

PLANNING APPLICATION REPORT

REF NO:	M/16/22/PL
LOCATION:	Land South of Grevatts Lane/A259 Climping
PROPOSAL:	Laying out of an 18 hole 72 par golf course, a 9 hole golf course, practice greens and a driving range including a buggy compound; the formation of a new access onto the A259; construction of a club house with associated golf club facilities; the construction of a maintenance building and external area of hardstanding; the laying of parking, new roads and paths; new landscape planting; surface water drainage basins and water storage resevoirs; and other earth works and infrastructure. This application also lies within the parishes of Climping and Yapton, is a Departure from the Development Plan and affects a Public Right of Way. This application is subject to an Environmental Statement.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks full planning permission for the relocation of Bognor Regis Golf Club to the site. The proposed facilities would consist of an 18 hole golf course, 9 hole course, practice green and driving range. Access is to be provided from the A259 with a new club house and parking for approximately 241 vehicles.
SITE AREA	73.67 Hectares
TOPOGRAPHY	Predominantly flat.
TREES	Tree Preservation Orders exist on site. This is dealt with within the report.
BOUNDARY TREATMENT	The site is currently characterised by 4 main field parcels separated by hedge lines and the Ryebank Rife water channels.
SITE CHARACTERISTICS	The site is largely open flat and in agricultural use.
CHARACTER OF LOCALITY	The site comprises 73 hectares and is currently primarily used for arable agriculture. The southern part of the site abuts Ancton Way whose houses back onto the arable fields with their rear boundaries abutting a thick hedge line of around 35 metres in depth. The south western corner of the site sits within the settlement of Ancton and abuts Sunnymead Close. Again this boundary of the site consists of a thick hedge line which runs between the rear boundaries and the arable land. The remainder of the site is bounded by arable land bar the northern boundary which is adjacent to the A259 Grevatt's Lane which is the main arterial route along the coast extending from Littlehampton to Chichester. To the north east of the site is an area of industrial / business use with various commercial

and haulage uses.

The woodlands adjoining the application site's western and southern boundaries are subject to Tree Preservation Orders (ref: TPO/M/2/91 and TPO/M/1/91). Public Right of Way P165 runs through the woodland that adjoins the western boundary of the site and passes between the Northern and Western field parcels.

The Ryebank Rife passes through the middle of the site and there are other drainage ditches present along the boundaries.

REPRESENTATIONS

Middleton Parish Council - No objection

It has raised the following comments to be considered in respect of this planning application;

- 1) Exiting the golf course onto A259 - vehicles wishing to turn right out of the golf course will cross two lanes of traffic on this busy road. A review needs to be carried out with regard to a new access/exit point for the golf club or to make vehicles turn left when exiting and use the nearby roundabout.
- 2) Clarification as to the rights of Ancton Way Elmer residents with regard to the Public Right of Way.
- 3) Riparian rights/responsibilities need to be clarified in respect of ditches on the golf course, on the boundaries of the golf course and any new ditches that may be required.
- 4) Confirmation that the Elmer surface water pumping station can meet the demand that may arise from this planning application.
- 5) New fencing should be sympathetic to the surroundings.
- 6) To protect houses at the southern end of the course more planting of mature trees is required.
- 7) The Environmental Statement should indicate how the development will impact upon drainage and potential flooding in the surrounding area.
- 8) The Environmental Statement should also indicate to what extent the site will be managed within an accredited environmental management system (ISO 14001)
- 9) A condition be imposed that the golf course be classified as Leisure and if at any time the golf course does not go ahead that the land be returned to agricultural land.

Felpham Parish Council - Strongly object.

