
Case Number	18/02512/FUL (Formerly PP-07096085)
Application Type	Full Planning Application
Proposal	Raising of land levels including alterations to existing practice area and course holes 1, 17 and 18 - formation of a 6-hole academy course, short game practice area and proposed new irrigation storage pond/flood prevention lagoon, construction of temporary vehicular access and associated landscaping works
Location	Hillsborough Golf Club Worrall Road Worrall Sheffield S6 4BE
Date Received	30/06/2018
Team	West and North
Applicant/Agent	Landor Planning Consultants Ltd
Recommendation	Refuse

Refuse for the following reason(s):

- 1 The proposal to tip material on the land is not compliant with Contaminated Land: Applications in Real Environments (CL:AIRE) Code of Practice (CoP) and as a consequence amounts to a waste disposal operation. Insufficient information has been submitted to determine the acceptability of a waste disposal operation on this site. In the absence of such information the Local Planning Authority consider the proposal to be contrary to Policy MW4, MW6 and MW7 of the Unitary Development Plan, CS68 of the Core Strategy, The Waste (England and Wales) Regulations 2011, The Waste Management Plan for England 2013 (WMP) and the National Planning Policy for Waste 2014 (NPW).
- 2 The development is considered to constitute inappropriate development in the Green Belt. The proposal does not preserve the openness of the Green Belt, detrimentally affects the visual amenities of the Green Belt, is considered to conflict with the purposes of including land in the Green Belt and gives rise to other harm. No very special circumstances to justify a departure from national planning policy have been demonstrated and the Local Planning Authority therefore consider the development to be contrary to paragraphs 134 c), 143, 144 and 146 of The National Planning Policy

Framework, Policy CS71 of the Core Strategy and policy GE1 c) and GE4 of the Unitary Development Plan.

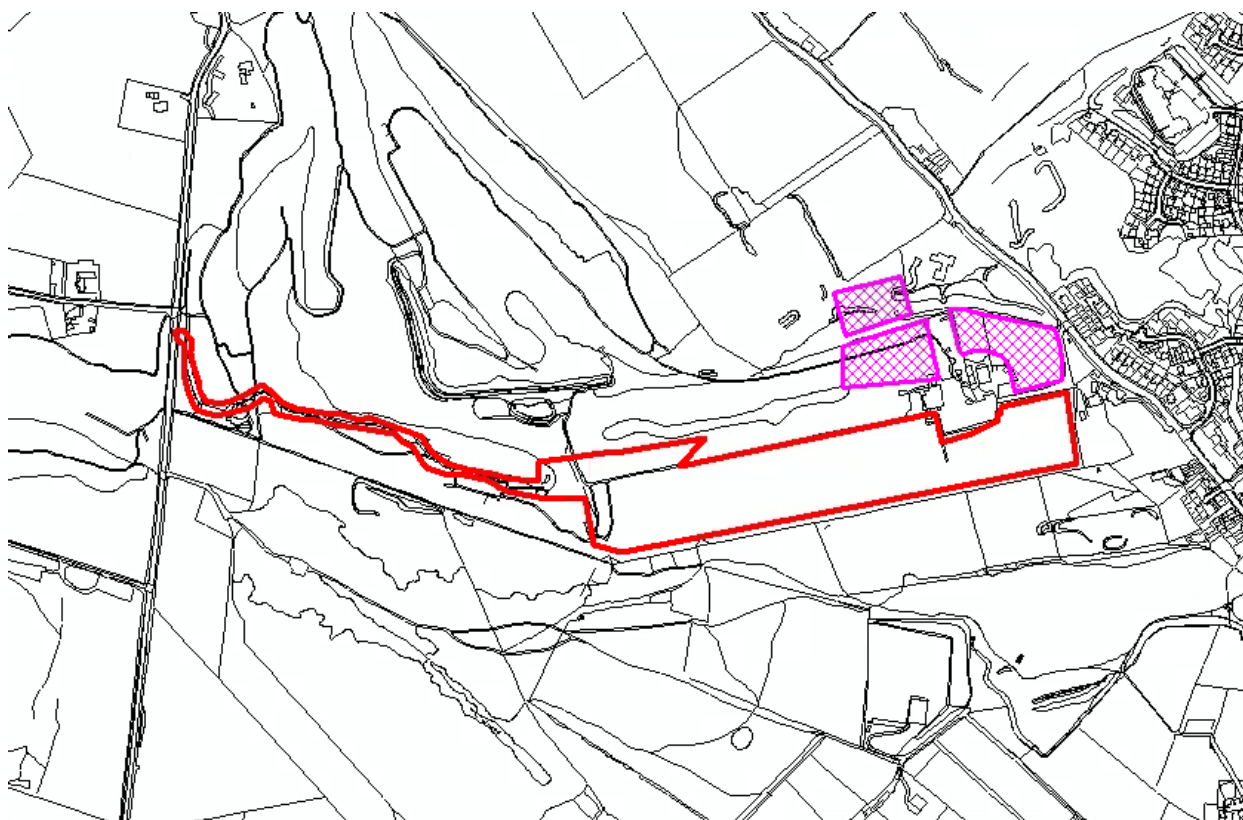
- 3 The Local Planning Authority consider that HGV vehicle movements to and from the site, as well as plant and equipment and construction vehicles operating within the site during the construction phase of the development, will give rise to unacceptable noise and disturbance owing to the excessive hours of operation proposed. The development will therefore detrimentally affect the amenities and living conditions of residents, particularly those adjoining the application site and those located close to the junction with Long Lane and Loxley Road which will be used by HGV's serving the site during the 20 month construction period. The proposal is therefore contrary to policy GE24 and MW7 parts b) and d) of the adopted Sheffield Unitary Development Plan and paragraph 170 e) and 180 a) of the National Planning Policy Framework.
- 4 The proposed works to create the flood attenuation pond will result in the loss of a substantial area of high quality (category A) woodland and trees. The loss of this area of woodland and trees is considered to have a detrimental effect on the character and appearance of the site and the visual amenities of the Green Belt. The submitted arbouricultural impact assessment also does not provide sufficient information to enable the full impact on the trees and woodland affected by the development, including the temporary haul road, to be considered. The Local Planning Authority therefore considers that the proposal is contrary to CS74 of the Core Strategy, GE4 and GE15 of the Unitary Development Plan and 170 a) and b) of the National Planning Policy Framework.
- 5 Insufficient information has been submitted to determine the ecological effects of the development. In the absence of such information the Local Planning Authority cannot be satisfied that the proposed development would not have a detrimental impact on habitats and species, including protected species within and adjoining the site. The development is therefore contrary to Policy GE11 of the Unitary Development Plan, CS74 of the Core Strategy and paragraphs 170 a) and d), 175 a) and d) of the National Planning Policy Framework.

Attention is Drawn to the Following Directives:

1. Despite the Local Planning Authority wishing to work with the applicant in a positive and proactive manner, the application is considered contrary to policy requirement(s), and, there being no perceived amendment(s) that would address these shortcomings without compromising the fundamental intention of the scheme the Local Planning Authority had no alternative but to refuse consent.
2. The applicant is advised that this application has been refused for the reasons stated above and taking the following plans into account:

Sections - Dwg No: GGD-2811 revision 1 of 1
Masterplan - Dwg No: GGD-2774 revision B 1 of 1.
Earthworks Plan Dwg No: GGD-2775 rev B 1 of 1.
Landscape Plan dwg No: GGd-2776 rev B 1 of 1.
Isopachyte Plan Dwg No: GGD-2777 rev b 1 of 1.
Works Access Arrangements GGD- 2800 1 of 1.
Location Plan Dwg No: GGD-2804 1 of 1

Site Location



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LOCATION AND PROPOSAL

This application relates to part of the Hillsborough Golf Course which is located on the north western edge of Wadsley, Sheffield.

The golf course extends to cover an area of approximately 56 hectares and is split into two distinct areas which are separated by Long Lane. Most of the 18 hole course is located to the east of Long Lane. A smaller section of the course, which includes holes 4 and 5, is located to the west of Long Lane.

The existing club house, car park and practice areas are all located towards the south eastern corner of the course, near to the main vehicle access to the site from Worrall Road.

The application site relates to the part of the golf course located to the east of Long Lane. It includes an area of around 8.3 hectares. The majority of the proposed works are focused in the area around the existing club house.

The application site contains various golf course features, including fairways and holes, an existing driving range and practice hole, blocks of woodland and mature trees, and open areas of grassland. A sloping parcel of land located on the site frontage (adjacent to Worrall Road) which is currently used for the grazing of horses, is also included within the application site.

