



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 20th February 2014

Subject: 13/04775/FU: Retrospective Application for Use of Land as Car Park at Wetherby Golf Club, Linton Lane, Linton LS22 4JF.

APPLICANT

Wetherby Golf Club

DATE VALID

28th October 2013

TARGET DATE

23rd December 2013

Electoral Wards Affected:

Harewood

Yes

Harewood
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT PERMISSION subject to the specified conditions:

1. The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.
2. Within two months from the date this permission is issued, details showing a trip fence demarcating the perimeter of the car park shall be submitted to and approved in writing by the Local Planning Authority and implemented within not less than 3 months.
3. The car park surface shall not be constructed from tarmac or hard surfaced.
4. Submission of a scheme for re-planting

1.0 INTRODUCTION

- 1.1 This application is brought to Plans Panel at the request of Councillor Rachael Procter. The Councillor is concerned that the site is located within the Green Belt and conflicting information has been provided by members of the public with regards to the felling of TPO trees on the site.

2.0 PROPOSAL

- 2.1 This application seeks retrospective consent to use an area of land, located within a belt of TPO trees, as an overflow car park. In order to harden the surface the

applicant has rolled road planings into the bare ground. The area of land is 15m in length and 9m at its widest point, tapering down to 6.5m at its narrowest point.

- 2.2 The applicant claims that this small area of land is used as a car park only when the main car park is full. The applicant has also confirmed that four conifer trees were removed in order to clear the site for the car park.

3.0 SITE AND SURROUNDINGS:

- 3.1 The Golf Club sits on Green Belt land that lies between Wetherby Town and Linton Village. There is a large clubhouse with extensive car parking to the front and this is sited on the eastern side of Linton Lane. Residential premises occupy the western side of the road. There is an existing wide access point with stone boundary walls and planting to the front. The proposed overflow car park is located within a tree belt which is covered by a Tree Preservation Order (TPO) and a number of trees are located within close proximity.

- 3.2 The site is designated as Green Belt and Special Landscape Area.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 31/289/92/FU- Laying out of access and car park and single storey and three storey front extension. Approved
- 4.2 31/261/93/FU- Alterations to form enlarged shop to club house. Approved
- 4.3 H31/490/89/- Laying out of enlarged car park to golf club. Approved
- 4.4 H31/105/89/- Laying out of access and use of part of golf course as car park. Refused
- 4.5 A Tree Preservation Order (TPO) was served in 2012 (Ref. 2012/5). This covers the application site and a linear area of land stretching southwards along the western edge of the golf course abutting Linton Lane. All trees of whatever species located within the area marked are protected by the TPO.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 None

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 Site Notice posted 08.11.2013
- 6.2 **Collingham with Linton Parish Council:** Objects to the proposal and states that a number of trees have been felled to make way for the Car Park. The Parish Council believes that the removal of the trees have had a detrimental impact on character of the area. The Parish Council also states that the trees should be replanted.
- 6.3 **Linton Village Society:** Objects to the proposal on grounds that the conifers have been removed and damage caused to the roots of other trees; no arboricultural assessment was carried out; works have been carried out within the Green Belt without permission, contrary to the Collingham and Linton Village Design Statement; land levels should be restored and trees re-planted.

6.4 11 objections letters received from members of the public. The following objections have been raised;

- Trees have been removed to clear the area and make way for a car park.
- Existing trees are at risk from the development.
- The proposal contradicts Green Belt Policy.
- The proposal conflicts with the Colingham and Linton Village Design Statement in so far as the removal of trees is concerned.

6.5 Six letters of support have been received stating that the overflow parking area is required so as to ease the on street parking demand on Linton Lane.

7.0 CONSULTATIONS RESPONSES:

7.1 Highways- no objections, subject to conditions being imposed to ensure the car park is formally layout with hard standing and the parking bays are clearly marked.