- 1) OSR DM1 loss of open space / recreation land in Bognor Regis - the current proposed site for the new course is on farming land which is readily accessible by members of the public. FPC Object as a new private course will limit access to permissible paths (which can be removed) and are to be altered from their traditional routes.
- 2) OSR DM1 loss of open space / recreation land - The proposed new golf course is on current farming land with many trees and hedgerows. This also provides habitats for numerous species wildlife. FPC Object as a golf course is a manicured grassland and does not have the same features as farmland and will thus be a loss in habitat to existing wildlife.
- 3) PROW - concerns with regards to the treatment and diversion of these. The existing land has many PROWs and permissive ways through and around it. The illustrative drawings of the new golf course shows no access for the public and thus access to a public amenity will be lost and the land will become private access only - FPC object as residents will lose a currently public amenity.
- 4) SO DM1 - Plans to relocate to Ancton on Grade 2 agricultural land. FPC object as the move to Ancton will remove valuable farming land and convert it to a non productive private resource.
- 5) Traffic and Access - Traffic Impact - Access to new golf course off A259. The A259 from the Felpham relief road roundabout east end to the Wick roundabout (by Morrisons) has been subject to a consultation by WSCC and a series of works determined to alleviate the overloaded roundabouts and

road at peak times along that route. FPC object as this work did NOT include the impact of and traffic generation from this development. (Confirmed by WSCC). (Contributions of £1.2m from Ford Residential development).

6) Traffic and Access - Junction to new Golf Club location is via, it appears, a simple T junction off the A259. This is an unrestricted single carriageway road (60 mph speed limit) between potentially two Roundabouts at Oystercatcher and Comet Corner (themselves notorious junctions). The golf club predicts circa 40,000 rounds of golf per annum (generating 80,000 car movements?) and the only access is through the proposed junction.

FPC object as this junction will present an unacceptable risk as vehicles turn right (coming from Felpham) or turning right leaving (to go to Littlehampton) and re-establish risks on a road which has suffered fatalities (in the past) and serious accidents (regularly).

7) Traffic and Access - FPC object as there is no alternative access and egress to the golf course in the event of the A259 being blocked.

72 letters of objection were received. The main points of concern raised were:

- Loss of productive agricultural land that should be retained for food production which is all the more important now.
- The development will bring more congestion to the dangerous junction at Comet Corner and the new access will be dangerous.
- Site is an important uniquely peaceful green corridor and the golf course will urbanise this.
- Will result in a loss of wildlife.
- The existing golf club is adequate, it has been run down by the badly run committee & management.
- Golf courses only benefit a few people in the local community.
- There are other golf courses nearby at Walberton & Littlehampton meaning a concentration of golf courses in a small area.
- The site has flooding and drainage problems.
- Applicants have failed to address why the proposed course cannot be built elsewhere outside of the gap between settlements.
- Permissive rights for walkers would be removed.

Approximately 74 letters of support on the basis that:

- The area is in need of a first class golf course and increases in membership support this.
- It will be an excellent facility for the area and enhance the area for visitors.
- The new course has been designed to minimise flooding issues.
- Would secure the course for the next 100 years.

COMMENTS ON REPRESENTATIONS RECEIVED:

The Parish Council and third party comments are noted and will be addressed in the conclusions section, where they relate to material planning matters.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

West Sussex County Council Highways:

Based on the revised information now submitted, the County Highway Authority is now satisfied with the proposal from a highways perspective. As such, should the local planning authority be minded to approve the planning application, the County Highway Authority recommends that it only does so subject

to the completion of a S106 Agreement securing a Travel Plan and Travel Plan monitoring fee as well as relevant planning conditions to secure access, car parking, cycle parking, internal access roads, construction management plan and informatives.

National Highways:

No objection. Are satisfied that the development will not materially affect the safety or reliability of the Strategic Road Network.

West Sussex County Council Lead Flood Authority:

Current surface water mapping shows that the proposed site is at high risk from surface water flooding. This risk is based on modelled data only and should not be taken as meaning that the site will/will not definitely flood in these events. Any existing surface water flow paths across the site should be maintained and mitigation measures proposed for areas at high risk.

