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| <b>Application Number:</b> | 2021/0082   | <b>Application Type:</b>          | Full  |
| <b>Proposal:</b>           | Engineering operations, viewing shelter and overspill car park for adventure golf at Golf Rossendale. | <b>Location:</b>                  | Golf Rossendale Driving Range<br>Newchurch Road<br>Rawtenstall<br>Rossendale<br>Lancashire<br>BB4 7SN |
| <b>Report of:</b>          | Planning Manager  | <b>Status:</b>                    | For Publication   |
| <b>Report to:</b>          | Planning Manager  | <b>Date:</b>                      | 22 June 2021  |
| <b>Applicant:</b>          | American Golf Ltd   | <b>Determination Expiry Date:</b> | 28 <sup>th</sup> January 2021<br>Requested Extension of Time until 25/06/21                           |
| <b>Agent:</b>              | Mr Steven Hartley, Hartley Planning & Development Associates  |                                   |   |

|                         |                                     |                   |                     |
|-------------------------|-------------------------------------|-------------------|---------------------|
| <b>Contact Officer:</b> | <b>Caroline Callow</b>              | <b>Telephone:</b> | <b>01706 252432</b> |
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|   |   |
|---|---|
| <b>REASON FOR REPORTING</b>                                     |   |
| <b>Outside Officer Scheme of Delegation</b>                     | <b>No</b>   |
| <b>Member Call-In</b><br>Name of Member:<br>Reason for Call-In: | <b>No</b>   |
| <b>3 or more objections received</b>                            | <b>No</b>   |
| <b>Other (please state):</b>                                    | <b>Part of the site is in the ownership of the Council.</b> |

## 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 the following rights:-

### Article 8

The right to respect for private and family life, home and correspondence.

### Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

## 1. RECOMMENDATION

That planning permission be granted subject to the conditions set out in the report.

## APPLICATION DETAILS

### 2. SITE AND SURROUNDING AREA

The premises known as 'Golf Rossendale' lie approximately 530 metres north east of the junction of Marl Pits and Newchurch Road on land forming part of the open countryside. Vehicular access to the site is gained from Newchurch Road via the same access road that serves Marl Pits Sports Complex.

The site, the subject of this application, adjoins this complex and is currently open, irregular in shape and laid to grass. It is enclosed to the immediate north east by the golf driving range building, to the south east by a small garden centre, to the north west by the remainder of the former putting green and thereafter open land, and with open land to the south west. The land is not currently used for any purpose but has an authorised planning use which allows it to be used for miniature golf (see 'Relevant Planning History' section below).

### **3. RELEVANT PLANNING HISTORY**

2020/0611 Certificate of Lawfulness (proposed) relating to the proposed use of the putting green at Golf Rossendale for a venture golf facility (crazy golf). Approved 15/01/21.

2020/0610 Lawful Development Certificate (existing): putting greens in association with golf driving range Approved 18/12/20.

2019/0477 Extension and associated alterations to driving range building (part retrospective), including ancillary café (up to a maximum of 69m<sup>2</sup>). Approved 21/04/2020.

2019/0250 Extension to Golf Rossendale and Academy including cafe (Class A3) Withdrawn.

2018/0443 Extension to Golf Rossendale Driving Range and Academy Approved 20/09/2018

2010/0150 – Golf Driving Range Approved 02/06/2010

2009/0624 – Golf Driving Range Withdrawn

### **4. PROPOSAL**

A Lawful Development Certificate was approved on the 18 December 2020 for “putting greens in association with the driving range” at Golf Rossendale. A further Lawful Development Certificate 2020/0611 was issued for adventure golf facility (crazy golf) on 15<sup>th</sup> January 2021. The current application is for the engineering operations associated with the proposed 18 hole venture golf facility and the provision of a viewing shelter. This application is not therefore to consider the use of the land because this has already been accepted through the issuing of a lawful development certificate.

The viewing shelter is to be 12.5m by 3.5m with a roof overhang of 1.5m. It will be constructed with weatherboarding walls stained dark oak with a mineral felt roof.

The adventure golf will have hard smooth surfaced pathways, mounds and water features with boundary fencing of sheep netting 900mm high and with beech/hawthorn hedging on the outside. There will also be some hedging and planting on the venture golf course which will have a woodland theme.

### **5. POLICY CONTEXT**

#### **National**

National Planning Policy Framework (2018)

Section 2 – Achieving Sustainable Development

Section 4 – Decision Making

Section 6 - Building a Strong and Competitive Economy (Supporting a Prosperous Rural Economy)

Section 11 – Making Effective Use of Land

Section 12 – Achieving Well Designed Places

Section 15 – Conserving and Enhancing the Natural Environment

**Development Plan Policies**

**Core Strategy DPD**

AVP4 – Strategy for Rawtenstall, Crawshawbooth, Goodshaw and Loveclough

Policy 1 – General Development Locations and Principles

Policy 9 – Accessibility

Policy 14 - Tourism

Policy 18 – Biodiversity, Geodiversity and Landscape Conservation

Policy 21 Supporting the Rural Economy and its Communities

Policy 23 – Promoting High Quality Designed Spaces

Policy 24 – Planning Application Requirements

**6. REPRESENTATIONS**

To accord with the General Development Procedure Order neighbour letters were sent out to surrounding properties on 16<sup>th</sup> February 2021 and a site notice was posted next to the site on 6<sup>th</sup> May 2021. Following revisions to the proposal, further neighbour letters were sent out on 6<sup>th</sup> May 2021 and a revised site notice placed adjacent to the site.

No letters of representation were received.