7.2 Landscape Officer notes that during the site visit no damage of concern to the trees along the roadside boundary or the within the inner plantings was apparent and that an effective screen to the area from the road remains. The Landscape Officer also states that some of the foliage along the road frontage is dead or dying elm, and thus recommends that the Golf Club should consider reinforcing the line with suitable stock, eg Field Maple, Hazel or Holly. The Landscape Officer also recommends that a trip rail is erected to prevent incursions by vehicles into the planted areas and to define the parking area.

8.0 PLANNING POLICIES:

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013), which is supplemented by supplementary planning guidance and documents.

Local Planning Policy

8.2 Relevant planning policies in the Leeds Unitary Development Plan (Review 2006) are listed below:

- Policy N33: Development within Green Belt/ allows the use of land in the Green Belt for outdoor recreation/sports.
- Policy GP5: seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
- Policy LD1: states that landscaping should reflect scale & form of adjacent development and character & appearance of area; complement views, skylines & landmarks; provide access for disabled; provide interest at street level & from surrounding buildings; protect existing vegetation; allow sufficient space around buildings to retain existing trees in healthy condition & allow new trees to grow to maturity; complement & integrate existing landscape, ecological or architectural features; and be protected until sufficiently established.

- Policy T2: states that development proposals should not create new, or exacerbate existing, highway problems.
- Policy N37: Within Special Landscape Area designations developments should have regards to the character or the special landscape.

8.3 Supplementary Planning Document: Colingham and Linton Village Design Statement. The document states that;

In terms of the quality of the environment within the two communities it should be emphasised that it is not just the nature of the buildings which gives them character but equally the spaces between them, many of which are green, together with important groups of mature trees within the village envelopes. The preservation and enhancement of green spaces and tree cover throughout both villages is therefore a key consideration alongside the conservation of the built environment. A tree management strategy, including a fully updated review of Tree Preservation Orders is required, together with their protection.

Emerging Local Development Framework Core Strategy

- 8.4 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination.
- 8.5 The Core Strategy has been the subject of independent examination (October 2013) and its policies attract some weight, albeit limited by the fact that the policies have been objected to and the Inspector's Report has yet to be received (currently anticipated in Spring 2014).

National Planning Policy

- 8.6 The National Planning Policy Framework (2012) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.
- 8.7 The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given. It is considered that the local planning policies mentioned above are consistent with the wider aims of the NPPF.
- 8.8 The NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:
- buildings for agriculture and forestry;

- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

9.0 MAIN ISSUES

- Green Belt/ Special Landscape Area
- Impact on Residential Amenity
- Landscape
- Public Representations
- Conclusions

10.0 APPRAISAL

Green Belt/ Special Landscape Area

- 10.1 The overflow car park is used in association with a Golf Club which is located within the Green Belt and a Special Landscape Area. Policy N33 of the UDPR and the NPPF states that the use of land to provide provision and appropriate facilities for outdoor recreation and sports is considered to be acceptable within the Green Belt. This is, however, provided that the openness of the Green Belt is not harmed.
- 10.2 The site is generally used for playing golf which is a use which falls within the category of outdoor recreation and sports. It is considered that the car park under consideration helps facilitate, and is ancillary to that use. Therefore, it is considered that the car park is considered compliant with policy N33 and the NPPF and is thus an acceptable use in this Green Belt location.
- 10.3 The car park is well screened from public view due to it being enclosed by trees. Whilst its location close to the built up area of the Green Belt ensures that it does not appear to encroach into the open areas of the Green Belt. Therefore, it is considered that the car park does not harm the character or the openness of the Green Belt. Similarly, owing to the fact that the car park is not particularly visible from public vantage points, it is not considered that the car park harms the landscape of this Special Landscape Area.
- 10.4 The highways benefits of the car park, i.e. that it reduces the need for members and visitors to park on the public road, adds further weight to the acceptability of the car park in this particular location in reaching balanced view.