A series of golf course remodelling works are proposed and comprise of the following:

- New golf course features for hole no. 1, 17 and 18,
- A new practice range and tee platform,
- New 6 hole academy course,
- New short game practice area,
- A flood attenuation lake,
- Various landscape enhancements - totalling approximately 2 hectares of native tree and shrub planting.

A temporary haul road and site compound is proposed in order to facilitate the development. The work is anticipated to take 20 months to complete.

In order to carry out the above works 183,401 cubic metres (about 100,000 tonnes) of material is to be imported and deposited on the site. The material is to be deposited in different volumes over 4 distinct areas detailed as follows;

- Area 1 is located close to the southern site boundary and includes the existing practice area/driving range, part of the fairway and green of hole 1, existing scrub/grassland and a belt of mature trees. Within this area approximately 170,124 cubic metres of material is proposed to be deposited. New and extended fairways and greens for holes 1 and 17 are proposed, as well as the formation of a new practice area and a 6 hole academy course on the existing driving range/practice area. The works involve raising land levels between 1 and 5 metres.
- Area 2 comprises of a smaller sloping parcel of land fronting Worrall Road which is currently grazed by horses. It is proposed to form a short game practice area which involves the deposit of 7,499 cubic metres of material which increases levels between 1 and 3 metres.
- Area 3 is located in the woodland to the north of the course where 2,956 cubic metres of material is proposed be deposited at heights up to 3 metres. Some excavation is also proposed in this area to form a small flood attenuation lake.
- Area 4 comprises of part of the fairway and green of hole 18 which is adjacent to the club house. A small area of excavation is proposed to form a new water feature and 2,822 cubic metres of material is to be imported to form the new green and its backdrop.

The site is in the Green Belt, part of the eastern boundary of the site adjoins an Area of Special Character and the majority of the southern boundary of the site

adjoins an area of Natural History Interest as defined by the Unitary Development Plan (UDP). The entire southern boundary of the application site is also bordered by the Loxley and Wadsley Common Local Nature site (LNS). To the east is a dwelling house which is accessed from Worrall Road. To the north is woodland, agricultural fields and a further residential dwelling.

PLANNING HISTORY

There is specific planning history relating to previous tipping operations and land re-profiling works which took place at the golf course between 1996 and 1998. These applications (listed below) largely relate to land adjacent to the 4th and 5th holes which are located to the west of Long Lane outside the current application site boundary.

These applications were primarily refused due to their impact on the quality of the landscape and existing wildlife habitats and ecological features. The applicants successfully appealed against the Councils decision to refuse permission in 1998 and the area adjacent to holes 4 and 5 was tipped and re-profiled. Conditions were imposed by the Planning Inspector that only clean topsoil could be used. The area where a large majority of the previous tipping took place is no longer actively used for golfing purposes.

- 96/0097P- Tipping of land to provide regrading and landscaping - land rear of 4th green- refused.
- 97/0127P – Use of Land as Golf course extension, construction of landscaped mounds and construction of new green- refused and dismissed at appeal.
- 97/01472/FUL – Siting of telecommunications cabin and 20 metre high telecommunications pole – Granted Conditionally.
- 98/0531P – Use of land as Golf Course extension and construction of a new green- refused allowed on appeal.
- 17/04056/PREAPP - Pre-application advice: Erection of a 100-bed hotel, alterations to existing course holes and practice area, creation of a 6-hole academy course with new green, tees and fairways, ground remodelling, water harvesting and irrigation system, tree planting, landscaping and bio-diversity works.
- 18/00456/EIA - EIA (Environmental Impact Assessment) screening opinion request for the alterations to existing practice area and holes 1, 17 & 18 and creation of a 6-hole course and short game practice area – Environmental Statement not required.

SUMMARY OF REPRESENTATIONS

This application was advertised by way of press and site notice, and individual letters of consultation.

32 letters of representation have been received, 28 of which are in objection including comments from Bradfield Parish Council, Loxley Valley Protection Society, the Loxley and Wadsley Commoners (a local conservation group) and the Sheffield and Rotherham Wildlife Trust. The issues raised are summarised as follows:

In objection:

- Long Lane is used by school buses and parents accessing Bradfield School. The site access is on a blind summit where walkers and horse riders cross and there have been several near misses, the access is not safe.
- Access should be taken from Worrall Road as the work is to be undertaken near the club house.
- The proposal will increase traffic on Loxley Road, which has experienced high levels of HGV traffic due to water treatment works at Dam Flask, these vehicles disregard speed limits.
- Potential for a series road traffic accidents to occur as the roads are used by farm traffic and long vehicles serving the garden centres, one of which is located at the junction with Long Lane and Loxley Road.
- 22,875 vehicle movements over a 20-month period is unacceptable in a small residential community and should be reduced.
- Safety concerns for the number of walkers, runners and cyclists that use Loxley Road.
- Long Lane and Loxley Road cannot accommodate HGV's especially when cars park on both sides of the road. Long Lane has no pavements and no street lighting.
- Increase in lorry movements will give rise to air pollution, dust and debris, safety issues, increased noise, damage existing road surfaces, infrastructure and cars.
- Up to 114 lorry movements a day could occur which will affect the operation of Malin Bridge which is already congested especially at rush hour. This will lead to gridlock.
- The findings of the applicant's transport consultants, that the development will not have a severe highways impact are disputed.
- Concern with the safety of horses and riders who use Long Lane (which is a long and fast road) to access Loxley and Wadsley Common. Alternative access should be provided during the works.
- This is a money making venture that will only serve the club, its golfers and not the general public who will have to suffer the effects of significant lorry movements, 5/6 days a week for 20 months.
- No evidence of air or noise pollution information has been submitted by the applicants.
- Safety concerns that the new short course could lead to golf balls landing in residents gardens.
- There have been flooding issues with an existing ditch on the eastern edge of the site this will be increased by the raising of land levels.
- The project is being pushed through without appropriate consultation and planning officers should visit/survey the access route and hold an open forum with residents.

- No objections to the golf course making improvements but not by dumping thousands of tons of concrete waste.
- Plans are difficult to interpret, however why do levels need to be raised by the height of a two storey house?
- Increase in levels around hole 18 will give rise to flooding/possible mud slides and overlooking of properties adjoining the site.
- Last time land levels were raised it was done with material the Environment Agency would not allow.
- This is a Green Belt area for all and not a dump site for the few.
- The source of the waste is unspecified and no evidence has been provided about the quality of the waste.
- Potential for long term environmental effects from the proposals.
- Financial hardship of the golf club should not represent a material planning consideration or a very special circumstance to allow development in the Green Belt.
- Only very limited pre consultation was undertaken by the applicants and they have not truly engaged with the community and should not satisfy the local planning authority's requirements.
- The works infringe on protected species habitat and further proper survey work is required.

Wadsley and Loxley Commoners.

- The site is very close to the boundary of the nature reserve and changes to landscape and infrastructure such as those proposed should not be undertaken if they are detrimental to either (a) the local community's well-being or (b) the local environment and its biodiversity.
- Concerns with the volume of material to be imported and raising ground levels by between 3 and 5 metres.
- The concerns of Bradfield Parish Council and Loxley Valley Protection Society are shared regarding the volume of lorry traffic generated.
- Concerns that the source of the waste is unknown and where will the lorries arrive from to get to Malin Bridge in the first place? The full journey the vehicles will take needs to be identified so that the full impact on local villages and city suburbs can be clarified.
- The precise source and nature of the material is unknown too. Their proposal could have a detrimental impact on Wadsley and Loxley Commons.
- Biodiversity is important to this area of woodland and lowland heath (a nationally valuable habitat especially so close to a major city).
- It is potentially in the golf clubs financial interest for this to be a large project rather than a modest one. An independent assessment of the project may be necessary.
- It is recommended that the application is refused.

Bradfield Parish Council.

