Countryside and Rights of Way (CROW) Act 2000 states that relevant authorities have a statutory duty to conserve and enhance the natural beauty of the AONB.

Local Plan Policy EN4 states that development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) and that proposals will take account of landscape and historic landscape character, visual quality and local distinctiveness.

Local Plan Policy EN5 relates specifically to the Cotswold AONB, and states that in determining development proposals within the AONB, or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.

With regard to relevant national policy, paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by 'protecting and enhancing valued landscapes' and 'recognising the intrinsic character and beauty of the countryside'.

Paragraph 172 of the NPPF states that 'great weight should be given to conserving and enhancing landscape and scenic beauty in ... Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.'

Although the golf course is a manmade landscape, the character has been established as one of openness and tranquillity that should be conserved. The mobile home would be sited adjacent to the existing service/maintenance area which is located within a sheltered valley, on a private track approximately 400m from the club house and parking area to the front of the site. There are trees and bushes on the sides of the valley along the edges of the maintenance area which entirely screen this area from public view.

The mobile home would be low profile in footprint and height and is appropriate in size to the area of available land within the service area and would not be visible from players on the course or from the wider public realm. It is not proposed to provide any private amenity land with the home which would restrict the proliferation of domestic paraphernalia which would in turn, protect the rural character. Overall, the mobile home would be sensitively located in a position that would conserve the established open and tranquil character. As such, while the proposal would not enhance, it would not have an adverse impact on the character or appearance of the Cotswold AONB. The proposal would accord with Local Plan Policies EN2, EN4 and EN5 as well as paragraphs 124, 170 and 172 of the NPPF.

(c) Residential Amenity

The Design Code (Appendix D) referred to in Policy EN2 of the Local Plan also sets out guidance with regard to residential amenity. Section 12 of the NPPF seeks to achieve well-designed places. In part, paragraph 127 of the NPPF ensures that development has a high standard of amenity for existing and future users.

As previously mentioned, the mobile home would not be visible in the public realm and therefore would not affect the amenities of properties neighbouring the golf club. The proposed development is considered to accord with the objectives of Cotswold District Local Plan Policy EN2 and the residential amenity considerations contained in Section 12 of the NPPF.

(d) Highway Safety

Policy INF4 states that development will be permitted that provides safe and suitable access and has regard, where appropriate, to the Manual for Gloucester Streets.

Policy INF5 states that development will provide residential and non-residential vehicle parking where there is clear and compelling evidence that such provision is necessary to manage the local road network. Provision will be in accordance with standards and guidance set out in the parking standards in Appendix F.

Paragraph 108 of the NPPF states that in applications for development, it should be ensured that:

- a. appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;
- b. safe and suitable access to the site can be achieved for all users; and
- c. any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

There is adequate parking on the wider golf club site to accommodate the occupier of the mobile home parking permanently on the site. It could be argued that allowing the greenkeeper to live on site would reduce daily vehicle trips as they would no longer need to travel by car to work, although it is still likely that the occupant would need to access services and facilities to support the residential occupation of the mobile home. The proposal therefore would accord with Local Plan Policies INF4 and INF5 and paragraph 108 of the NPPF. This is however, only a minor environmental benefit which is not considered to outweigh the harm caused by the unjustified need for a worker's dwelling.