Impact on Residential Amenity

- 10.5 It is considered that the separation distance of over 15m the car park maintains from the nearest dwellings (located to the west of the site), is adequate to ensure that there is no significant harm to residential amenity by way of noise from vehicle movement or from people coming and going from the site.

Landscape

- 10.6 Concerns have been raised by local Ward Members, members of the public and by the Parish Council with regards to the potential harm to the existing trees on the site and it has also been highlighted that trees have been removed to make way for the car park. The applicant has confirmed that four conifer trees were removed on the site. Although, the loss of the protected conifer trees is unfortunate the most prominent and significant trees, which are generally located along the street frontage and adjacent to the open golf course, have not been affected and the Landscape Officer comments that no significant loss or damage to these trees have occurred. Therefore, it is considered that the removal of the four conifers does not have a significant impact on visual amenity and that the existing trees are not at risk from the development. However, given the removal of these trees, the applicant should provide replacement planting to compensate for their loss. A condition is recommended requiring the submission of a scheme and re-planting. This could be achieved along the Linton Lane frontage. The Landscape Officer comments that a trip fence should be erected around the perimeter of the car park, which will offer protection to the remaining trees. A condition should be attached to ensure that a trip fence is erected on the site.

Highways

- 10.7 The applicant states that the overflow car park is only used when the main car park is full and this ensures that members and visitors do not have to park on Linton Lane. It is considered that there are clear highway safety benefits in the scheme and it is not felt that the scheme raises highway safety concerns. The Highway Officer has assessed the application and has raised no concerns. The recommendation made by Highways that the car park should be hard surfaced and formally laid out is noted. This requirement is in order to ensure that no mud or loose gravel is dragged onto the highway and normally the first 15m of the site from the edge of the highway is required to be hardsurfaced. In this instance, the proposed overspill car park is set back from the highway by at least 25m and therefore it is not necessary to hardsurface the proposed car park. Furthermore, it is considered that hard surfacing the car park would harm the root systems trees close to the car park.

Public Representations

- 10.8 The concerns raised by members of the public that the development conflicts with Green Belt policy, is noted. As already discussed, Policy N33 of the UDPR and the NPPF allows the use of land to facilitate outdoor recreational and sports, such as golf, within the Green Belt.
- 10.9 Concerns have been raised that trees have been removed to make way for the parking area and that the existing trees are at risk from the development. Members of the public also highlighted that the development conflicts with the local Village Design Statement in so far as the protection and preservation of trees are concerned. The Landscape Officer has assessed the issues raised relating to the preservation and the protection of trees and has raised no concerns.

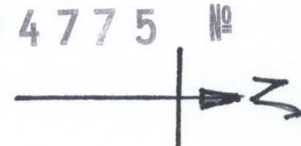
11.0 CONCLUSION

11.1 It is considered that the overflow car park is an appropriate form of development within the Green Belt. Furthermore, it is not considered that the car park raises significantly concerns relating to visual amenity or highway safety nor is it considered that the proposal harms neighbouring residential amenity or trees of amenity value located within the site. Therefore, it is considered that this application should be approved subject to the conditions listed.