- The movement of lorries importing this material will significantly impact on the local environment, and neighbours over a minimum period of 20 months. The traffic flows proposed are completely unacceptable.
- Bradfield Parish Council believes that most members of the public were unaware of the real impact the proposed development would have on the area over a sustained period of time.
- The statement of community involvement references a presentation to Bradfield Parish Council as part of the pre consultation process, when in fact the proposal presented at the meeting and the planning application submitted differ significantly.
- The Golf Club proposals presented at the Bradfield Parish Council meeting on 9th May 2018 stated that the plan proposed to import 70,000 cubic metres of material on to the site. The planning application submitted proposes to import 183,000 cubic metres of materials on to the site. An increase of 261%. This was a misleading statement which was used to support this planning application. Bradfield Parish council do not support the current application, and they were concerned about the level of material importation originally proposed.
- Concerns about the suggested increase in ground of levels of up to 5 metres.
- There are clear errors in supporting reports submitted by the consultants 'Total soil importation infill volume is proposed of 183,401 cubic metres (approximately 100,000 tonnes)' the reality is that at an approximate weight of 1.5 tonnes per cubic metres the real weight of the imported materials would be 250,000 tonnes.
- The volume of materials to be imported onto site is not necessary from a physical point of view to achieve the creation of facilities proposed, it is only necessary from a financial point of view.
- Bradfield Parish Councillors questioned the golf club on the viability of the scheme and it was clear that the importation of material and the financial benefit derived from this was a key part of the proposal. Effectively the revenue from the importation of inert materials would pay for the proposed alterations to the golf course.
- Concerns with the potential risk that granting permission could set precedent for future phases on the same site.

Loxley Valley Protection Society

- The proposal will impact the Loxley and Wadsley Common and this is not mentioned in the applicants supporting submissions.
- Loxley and Wadsley commoners were not initially consulted; they have identified around one thousand species which shows the extent of biodiversity on the common.
- Proposal could potentially damage the biodiversity of the golf course and common including various different species and habitats.
- Protected species and mature trees should be protected as part of any works.
- Traffic movements will detrimentally affect residents in the locality.
- No details have been provided of where the materials will be sourced from.

- Mud from vehicles could be spread onto the road causing safety issues.
- The applicants has previously undertaken similar work on a different part of the site, where there were concerns with the quality and quantity of material used and the damage this had on biodiversity. It included metal, glass, plastic & rubber. As such it is imperative that samples of the inert material to be used as part of this application are checked.
- The meeting with Bradfield Parish Council was not a public meeting.
- The application has arrived at a similar time to another application for a supermarket at Malin Bridge.

Sheffield and Rotherham Wildlife Trust

- The site is overlapped by the Loxley and Wadsley Common Local Nature Reserve the impacts on which have not been adequately considered.
- Survey reports identified in the applicants Phase 1 assessment have not been submitted for consideration. The information currently available does not provide enough detail to enable a full understanding of the species present and affected by the development.
- Bat surveys should be undertaken in accordance with recognised guidelines.
- Vegetation should be cleared outside the bird nesting season.
- The opportunities for biodiversity enhancement are welcomed and the trust would be happy to input and discuss an aspect of the proposals with the developer.

2 letters of support have been received the issues are summarised as follows:

- The golf course is part of the fabric of the area having been there for over 100 years and the new facilities will attract new young players.
- Increase in traffic will only be short term and inconsequential when considered against the benefits to the club and local community.
- New ponds will help to prevent flooding and supply water for the greens.
- There are issues with water on Worrall Road.
- Golf has proven health and mental well-being benefits.

2 Neutral comments have been received the issues are summarised as follows:

- The importation of concrete materials could affect acid/PH soil levels and it is suggested that imported soil material should not contain no native plant material as this could affect the adjoining nature reserved (Loxley Common).
- Where is all the waste coming from?

PLANNING ASSESSMENT

A series of golf course enhancements are proposed, as detailed earlier in this report, as well a temporary compound and haul road to enable construction. In order to undertake the works the applicants consider it necessary to import 183,401 cubic metres (about 100,000 tonnes) of 'inert material' to the site over a

20 month period. This involves raising existing levels between 1 and 5 metres across the relevant areas of the course.

The site is in the Green Belt and the critical issue to consider in the determination of this application is whether the proposals are considered to be necessary golf course enhancements, or are primarily a waste disposal operation which results in the tipping of a large volume of material in the Green Belt.

Highways, amenity, ecology, landscape and ground conditions are also significant issues in the determination of the application. The Council is also required to consider any representations received.

Waste Issues

The applicants supporting submissions indicate that they propose to import inert material to undertake the works. This material is identified to contain clean, uncontaminated, excavated material such as soil, clay, earth and concrete. The applicants state that this material will be sourced from the Sheffield area. The origin of the material is not however specified and could therefore be sourced from multiple development sites across the city and potentially from a much wider area.

The applicants state that the material is to be moved to, and deposited on the site under the Contaminated Land: Applications in Real Environments (CL:AIRE) Code of Practice (CoP). The CL:AIRE CoP sets out good practice for development industry to use when:

- assessing if excavated materials are classified as waste or not and;
- determining when treated excavated waste can cease to be waste for a particular use.

The movement of material under CL:AIRE does not require an Environmental Permit from the Environment Agency (EA) who normally regulate the movement and deposit of waste. The CL:AIRE methodology is self-regulated and relies on the professional judgement of a 'qualified person' registered with CL:AIRE to verify that the material to be used is not waste by considering the guidance in the CL:AIRE CoP. The EA are expected to accept CL:AIRE declarations from 'Qualified Persons' with the minimum of scrutiny.

The CL:AIRE CoP identifies that certain material is not classified as waste in accordance with Article 2 of the 'Waste Framework Directive' which states that 'uncontaminated naturally occurring material, generated by construction, certain to use for construction, at the place where it is produced is excluded from the definition of waste.' CL:AIRE also identifies that the direct transfer of uncontaminated naturally occurring material for certain use in construction to another construction site, other than the one where the material was originally

produced, is also excluded from the definition of waste. The movement of construction/demolition material to another site is excluded from the scope of the CoP, unless the material can be proved to be non-waste following treatment at an EA permitted or exempt site (hub site).

Given the complexities around determining if a material is in fact waste or not the Environment Agency (EA) have been consulted. The EA confirm that they have no in principle objection to the scheme. They do however indicate that the Local Planning Authority should be satisfied that the works proposed comply with the guidance contained in the CL:AIRE CoP.

The CoP identifies four factors that are used to determine if a material is waste or not. These include protection of human health and the environment (factor 1), suitability for use without further treatment (factor 2), certainty of use (factor 3) and quantity of material (factor 4).

The EA indicate in order to be compliant with CL:AIRE the material must be suitable for the proposed use, without further treatment and that the minimum amount needed, and no more, is used.

Non-compliance with the CL:AIRE CoP is likely to mean that the material is waste and will require a Permit from the EA.

The applicant's state that concrete will form part of the material used to undertake the work. Concrete and other demolition material is not a naturally occurring material and so cannot be moved or directly transferred to another site as non-waste under the CL:AIRE CoP. This position has been confirmed by the Environment Agency (EA) in their consultation response to this application.

The EA have identified that suitable uncontaminated crushed concrete can however demonstrate end of use as quality aggregate in accordance with the EA's Quality protocol – 'Aggregates from inert waste'. In order for this material to be classified as non-waste it must have been processed under EA permit or exemption criteria at registered site/location to an extent that it is no longer considered to be waste. There are a number of conditions within the quality protocol that must be satisfied to ensure that any processed material does not become waste again including discarding it or storing indefinitely with little prospect of re use.

In light of the above and in order to determine if the proposed works are a waste disposal operation or necessary golf course enhancements officers have sought clarification from the applicants on the source of the materials; and have specifically questioned the applicants to determine if the minimum amount of

material necessary to undertake the works, and no more, is being used as required by CL:AIRE.

Officers have also identified that concrete should not be used as part of the fill material as this is not a naturally occurring material and therefore is not allowed to be directly transferred between sites in accordance with CL:AIRE.

A detailed response from the applicants has not been provided on the above matters, other than in relation to site contamination and risks associated with a cut and fill exercise, which are explained in more detail below.

The golf course is an existing recreational facility and would remain so. The large majority of the material to be imported (92% of the 183,000 cubic metres) is to be used to reconfigure the existing practice area/driving range, form the 6 hole academy course, a new green and fairway for hole 1 and the extension of hole 17. Lesser, but not insignificant volumes of material are to be imported to form the short game practice area, the reconfiguration of hole 18 as well as a new flood attenuation lake. The majority of the works relate to the enhancement of the practice facilities, the formation of the academy course and not the main playing course.

The existing practice areas are fairly wide grassed areas, largely located to the south of the main club house and car park. These areas of the site slope down gradually towards the eastern site boundary. As a result of the mass importation of material the proposed works to this area of the site result in site levels being increased between 1 and 5 metres to form a series of mounds and contours, evidenced by the submitted section drawings.