**7. CONSULTATION RESPONSES**

RBC Property:- The application proposes use of a section of land owned by Rossendale Borough Council for the purpose of parking. Prior to the use of any of this land the applicant must apply to the Council as landowner to purchase or lease the area. There is no current agreement in place. The applicant has been advised of this and be provided with guidance as to how to apply to use the land.

RBC Environmental Health:- Has no objections or comments in respect of the amended application.

LCC Highways:- No objections to the application.

**8. ASSESSMENT**

The main considerations in this case are as follows:

- 1) Principle;
- 2) Visual Amenity;
- 3) Neighbour Amenity;
- 4) Access, Parking and Highway Safety;

## Principle

As stated above the use of the land has already been accepted by way of the issuing of a Lawful Development Certificate. The carrying out of engineering works to facilitate this use is therefore acceptable in principle. The proposed works to create the Venture golf facility would help with the Council's aim of promoting the tourist offer of the Borough and as expressed in policy 14 of the Core Strategy and it would meet the aspirations of section 6 of the Planning Policy Framework which supports a prosperous rural economy.

## Visual Amenity

The proposed engineering works for the adventure golf facilities are generally at a ground level and a high proportion of soft landscaping will be retained with paths and water features added. It is therefore considered that they will not be harmful to the openness and general visual amenity of the area.

The proposed viewing shelter will be relatively low key especially in the context of the nearby driving range which will provide screening of the facility from the north west and by the garden centre to the south east. It is therefore considered that the development will be of an appropriate design and scale for this locality, and will not harm its open rural character. As such it will reasonably meet the requirements of Policies 1, 23 and 24 of the Rosssendale Core Strategy in this regard.

## Neighbour Amenity

The nearest residential properties are a significant distance from the proposed adventure golf and viewing shelter. It is considered that the development will have no significant impact upon the amenities currently enjoyed by the occupiers of the nearest properties and will therefore reasonably meet the requirements of Policy 24 of the adopted Core Strategy in this regard.

## Access, Parking and Highway Safety

The arrangements have been considered by County Highways who consider that they will be acceptable. They have however recommended a condition regarding surfacing of the carpark and that that it should be kept free of obstruction and available for the parking of cars.

Officers consider that the existing pedestrian path which runs along the lane from the sports complex upwards towards the driving range, is not suitable for any increase in pedestrian footfall. The surface is unmade, it is not lit, it is not safely delineated and there are no crossing points. On this basis, the applicant has been asked to carry out upgrades to the path, to improve connectivity and to ensure it is safe and suitable. These will be secured by planning condition.

Subject to the imposition of conditions of the nature outlined above it is considered that the proposals will be acceptable in highway safety terms reasonably satisfying the requirements of Policy 24 of the Core Strategy in this regard.

## **9. SUMMARY REASON FOR APPROVAL**

Whilst the development is to be sited within a Countryside Area it is to be located within an area that has already been issued with a Lawful Development Certificate for the proposed use. The proposal is therefore considered to be acceptable in principle. The development will not, it is contended, unduly detract from the visual amenity of the area, from the amenities of adjoining

neighbours or give rise to any undue highway safety concerns. The proposal is therefore considered to accord with the provisions of Policies 1, 9, 14,18, 21, 23 and 24 of the adopted Core Strategy DPD and Sections AVP4 2, 4, 6,11, 12, and 15 of the National Planning Policy Framework.

## 10. RECOMMENDATION

That planning permission be granted subject to:

- a) The Conditions set out below.

## 11. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following drawings, unless otherwise required by the conditions below:

| <u>Drawing Title</u>                                | <u>Drwg No</u> |
|---|----------------|
| Amended Location Plan                               | RG 280421.A    |
| Plan to show overspill Parking area                 | RG 280421.B    |
| Shed details Plan                                   | RGA03-02-21 B  |
| Site layout   | RGA03-02-21 A  |
| Concept Design Document dated 03.11.20 by Greenspan |                |

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.

3. Within one month of opening, the additional car parking area as indicated on the submitted location plan shall be surfaced and marked out in accordance with a scheme to be first submitted in writing and approved by the Local Planning Authority. The car parking area shall thereafter be kept free of obstruction and available for the parking of cars at all times.

Reason: In the interests of visual amenity and highway safety.

4. Notwithstanding the submitted details, a scheme for the landscaping of the development and its surroundings shall be submitted prior to the commencement of the development. These details shall indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform, proposed finished levels, means of enclosure, minor artefacts and structures. Landscaping proposals should (but not limited to) include native plant communities appropriate to the natural area.

All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 10 years from the completion of the development die,

are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.

5. Prior to first opening, details must be submitted to and approved in writing by the local planning authority, demonstrating how the existing pedestrian footway (which runs adjacent to the existing access lane for its entirety) will be improved, as follows:
  - upgrading of the surface of the path to tarmac;
  - delineated with timber knee rail posts (or similar);
  - use of solar lighting (incorporated into the timber posts if possible); and
  - installation of at least two painted crossing points on the lane and signage.

The works shall be implemented in full, in accordance with the approved details, within one month of the date of the opening of the facility.

Reason: To ensure that pedestrian connectivity to the site is safe, suitable and attractive for all users. The existing pedestrian path is not suited to an increase in footfall.

## 12. INFORMATIVES

1. The Local Planning Authority has a Core Strategy (adopted in November 2011) and a series of Supplementary Planning Documents, which can be viewed at:

[http://www.rossendale.gov.uk/downloads/download/331/core\\_strategy\\_local\\_plan\\_part\\_1\\_adopted](http://www.rossendale.gov.uk/downloads/download/331/core_strategy_local_plan_part_1_adopted)

The Council operates a pre-application planning advice service. All applicants are encouraged to engage with the Local Planning Authority at the pre-application stage. In this case the applicant did not engage in pre-application discussions.

The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework and the local planning policy context.