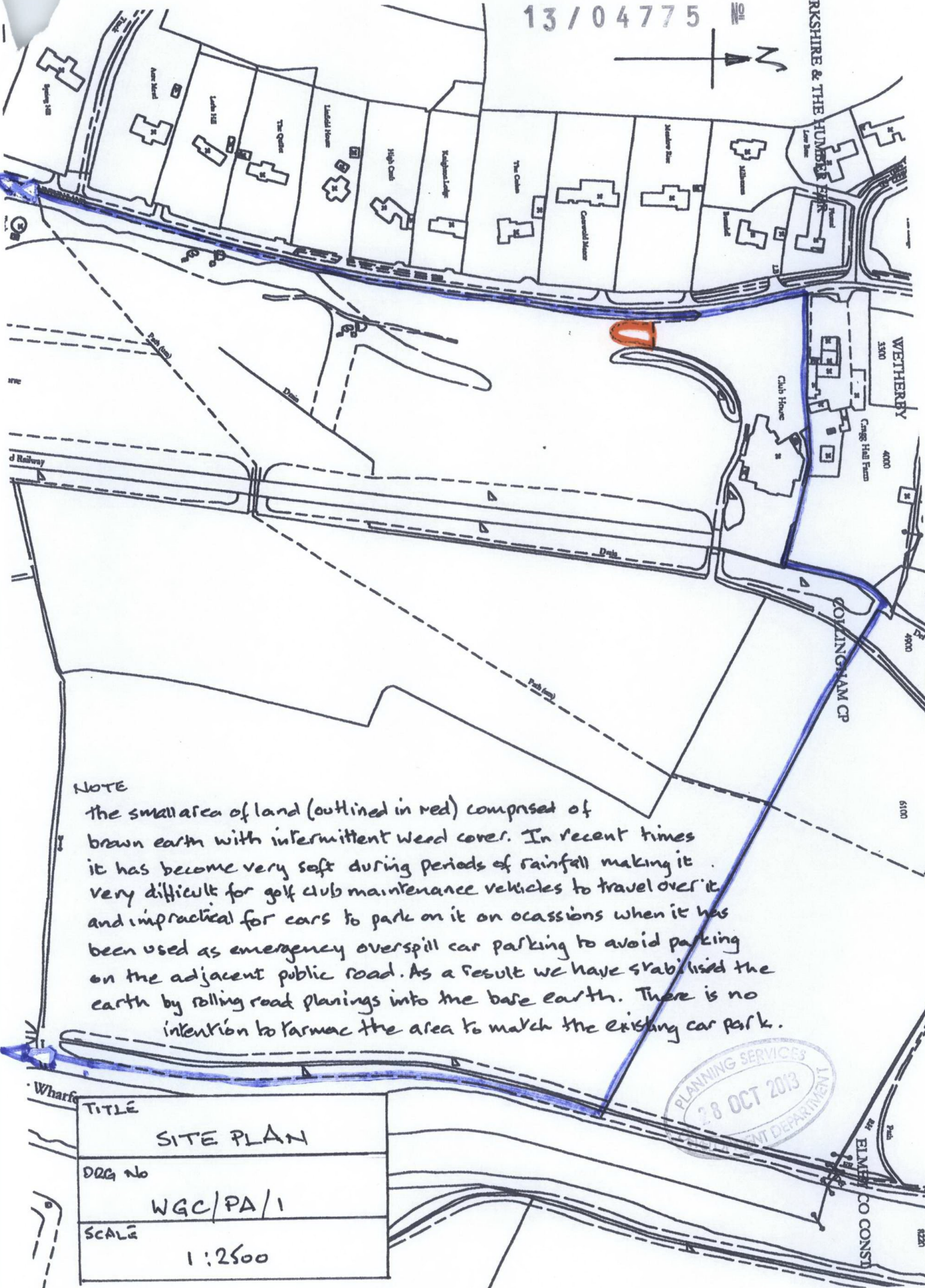
Background Papers:

Application file: 13/04775/FU
Certificate of Ownership: Signed by the manager of the Golf Club on behalf of Wetherby Golf Club.