Officers consider that the existing site could quite simply be reconfigured and adjusted to form various golfing enhancements through a cut and fill exercise, or through the combination of a cut and fill exercise and the importation of a significantly reduced volume of suitable non waste material, if it was demonstrated that enough material was not available for re-use on site. No detailed justification has been provided to demonstrate the need to increase site levels so significantly. Officers are not therefore able to reasonably conclude that the minimum amount of material necessary is being imported, as required by CL:AIRE.

It is therefore considered that the golf course enhancements proposed are designed in order to justify the deposit of a large volume of waste material on the site. The enhancements to the golf course are therefore considered to be a by-product of a waste disposal operation rather than the primary intention of the scheme.

In order to try and find a way forward and support the clubs desire to improve the existing playing facilities the applicants were requested to consider a cut and fill exercise and a significant reduction in the amount of non-waste material to be imported to the site.

In response to this request the applicant's consultant states in a letter dated 7th November 2018 that they consider the most desirable and safe development option is to import new material to create a safe landform. They indicate that the existing ground conditions are not suitable to support a cut and fill exercise as it would result in potential risks to human life and the environment that should be avoided due to the potential presence of contaminants and historic coal mining below the surface. They also consider that cut and fill could cause land instability issues and the exposure of the existing ground could lead to the creation of material that would not be suitable for re-use, thus creating waste that would need to be processed and deposited elsewhere.

These comments however contradict a number of the applicant's consultant's statements within the earlier submitted Contaminated Land Preliminary Risk Assessment (Phase 1 Assessment) dated May 2018. This report argues that there are no significant contamination pathways for end users and contamination risks across a large majority of the site are low. The only recommended site precautions are limited to general housekeeping over the development phase, and some advice on waste control. No intrusive site investigations have actually been carried out by the applicants to establish exact ground conditions and potential risks.

In terms of the coal mining issues identified by the applicants, again their own Coal Mining Risk Assessment (CMRA) dated May 2018 identified that coal mining risks across the site, with the exception of the temporary haul road, are low. The shallowest recorded coal seams are indicated to be located 22 metres below ground. A cut and fill exercise would not require such deep excavations. Regardless it is considered that material could potentially be moved if necessary from other parts of the course, outside the high risk areas, to facilitate improvement works to the course and practice areas.

Furthermore parts of the application site, where a majority of the material is proposed to be deposited to form the new practice area, 6 hole academy course and parts of the short game practice area are not in identified high risk coal mining areas. These areas of the site are therefore considered to be unaffected by historic mining issues that would give rise to any contamination or safety issues which could not be reasonably managed by planning conditions.

Part of the proposals actually include some cut and fill to provide a flood attenuation lake and a water feature for hole 18. These works are located in the high risk coal mining areas. The applicants have noted the presence of historic

mining close to the pond but have not previously deemed the excavation works to be overly sensitive or lead to any significant risks.

Officers have previously requested that Intrusive site investigations are undertaken to clarify contamination risks associated with the development. Detailed site investigations would provide greater clarity and inform the feasibility of minimising the undesirable mass importation of materials garnered from unspecified off-site construction activities, and maximising the re-engineering and re-use of existing ground. The requested site investigations have not been undertaken by the applicants.

As such it is considered that the contamination and mining risks identified by the applicant's, which are not supported by any specific evidence from intrusive site investigations, overstate the risks and impacts associated with a cut and fill exercise in an attempt to justify the deposit of a large volume of material on the site.

Officers consider that the golf course enhancements have been designed to justify the importation of a significant volume of material. It is considered that a large majority of the features and enhancements proposed could be achieved by a cut and fill exercise and/or (subject to a redesign) the importation of a significantly reduced volume of suitable non waste material. The minimum amount of material considered necessary to undertake the works is not being used and unspecified amounts of concrete; which is not a clean naturally occurring material is also proposed. The proposals are therefore not considered to be CL:AIRE compliant. Significant volumes of material are required to undertake the works within the applicants specified 20 month period. In order to undertake such an operation a constant and ready supply of material would be required. It is expected that the applicants would have a clear idea where the material would be sourced from. The applicants have been pressed on this matter but have not specified the source of the material. A simple statement has been made that it will be retrieved from the Sheffield area from suitable development sites. The lack of clarity on this matter raises concerns about the quality and suitability of material that would be sourced and tipped on the site.

In light of the above the proposals are not considered to be compliant with the CL:AIRE CoP and the works proposed are considered to constitute a waste disposal operation which is located in the Green Belt. The implications of this are considered in greater detail below.

Waste policy

Waste disposal operations are subject to detailed regulation by the EA and consideration against national and local waste management policies. The National

Planning Policy Framework 2019 (NPPF) does not contain detailed policies relating to waste management. Instead national waste management policies are contained within The Waste (England and Wales) Regulations 2011, The Waste Management Plan for England 2013 (WMP) and set out by the National Planning Policy for Waste 2014 (NPW).

The Waste Hierarchy is an integral part of national waste policy. The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery and last of all disposal. The NPW sets out the Government's ambition of working towards more sustainable and efficient approaches to waste management by driving waste up the waste hierarchy.

The NPW at section 7 states that when determining planning applications the waste planning authority should: consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B of the NPW and the location implications of any advice on health from the relevant health bodies but that the waste planning authority should avoid carrying out their own detailed assessments in these respects; (b) ensure that waste management facilities in themselves are well-designed so that they contribute positively to the character and quality of the area in which they are located; and (c) concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities . The waste planning authority should work on the assumption that the relevant pollution control regime will be properly applied and enforced.

Appendix B - Locational Criteria of the NPW identifies a number of factors that must be considered by waste planning authorities when determining planning applications including water quality, land stability, landscape and visual impacts, nature conservation, the historic environment, traffic and access, air emissions and dust, odours and environmental issues including odour, noise, light etc. as well as land use conflicts.

At a local level a Core Strategy Policy CS68 sets out objectives for managing the city's waste sustainably. By encouraging less consumption of raw materials through the reduction and re-use of waste products, Parts b and c also identify that the city will make the best use of its existing landfill capacity and restrict consent for additional landfill to those cases where local provision can be justified. Part f goes on to identify that the unnecessary use of greenfield land when identifying suitable sites/areas and permitting other waste development will be avoided.

Further waste related policy is also contained in the UDP under Policy MW4, MW6 and MW7. These policies seek to ensure that land for additional waste disposal is only permitted in certain restricted circumstances; encourages recycling and reclamation in suitable locations; and that waste disposal operations comply with

other relevant policies of the UDP and do not give rise to unacceptable, amenity, design, environmental and highways issues.

The applicants have not applied for and do not consider the proposal to be a waste disposal; they have therefore not sought to demonstrate compliance with the relevant national and local waste policy's and their various spatial and environmental requirements. Furthermore they have not demonstrated any need for a waste disposal operational.

The Council consider the proposal to be a waste disposal operation and in the absence of sufficient information to address the various requirements of national and local waste policy officers consider the proposal to be contrary to these policies.

Green Belt

The site is in the Green Belt and in light of the above consideration must be given to local and national Green Belt policy to determine whether a waste disposal operation constitutes inappropriate development in the Green Belt, which is by definition harmful and should not be permitted except in very special circumstances.

The NPPF confirms at Paragraph 133 that the Government attaches great importance to the Green Belt and confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It also confirms that the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 134 of the NPPF clarifies that Green Belt serves five purposes:

- (a) to check the unrestricted sprawl of large built-up areas;
- (b) to prevent neighbouring towns merging into one another;
- (c) to assist in safeguarding the countryside from encroachment;
- (d) to preserve the setting and special character of historic towns; and
- (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 143 of the NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 144 then advises that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. It states that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 145 of the NPPF, identifies that the construction of new buildings in the Green Belt should be regarded as inappropriate development subject to list of identified exceptions. Although no new permanent structures are proposed as part of this application para 145 b) of the NPPF does identify that the provision of appropriate facilities (in connection with the existing use of land or a change of use for outdoor sport and outdoor recreation) as long as they preserve the openness of the green belt and do not conflict with the purposes of including land it, is not inappropriate development.

Paragraph 146 of the NPPF is however considered to be most relevant in this case and goes on to identify a number of other forms of development that are not inappropriate development in the Green Belt, which includes engineering operations and material changes in use of the land for purposes including outdoor sport or recreation provision, as long as they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

At a local level Policy CS71 of the CS identifies that the Green Belt Countryside and other open land around the existing built-up areas of the city will be safeguarded by maintaining the Green Belt. It goes on to say that development needs will be met principally through the re-use of land and buildings rather than through expansion of the urban areas and villages.