9. Conclusion:

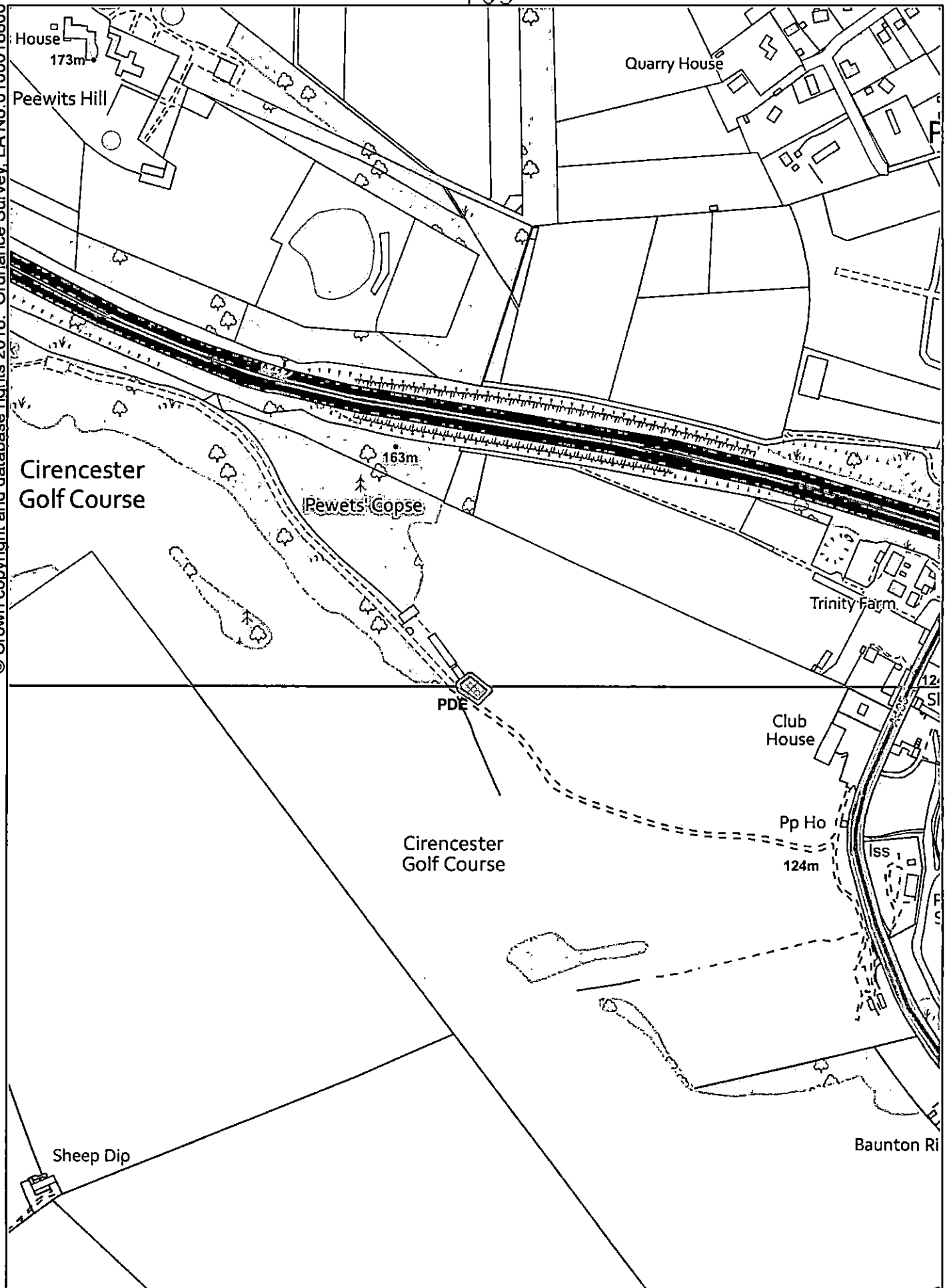
It is concluded that although the mobile home would be well screened and is considered not to adversely affect the character or appearance of the AONB, an essential need for the temporary siting of the mobile home cannot be demonstrated. The application therefore fails to accord with Local Plan Policy H5 and it is recommended that the application is refused on this basis.

10. Reasons for Refusal:

The application site is located outside a Development Boundary and a Non-Principal Settlement and lies in an isolated location in the open countryside. The site does not represent a sustainable location for new residential development unless it can be shown that there are special circumstances such as the essential need for a worker to live permanently at or near their place of work.

In this instance it has not been demonstrated that there is an essential need for temporary residential accommodation on the site in order to deal with the needs of the business at short notice. The roles and responsibilities of a greenkeeper do not require one to be readily available day or night. Furthermore, seeking to employ a skilled workforce is not in itself sufficient to justify the siting of a mobile home on the site. It is considered that the proposed development would be contrary to Cotswold District Local Plan Policies DS4 and H5 and paragraph 79 of the National Planning Policy Framework.