13/04775



ARKSHIRE & THE HUMBER FARM



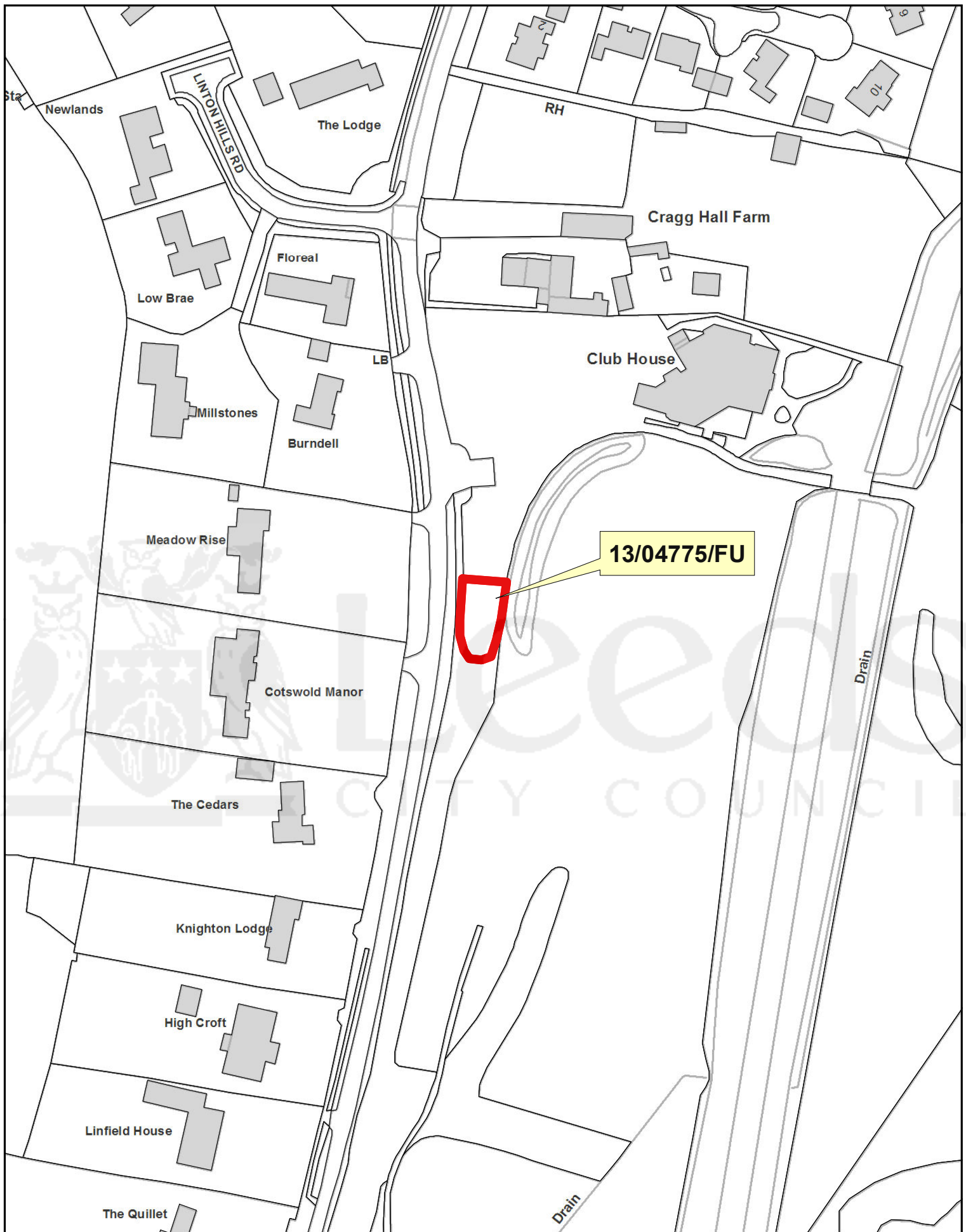
NOTE

The small area of land (outlined in red) comprised of brown earth with intermittent weed cover. In recent times it has become very soft during periods of rainfall making it very difficult for golf club maintenance vehicles to travel over it and impractical for cars to park on it on occasions when it has been used as emergency overspill car parking to avoid parking on the adjacent public road. As a result we have stabilised the earth by rolling road planings into the base earth. There is no intention to farmac the area to match the existing car park.



TITLE	SITE PLAN
DRG No	WGC/PA/1
SCALE	1:2500

ELMER CO CONST



NORTH AND EAST PLANS PANEL

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PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

SCALE : 1/1500