Policies GE1 of the UDP seeks to direct new development to previously developed sites in order to protect the Green Belt from the encroachment of urban development. GE2 seeks to protect and improve the Green Belt environment by maintaining and enhancing those areas with a generally high landscape value by improving poor landscapes in priority areas.

Policy GE4 seeks to ensure that the scale and character of any development permitted in or conspicuous from the Green Belt should be in keeping and conserve and enhance the landscape and natural environment of the Green Belt. The applicants contend that the works proposed constitute the provision of sport and recreational facilities and/or engineering operations and therefore accord with national and local Green Belt policy.

The golf course is an existing sporting and recreational facility. Paragraphs 145 and 146 of the NPPF identifies that the development of sports and recreational facilities and engineering operations are not in principle inappropriate development in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with purposes of including land within it.

However in this case it is considered that the provision of enhanced golfing facilities and the works associated with it are in fact a by-product or a secondary element of a scheme that's primary purpose is the disposal of approximately 183,401 cubic metres (approx. 100,000 tonnes) of waste material in the Green Belt.

Waste disposal operations are not identified in the NPPF (para 145 or 146) as one of the developments or uses of land in the Green Belt which are excluded from the definition of inappropriate development. Paragraph 6 of the NPW confirms that waste management facilities located in the Green belt are inappropriate development.

Furthermore the National Planning Practice Guidance (NPPG) gives general guidance on waste development and provides a non-exhaustive list of matters which can be considered waste operations. Landfill and land raising (such as soils to re-profile golf courses) are specifically identified in this non exhaustive list as waste development.

As such officers determine that the proposal constitutes inappropriate development which is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Furthermore, 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Effect on Openness

Openness is not defined in the NPPF, however it is generally accepted that openness means the absence of development.

Consideration of the effects of the development on openness entails both a spatial (or physical) aspect and a consideration of visual impact. In this regard the development will involve the significant importation of waste material on to the land and significant raising of the contour of the land of up to 5 metres in some places, along with some excavation and the removal of trees and woodland. Regardless of whether the site forms part of a golf course, it is considered that this will affect the appreciation of the visual openness of the land.

The proposed landform will differ significantly from the existing gently sloping open area of grassland, scrub and tree planting as a result of the significant increase in land levels and formation of mounds and golf features. The visual impacts of the land raising are particularly evident in the areas where the new practice facilities, short course, hole 1/17 and the new pond is to be formed.

Parts of the site are visible from Worrall Road and also from the public footpaths and informal routes adjacent to the southern boundary of the site. There is tree coverage along the southern boundary, which the applicants propose to supplement. The significant increase in site levels and substantial alterations to the landform, particularly over the practice areas will appear as unnatural features in the landscape. The works are therefore considered to detrimentally affect the character and appearance of the Green Belt, and do not preserve the openness of the Green Belt.

Furthermore the development will involve the construction of a haul road to take plant and vehicles associated with the tipping operation. There will doubtless be the creation on site of a compound for the secure storage of plant equipment and vehicles and the storage in mounds of material awaiting spreading across the land. This, albeit for a temporary period, will have a harmful impact on openness, visual amenities and appearance of Green Belt. In light of the conclusion that this is a waste disposal operation which is not compliant with the CL:AIRE CoP it is considered inappropriate.

There is particular concern in relation to the proposal to tip a quantity of 173.000 cubic metres of material on the southern part of the site as one un-phased operation. This will lead to visual harm to the openness of the green belt throughout the works (20 months) and is considered to be harmful to the open character of the Green Belt. The approach to tipping on the site does not contain adequate arrangements for appropriate phasing and timely restoration of the site.

The applicants have submitted visuals in an attempt to demonstrate the impact of the works. These visuals are taken from two different locations; and show the potential impact of the works to Hole 17 and the part of the site on the Worrall Road frontage. No visual assessments have been provided of the practice area where the majority of the material is to be deposited and where land levels are to be raised significantly, or the section of the site where a large number of trees are affected by the development.

Consideration must also be given to whether the proposal conflicts with the five purposes of including land in Green Belt as identified in Paragraph 134 of the NPPF.

Officers accept that the development would not result in urban sprawl, lead to the merging of neighbouring towns, undermine the setting and special character of historic towns or harm urban regeneration. However the proposals are considered to result in the encroachment of development in to the countryside as a result of the scheme being a waste disposal operation, the significant volume of material to be tipped, the increase in site levels and the subsequent alterations to the existing land form proposed. The development is therefore considered contrary to part c of paragraph 134 of the NPPF.

Green Belt -Other harm

Other harm resulting from the development must also be considered in the context of Green Belt policy.

The eastern boundary of the site adjoins and Area of Special Character. This area encompasses land to the east of the golf course which including a number buildings adjacent to and beyond Worrall Road. . The works are not considered to harm the character and appearance of the Area of Special Character.

However in a number of other respects the development is considered to give rise to other harm. These aspects of other harm are explained in more detail in the various sections of this report. The development is however considered to give rise to noise and disturbance issues which will detrimentally affect the amenity of residents during the construction phase. The proposal will also harmfully impact biodiversity, habitats and species, including protected species and results in removal of mature high quality (category A) woodland. During the construction the development is considered to have a harmful impact on the visual amenities, openness and appearance of the Green Belt.

Green Belt - Very Special Circumstances

In terms of very special circumstances the applicants have not identified that any are present as they consider the development to be appropriate development in the Green Belt in accordance with the NPPF (para 145 and 146).

Some limited background information on the need for the proposals is contained in the applicants planning statement which should be assessed along with other material considerations to examine whether these amount to very special circumstances.

The applicants have indicated that in line with a general decline in the golfing industry as a whole the club has experienced a down turn in membership whilst at the same time the costs of running and maintaining the course and club have increased. This has led to the club exploring development options over the last few

years resulting in the submission of this application. No detailed business case or justification has been submitted to demonstrate the need to deposit the significant amounts of material proposed.

Officers acknowledge that the scale of the development has been significantly reduced (follow pre application advice) from an initial proposal to deposit 850,000 cubic metres of material over a much larger area of the course.

The proposal includes substantial areas of new tree planting and creation of potential new areas of habitat that could bring about biodiversity enhancements, all be it the proposals also impact and affect existing habitats, remove mature trees and woodland and potentially affect protected species, (which is covered in more detail in the ecology and landscape section of the report) and so the benefits of these enhancements in terms of Green Belt policy are limited and do not outweigh the harm caused by the proposal.

The significant increase in land levels and the mass importation of waste materials constitutes inappropriate development and is considered to harm the openness of the Green Belt and conflict with the purposes (paragraph 134 c, of the NPPF) of including land in the Green Belt.

The introduction of a temporary haul road, site compound and the presence of construction vehicles and exposed mounds of material during the construction phase will also harm the openness of the Green Belt.

The financial difficulties of the club are acknowledged, as are the health benefits of engaging in sports and recreational activities which are supported by national and local planning policy. However these issues and those identified above are not afforded substantial weight in the context of the consideration of this proposal, and do not amount to very special circumstances which outweigh the harm caused by the development by reason of inappropriateness, impacts on openness and detrimental effects on the visual amenities of the Green Belt. The proposal also conflicts with the purposes of including land in the Green Belt and results in other harm to the Green Belt.

In this regard the development does not therefore comply with the NPPF, the provisions of the Unitary Development Plan and conflicts with the provisions of the Core Strategy.

Ecology and Landscape.

Paragraph 170 a) and d) of the NPPF identifies that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity value; and minimise impacts

on and providing net gains in biodiversity; including by establishing coherent ecological networks that are more resilient to current and future pressures.

Paragraph 175 a) of the NPPF identifies that if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Part d) of paragraph 175 goes on to state that opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

At a local level Policy CS74 of the Core Strategy identifies that high-quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods, including: the topography, landforms, river corridors, Green Network, important habitats, waterways, woodlands, other natural features and open spaces;

Policy GE11 of the UDP seeks to protect and enhance the natural environment ensuring that the design, siting and landscaping of development respects and promotes nature conservation and includes measures to reduce any potentially harmful effects of development.

Policy GE13 also seeks to ensure that development affecting areas of natural history interest and local nature sites should, wherever possible, be sited and designed so as to protect and enhance the most important features. Where development would decrease the nature conservation value of an area of Natural History Interest of a Local Nature Site, that decrease must be kept to a minimum and compensated for by creation or enhancement of wildlife habitats elsewhere, within the site or local area.

The applicants have submitted a phase 1 habitat survey which indicates the presence of various different habitats and species, including protected species, within the site. The report made a series of recommendations for further survey work to be carried out in order to establish the impacts of the development. The site itself includes woodland and mature trees, scrub habitat and areas of standing water which are considered to be of ecological value.