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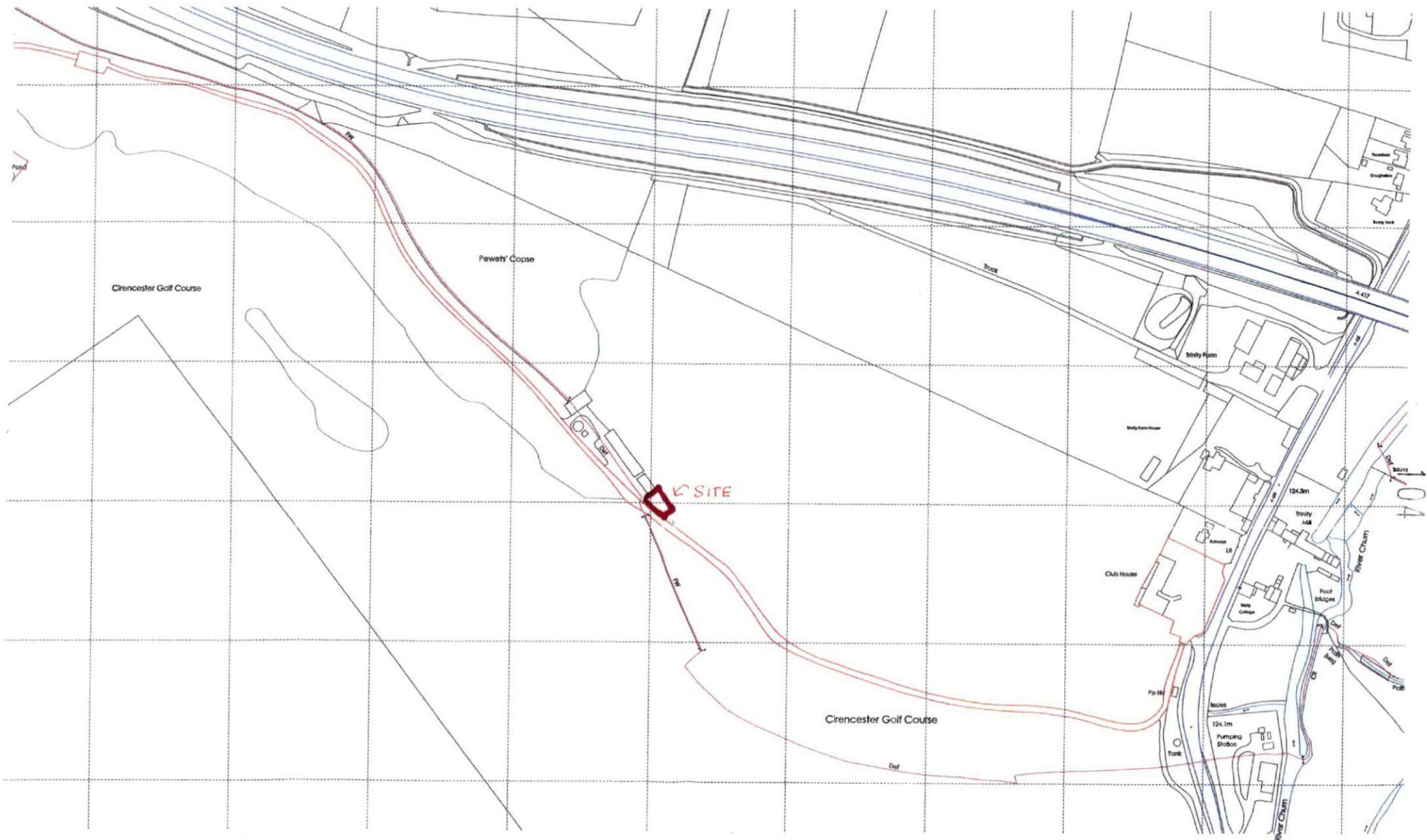
Organisation: Cotswold District Council

Department:

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