The applicants were requested to undertake the survey work recommended by the phase 1 report. Some of the recommended surveys were undertaken, however the applicants did not fully commission all of the necessary work as officers had indicated that there were other in principle policy issues with the development.

Officers cannot therefore conclude that the development will not detrimentally affect habitats and species within the site, some of which are protected, as insufficient information has been submitted.

GE12 Sites of Special Scientific Interest and Local Nature Reserves of the UDP identify that development which will damage sites of special scientific interest or Local Nature Reserves will not be permitted.

Part of the application site, along the southern site boundary, including the works to hole 1 and 17, the practice area and 6 hole academy course are overlapped by the Loxley and Wadsley Common Local Nature Reserve (LNR). The extent of the LNR is identified on the MAGIC mapping system, which is a website (maintained by Natural England) that provides geographical information on the natural environment from various government resources. The LNR boundary shown on the MAGIC map cuts through the application site unrelated to any recognisable geographical or physical features on the ground. The City's ecology section have been consulted for their view on the accuracy of the LNR designation and confirm that the boundary of the LNR as represented on the magic map is considered to be erroneous and is more likely to follow the southern boundary of the site. The LNR is considered to more accurately reflect the area covered by the Natural History Interest designation shown on the UDP proposals map North West (area 2) which lies outside the application site

Regardless the site borders the LNR and any impacts on it must be considered as part of this application.

The works will lead to an increase in land levels along the southern site boundary, however these changes are not considered to have any significantly harmful impacts on the LNR. The mounding and increase levels are located between about 10 and 20 metres from the existing boundary of the golf course separated from the LNR by a bank of trees, which are to be retained and supplemented with new planting.

There could be some noise and disturbance during the site operations associated with construction vehicles and potential for dust to become airborne and deposited on the LNR. These affects could be suitably mitigated through the use of planning conditions.

Notwithstanding the limited impacts on the LNR, insufficient information has been submitted to assess the ecological impacts of the development and as such the proposals are considered contrary to adopted local and national planning policies

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Trees and Woodlands

Policy GE15 seeks to protect trees and woodlands by requiring developers to retain mature trees, copses and hedgerows, wherever possible, and replace any trees which are lost; and not permitting development which would damage existing mature and ancient woodlands.

Para 170 b) of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

The site contains a number of trees and established areas of woodland which will be affected by the development. None of these trees or woodlands within the site are protected by tree preservation order, Conservation Area status and are not identified as Ancient Woodland.

The submitted arboricultural Impact assessment does however identify that 1 category A (highest quality) woodland, 6 category B (moderate quality) trees/groups and 5 category C (low quality) trees/groups are to be affected by the proposed development.

The majority of trees although mature, largely comprise of rows of trees between fairways, isolated species and a smaller groups of trees located within the highly managed landscape of the golf course. The loss of these trees on the wider landscape character of the area is regrettable, but can be compensated for by the proposal to plant substantial areas of new trees and scrub.

An area of mature woodland located on the northern edge of the course adjacent to hole 18 and the club house, is however affected and a substantial amount of trees are to be removed to form a flood attenuation pond and the construction access to it. The tree survey identifies this area of woodland as category A (highest quality) and indicates that it contains mature oak, silver birch, beech and chestnut.

The loss of this section of woodland is considered to be significant and the submitted survey is not considered to have fully assessed the impact of the proposals on the trees and woodlands immediately to the north, east and west of the pond. The works could potentially lead to the removal of additional trees and woodland beyond the boundary of the pond as a result of land excavation and construction access. This area of woodland forms a buffer between the golf course and land to the north including a dwelling house, and whilst a fairly large area of woodland would be retained, the impacts of the proposal are considered to be significant from a visual amenity and ecology perspective.

The new pond will help with drainage issues affecting Loxley Road and potentially could have positive biodiversity affects, however the loss of the category A (highest quality) section of the woodland on the northern boundary is considered significant and the submitted reports are not considered to adequately clarify the full extent of trees removals required, which could be more significant as the works to excavate the pond are indicated to be subject to further detailed design. As such the proposal is considered to detrimentally affect existing mature high quality trees within the site, the impacts of which are not considered to be off-set by replacement planting. The applicants have not clearly identified that the pond is necessary to deal with drainage issues arising from the proposed works or to facilitate the sustainable reuse of surface water on the site.

Furthermore the arbouricultural impact assessment does not consider the impact on the trees located within or adjacent to the temporary haul road or the affects that HGV movements would have on the short and long term sustainability of these trees. These trees separate the 3rd and 17th fairways and comprise of a number of mature species including oak and beech trees that form a substantial linear tree group. These trees are visible from the public footpaths to the south and their loss is considered to detrimentally affect the visual amenities of the Green Belt. Alternative construction access routes are considered to be available which would minimise impacts on these trees.

Highways

Policy CS 51 'Transport Priorities' sets out six strategic priorities including developing alternatives to the car, containing congestion levels and supporting economic growth through demand management measures and sustainable travel initiatives.

Policy CS 53 'Management of Demand for Travel' also seeks to make the best use of the road network, promote good quality public transport walking and cycling and use travel plans to maximise use of sustainable forms of travel and mitigate the negative impacts of transport.

Paragraph 108 of the NPPF identifies that decisions should take account of promoting sustainable transport, whether safe and suitable access to the site can be achieved for all people; and any significant impacts from developments on the transport network (in terms of capacity and congestion), or on highways safety can be cost effectively mitigated to an acceptable degree .

Para 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts of development are severe.

A Transport Statement (TS) has been submitted in support of the application, which primarily deals with the highways impacts of the development during the planned 20 month construction period.

A temporary site access is proposed off Long Lane approximately 250 metres north of the junction with Myers Lane. There is considered to be adequate visibility to and from the temporary site access along Long Lane to ensure that vehicles can safely negotiate access into and out of the site. The main access to the golf course from Worrall Road is not intended to be used for construction reasons due its gradient, alignment and the desire to separate construction traffic from customers who will still be using the course facilities during the works.

The site access and section of temporary haulage road located within the site will allow vehicles to gain access to the areas of the course which are to be tipped on.

In order to gain access to the site the transport statement indicates that heavy goods vehicles (HGV's) would come to the site via Holme Lane, Loxley Road and Long Lane where they would enter the site. The applicants TS indicates that there would be approximately 5 HGV arrivals and 5 HGV departures per hour, Monday to Friday between 0700 and 1900 hrs, and Saturday between 0700 and 1300 hrs. The HGV's are indicated to be rigid trucks, each carrying about 8 cubic metres of material per trip.

The A61 and Holme Lane are strategic urban links where HGV movements are commonplace. Holme Lane carries Supertram. During the morning and evening peaks, both are congested routes. Outside of the peaks, they are however free flowing. It is considered that even during the busy network periods, the HGV trips associated with works would not trigger an NPPF severe impact in terms of queues, delays or highway safety.

Loxley Road and Long Lane have different characteristics to Penistone Road and Holme Lane. Whilst Loxley Road is semi-rural, it is still classified as the B6077 and carries buses and agricultural traffic. Loxley Road is also fairly wide with footways on both sides up to and beyond the junction with Long Lane. Carrying a further 5 HGV arrivals/departures each hour is not considered to pose any severe safety or capacity issues.

Long Lane is rural in nature with a steep uphill gradient climbing away from Loxley Road. It provides access to the Loxley Nurseries close to its junction with Loxley Road and has no footways. There are occasions when the garden centre experiences peaks of customer activity resulting in queuing/parking in the highway, but this is not the norm. If, on occasion, queuing does occur associated with the garden centre, the HGV arrivals/departures wouldn't be the cause of the problem.

There is no reason to believe that the granting of planning permission would significantly dis-benefit pedestrians, cyclists or horse riders. However, if the proposal was deemed to be acceptable in all other aspects, the introduction of some temporary double yellow lines extending up Long Lane from Loxley Road could help matters; these works would be funded by the Golf Club.

The applicant has suggested that at the Council's discretion, they would be prepared to provide some localised widening and vehicle passing places in the grass verges along Long Lane. Having reviewed this option, officers are of the view that on the eastern side of Long Lane opposite the garden centre, a lay-by/passing place could cause unacceptable amenity issues for residents. Along the garden centre frontage, there's a brook in the way. Further along Long Lane, passing places would most probably just become parked in by walkers and such like. The view of officers is that HGV's associated with the development will be able to negotiate Long Lane without the need for passing places.

Once the remodelling works have been completed, the temporary site access off Long Lane would be closed. The landscaping would be returned to its original condition. Access to the Golf Club and its parking areas is currently off Worrall Road, and this would be retained as existing. In light of the above the highways impacts of the development during its construction period are considered to be acceptable.

The development also involves providing a new practice area a 6-hole academy course, and a short-game practice course. The trip generation from these additional/redeveloped golf course facilities is considered to be negligible and would not result in any significant increases in vehicle traffic that is considered to negatively affect the operation of the highways network. Customers would continue to access the course from Worrall Road as they currently do.

The development proposal (including the temporary site access arrangements) requires no closures or diversions to any public rights of way in the area. Public footpaths would remain unaffected.

The proposal is considered to be acceptable from a highways perspective.

Air Quality

The site is an Air Quality Management Area (AQMA) designated in March 2010 for nitrogen dioxide (NO₂) gas and fine particulate matter (PM₁₀) dust, due to exceedances of the standards set in the national Air Quality Strategy.

Policy CS66 of the CS states that Action to protect air quality will be taken in all areas of the city. Further action to improve air quality will be taken across the built-

up area, and particularly where residents in road corridors with high levels of traffic are directly exposed to levels of pollution above national targets.

Paragraph 181 of the NPPF identifies that opportunities to improve air quality or mitigate impacts should be identified and that planning decisions should ensure that development in air quality management areas is consistent with the local air quality action plan. Para 170 e) also identifies that new and existing development should not contribute to or be adversely affected by unacceptable levels of air pollution and should help to improve local environmental conditions such as air quality.

The proposal does not generate a level of traffic that requires the submission of an air quality assessment in accordance with the Councils published local planning application requirements. As such the developer has not produced a formal assessment for consideration. The proposed works will result in increased traffic movements for a period of 20 months, the Councils air quality team are satisfied that the vehicle movements associated with the development will not give rise to any significant air quality impacts.

Air quality impacts from dust soiling and site operations associated with tipping and movement of materials can be adequately controlled by conditions.

Amenity Issues

Policy GE24 Noise Pollution identifies that development will be permitted only where it would not create noise levels which would cause a nuisance.

Paragraph 170 e) of the NPPF identifies that Planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution.

Paragraph 180 of the NPPF identifies that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

Policy MW7 identifies that waste disposal facilities will be permitted only where disturbance to the environment would be kept to an acceptable level and where they would not disturb or cause a nuisance for other land uses, particularly

sensitive neighbours; and not involve unacceptable duration, phasing, methods or standards of working, or excessive active areas or hours of working.

The main amenity issues arising from this development are considered to be associated with the increase in vehicle movements to the site, site operations and the physical impact of raising the ground levels for those properties located near or adjacent to the site.

As noted above vehicle movements associated with the development are not considered to give rise to any highways safety issues, however engine noise from fully laden vehicles negotiating junctions in the vicinity could generate some noise and general disturbance issues.

HGV's are indicated to access the site via Malin Bridge and Loxley Road. These routes carry a fairly steady flow of vehicle traffic and are not considered to be so steep that a laden vehicle would struggle to negotiate the steadily rising gradient.

Long Lane is however steeper and in order to negotiate the junction with Loxley Road vehicles may be required to stop before turning and entering Long Lane. Possibly the most notable amenity impacts will be felt by the first 4 to 5 houses on the north side of Loxley Road approaching the Long Lane junction from the east. Engine noise from a fully laden wagon negotiating a steep incline up Long Lane, potentially from a standing position in Loxley Road will generate noise. Empty wagons travelling down Long Lane may also be prone to a degree of rattling noise which will also cause some disturbance.

Residents immediately adjoining the site could also be affected by engine noise, reversing beepers, or other sources associated with earthmoving vehicles and plant and equipment operating on site.

As a general rule the Councils Environmental Protection Services (EPS) recommend that where residential occupiers are likely to be affected by noisy works of demolition and construction these works should be carried out during normal working hours - 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays in accordance with the recommendations of Section 60 of the Control of Pollution Act 1974.

During these normal working hours the effects of site operations and traffic associated with the development is not considered to be significant. However the applicants transport assessment indicates that vehicle movements including site operations will take place between 0700 to 1900 hours Monday to Friday, and 0700 to 1300 hours on a Saturday.

The applicants have been advised that the proposed construction hours are unacceptable and should be amended to adhere to Councils recommended working hours in order to prevent any unacceptable noise and disturbance. The applicants have not agreed to amend the hours of operation.

It is acknowledged that HGV movements are not considered to be excessive and the number of properties that would actually be affected by the development is limited to those adjacent to the golf club access on Worrall Road and those on the haulage route, particularly those near to the junction with Long Lane and Loxley Road.

Those residents should reasonably expect not to be disturbed by the development and its associated traffic very early in the morning - before 0730 hours and after 1800 hours on a week day and before 0800 hours on the weekend. As such the applicants proposed hours of operation are considered to generate noise and disturbance issues which would detrimentally affect the amenity of residents.

Dust omission could be generated by vehicle movements, tipping operations and the movement of material on site. Impacts could be more significant during the drier summer months when material could easily be blown from the site on to adjoining land. The applicants have identified that a mobile bowser will be available to damp down the surfaces to suppress dust, and lorries will be sheeted where possible. The suggested measures are inadequate, however it is considered that the impacts of the development could be suitably managed and controlled by the implementation of a Construction Environment Management Plan (CEMP) which would need to describe a detailed set of measures to control dust emissions from the site. The sheeting of loads and appropriate wheel washing facilities could also be installed to minimise any effects from vehicle traffic on adjoining roads and properties. These measures could again be controlled by condition should the development be found to be acceptable in all other regards.

In terms of the amenity issues as a result of the physical increase in site levels, the main properties affected are those located next to the main access to the golf club on Worrall Road. These properties are already located at a lower level than the existing golf course. The submitted site section drawings indicate that the site levels will be increased by between 1 and 5 metres but these works will be located between 15 and 20 metres from the site boundary (of the closest dwelling) and screened by additional planting proposed as part of a comprehensive landscape scheme. Taking account of the above the development is not considered to have an unacceptable overbearing or overshadowing impact on adjoining properties or their amenity areas.

Flooding and Drainage

Policy CS 67 Flood Risk Management of the CS seeks to reduce the extent and impact of flooding through a series of measures including limiting surface water runoff, through the use of Sustainable drainage systems (Suds), de-culverting watercourses where ever possible with a general theme of guiding development where possible to areas at the lowest flood risk.

The site lies in Flood zone 1 which is considered to be at the lowest risk flooding in accordance with the Environment Agencies Strategic Flood Risk Assessment Maps. However as the site exceeds 1 hectare the applicant has produced a Flood Risk Assessment (FRA) which mainly deals with the impacts of surface water

Surface runoff from the golf course is currently managed by an extensive drainage network comprising shallow, vegetated channels and below ground drainage pipes. Runoff from the car park area and main entrance access road is managed separately to the golf course by the existing underground drainage system.

The proposal involves altering the existing land levels and raising them significantly in places. The FRA concludes that the proposed changes across the golf course will not fundamentally alter existing runoff catchments, overland flow pathways or increase run off, due to the design of the landform, material to be used and the fact that no increase in the sites impervious area is proposed.

The Sough Dike is located to the north of the site in a wooded valley. The dike flows towards Worrall Road where at the roadside it spills freely into the gully. Some localised flooding has occurred at this location in the past largely due to the location gully at a low point in the road.

A flood water storage feature is proposed on the Sough Dike in the existing woodland where it becomes culverted. This feature will provide storage capacity (approximately 850m³) for flood flows attenuating it and releasing it slowly back to the channel after the flood peak has passed, thus reducing the risk of localised flooding at the outfall onto Worrall Road.

The surface water management strategy for the application site will form an extension of the existing golf course drainage system. The system will comprise of vegetated swale channels with small check dams at regular spacing's positioned around the proposed development areas. The check dams will provide storage and will act to reduce runoff rates.

The proposed drainage features will eventually drain to the local watercourse Sough Dike, passing through the proposed storage pond which will provide increased water storage capacity and attenuate flows during storm events. The proposed drainage features will be managed and maintained by Hillsborough Golf Club.

In light of the above the proposals are considered to be acceptable from flooding and drainage perspective subject to conditions securing the detailed design and management of the system.

Historic Coal Mining

Para 178 of the NPPF identifies that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining.

Parts of the application site are in a Coal Mining High Risk Area, as such the applicants have submitted a Coal Mining Risk Assessment. The Coal Authority have confirmed that there are not any major coal mining issues affecting the large majority of the site with the exception of the proposed temporary haul road which could be affected by unrecorded shall mine workings, mine shafts and adits.

The Coal Authority has suggested that the position of the haul road could be amended to reduce its impact on historic mine feature this would however mean the application redline would need to be altered. Alternatively the Coal Authority suggest a series of intrusive ground investigations are undertaken to confirm risks and required mitigation. The Coal Authority are satisfied that the impacts of historic coal mining can be suitably mitigated by the imposition of a condition should the application be considered favourably.

Land Contamination

The applicants have submitted a phase 1 site investigation with the application which identifies that the site is not at any particular risk from historic contamination issues. The Councils Environmental Protection Services (EPS) have noted some concerns with this approach and advocate that intrusive site investigations should be carried out to categorise the ground conditions and to establish the need for further investigations. No intrusive site investigations have been carried out up to this point. They could however be secured by conditions to ensure the safe redevelopment of the site, should all other matters be deemed satisfactory.

Pre Consultation

The Council in its Statement of Community Involvement and the Government (paras 39 to 42 of the NPPF) encourage applicants to undertake pre application discussions with the Local Authority and to engage with the local community and statutory and non-statutory consultee's before submitting an application.

The applicants engaged with the Local Authorities paid pre application service and were advised of the Councils concerns with the project from the outset. The applicants have submitted a short Statement of Community Involvement (SCI) which identifies that the only form of pre-consultation undertaken was a presentation to Bradfield Parish Council on the 9th of May 2018. Representations to this application from Bradfield Parish Council identify various issues with the content of information presented by the applicants. There appears to have been obvious issues with the pre consultation process adopted by the applicants, which is regrettable. However pre application consultation is a voluntary process and the council could not refuse a scheme based on a poor quality pre consultation process or lack of engagement with interested parties and the local community.

RESPONSE TO REPRESENTATIONS

In terms of the development setting a precedent for similar proposals in the Green Belt, all applications must be considered on their individual merits.

Issues raised regarding the financial motivation behind the development are not planning matters.

The amount of material to be deposited on the site can be controlled by condition.

It is for the owners/operators of the club to ensure that the development does not give rise to any safety issues (such as balls leaving the course) associated with golfing activities on the site.

The council's public consultation has been carried out in accordance with adopted guidance.

The proposal includes measures to control and minimise the spread of mud on to the adjoining highways, including an extensive haul road.

All other issues are covered in the main body of the report.

SUMMARY AND CONCLUSION

The applicants are seeking permission to import 183,000 cubic metres (approximately 100,000 tonnes) of material on to part of the existing Hillsborough Golf Course in order to form a series of enhancements including remodelled practice areas, 6 hole short course, reconfiguration of holes 1, 17 and 18 and a flood attenuation pond.

The works involve raising land levels up to 5 metres in places. A temporary site haul road and compound are also proposed during the construction phase.

The application site extends to approximately 8.3 hectares and relates to the part of the course located to the east of Long Lane. The majority of the works are focused in the south eastern corner of the golf course around the existing club house.

The site is in the Green Belt and includes existing areas of tree planting, woodland and scrub. With the exception of a sloping area of land fronting Worrall Road, which is currently used for grazing, the majority of the site forms part of the managed landscape of the golf course.

The applicants contend that the proposed works are sport and recreation facilities and engineering operations and are therefore appropriate development in the Green Belt in accordance with adopted local and national policy.

In order to form the proposed golf course enhancements the developer intends to import clean, uncontaminated, excavated material such as soil, clay, earth and concrete. They state that this material will be moved and imported to the site as non-waste under the Contaminated Land: Applications in Real Environments (CL:AIRE) code of practice (CoP).

The CL:AIRE CoP is a good practice guide for the development industry to use in assessing if materials are classified as waste or not and; determining when treated waste can cease to be waste for a particular use. The CL:AIRE CoP includes a number of conditions and factors which must be considered when determining if a material is waste or not.

CL:AIRE identifies that the direct transfer of uncontaminated naturally occurring material, for certain use in construction to another construction site, other than the one where the material was originally produced, is excluded from the definition of waste. It does not however allow for the transfer of concrete from one site to another unless it has previously been processed to a state that it is no longer considered to be waste. The CL:AIRE CoP also identifies that the minimum amount of material needed, and no more, should be used in a project.

Officers conclude that the proposed works constitute a waste disposal operation as the material to be imported includes concrete and the works include raising land levels up to 5 metres in height in order to justify the deposit of what is considered to be an excessive volume of material on the site. Sufficient information has not been submitted to determine the acceptability of the proposal against national and local waste policies.

The golf course enhancements proposed are therefore considered to be a by-product of a scheme whose primary intention is to deposit waste material in the Green Belt. Waste disposal operations are inappropriate development in the Green

Belt, which are by definition considered to harmful. In accordance with the NPPF inappropriate development should not be permitted except in very special circumstances.

The applicants have not identified that any very special circumstances are present and officers, whilst sympathetic to the financial issues impacting the golf club, do not consider that any very special circumstances exist which would outweigh the harm caused by inappropriate development.

The applicants submitted ecology reports identify that the scheme has the potential to affect a number of existing habitats and species within the site, including protected species. A series of further survey works were recommended to be carried out to establish the impacts of the development. Some, but not all of the necessary survey works has been undertaken. Officers do not therefore have sufficient information to determine the effects of the development, and can only therefore conclude that the development will be detrimental to existing species and habitats within, and adjoining the development.

The development will result in the loss of a number of trees within the golf course, the majority of which will be compensated for by the provision of close to two hectares of new replacement planting. The works do however involve the removal of an area of category A (highest quality) woodland located toward the northern boundary of the site. This area of woodland is to be removed in order to accommodate a new flood attenuation pond.

Officers recognise the potential benefits of providing the pond in terms of reducing surface water discharge from the Sough Dike (on to Worrall Road), in times of heavy rain fall, and the potential that the pond may contribute to the biodiversity of the site. However the proposals result in the loss of a substantial area of category A woodland which will detrimentally effect the visual amenities of the Green Belt

The submitted arbouricultural assessment is also not considered to accurately assess the potential impact of the amount of woodland which could be lost by the construction of the pond, as the pond is noted as being the subject of more detailed design. Officers consider that development could result in the loss of additional trees and woodlands to the north, east and west of the pond.

The applicant's arbouricultural report also does not make any assessment of the trees affected by the construction of the temporary haul road access to the site, a number of which are mature species which are visible from the adjoining public footpath and are considered to contribute to the landscape of the golf course and visual amenities of the Green Belt.

The road network is considered to be able to accommodate the traffic generated by the development without resulting in any severe impacts on the operation of the

network or giving rise to highways safety issues. The proposal is also not considered to give rise to any harmful air quality impacts which could not be managed through appropriate planning conditions.

The applicants have indicated that they intend to undertake site operations and generate HGV's movement between 0700 to 1900 hours Monday to Friday, and 0700 to 1300 hours on a Saturday. These hours of use exceed normal working hours recommended by the Councils Environmental Protections Services of 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays, in accordance with the recommendations of Section 60 of the Control of Pollution Act 1974.

In light of the above the proposal is considered to give rise to noise and disturbance issues which would detrimentally effect the amenity of those residents immediately adjoining the site; and those dwellings located close to the junction of Long Lane and Loxley Road which are on the construction vehicle route, and where the impacts of vehicle noise from laden and empty HGV's is considered to be the significant.

The proposal is considered to be a waste disposal operation in the Green Belt which is inappropriate development and is therefore in principle considered to be harmful in accordance with local and national planning policy. The works are not considered to preserve the openness of the Green Belt and detrimentally affect the visual amenities of the Green Belt. The scheme is also considered to conflict with the purposes (para 134 c of the NPPF) of including land in the Green Belt and give rise to other harm.

The development results in the loss of a substantial area of category A woodland which is considered to harm the character and appearance of the Green Belt. Insufficient information has been submitted to assess the impact on habitats and species within the site, and the full effects on trees and woodlands within the site. As such officers can only conclude the development will be harmful in these regards.

The extended hours of operations proposed by the applicants are also considered to give rise to unacceptable noise and disturbance, which will detrimentally affect the amenities of dwellings adjoining the site and some properties on the identified HGV access route during the construction phase of the development.

Insufficient information has been submitted to determine the merits of the scheme against local and national waste policy.

The development is therefore considered to be contrary to adopted Local and National planning policy and it is recommended that the application is refused.