All works to be undertaken in accordance with the local planning authority agreed detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles. The maintenance and management of the SuDS system should be set out in a site-specific maintenance manual and submitted to, and approved in writing, by the local planning authority and the scheme shall subsequently be implemented in accordance with the approved designs.

Land Drainage:

The surface water drainage strategy remains lacking in detail and does not sufficiently address previous concerns. The level of detail provided in the technical note is very schematic and outline and does not clearly provide details of the proposed attenuation basins and associated drainage. It is not clear whether the proposals will properly address the risk of surface water flooding on site and downstream.

Environment Agency:

No objection subject to the development being carried out in accordance with the submitted flood risk assessment and mitigation measures to include post development ground levels to match those shown in the grading plans and subject to the imposition of conditions.

West Sussex County Council Public Rights of Way Team:

No objection on the basis that the section of the route between the Ryebank Rife and the entrance to the site will be improved with a 3m wide footpath with planting either side. The remainder of the route south of the Ryebank Rife will be improved to make the route clearer, removing shrubs etc. and the surface will be improved to provide a chipped bark surface or similar appropriate material taking account of existing Tree Preservation Order status of trees in this location. Note the intention to keep FP165 as a footpath and improve the northern section as a 3m wide footpath with planting either side. Welcome the intention to improve the remainder of the route south including the surface. Would welcome the improvement of the surface of this section of the footpath, southwards, through the new golf course. Specifically, would look for the surface to meet WSCC specifications for rural footpaths so that they can maintain the route going forward. Any Tree Preservation Orders with Root Protection Areas may require different treatment which can be advised on by the West Sussex County Council Public Rights of Way Team. Proposed details to be secured by condition.

Arun District Council Leisure and Greenspace:

No objection in principle.

Ecology:

No objection subject to securing ecological mitigation and biodiversity enhancements.

Arun Tree Officer:

The tree survey data is comprehensive and agree with the retention category ratings for on and off-site trees. The general 'principle of development' as described is achievable without undue detriment to higher value trees, but it requires a more sympathetic approach to the tree line east of Grevatt's Bridge. Suggest the applicant be encouraged to revisit this area of the layout.

Important arboricultural information is absent from this full application, such that cannot be sure retained trees and hedgerow would be adequately protected. As it stands am unable to support the application and so register an objection.

Environmental Health:

No objection in principle, if to be permitted conditions required relating to electric vehicle charging points, unexpected contamination and construction management plan / hours.

Archaeology Advisor:

No objection subject to imposition of condition.

Sussex Police:

No objection.

Southern Water:

No objection in principle subject to formal application for connection to the public sewer and suitable clearance allowed either side of the sewer with no soakaway, swale, ponds, watercourses or tree planting within this area.

Department of Levelling up and Communities:

No comments to make on the Environmental Statement.

West Sussex Fire and Rescue Service:

No objection subject to a condition requiring additional fire hydrants.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Outside Built-up Area Boundary

Countryside

Designated gap between settlement

Flood Zone 3

Risk of flooding from fluvial and tidal sources (majority of the site)

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation

ENVDM1	ENV DM1 Designated Sites of Biodiversity or geographical imp
ENVDM4	ENV DM4 Protection of trees
ENVSP1	ENV SP1 Natural Environment
GISP1	GI SP1 Green Infrastructure and Development
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HWBSP1	HWB SP1 Health and Wellbeing
LANDM1	LAN DM1 Protection of landscape character
OSRDM1	Protection of open space, outdoor sport, comm& rec facilities
QEDM2	QE DM2 Light pollution
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
SDSP3	SD SP3 Gaps Between Settlements
SKILLSSP1	SKILLS SP1 Employment and Skills
SODM1	SO DM1 Soils
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WSP1	W SP1 Water

Clymping Neighbourhood Plan 2015 Policy CPN10	Protection of high grade Agricultural Land
Clymping Neighbourhood Plan 2015 Policy CPN11	Quality of Design
Clymping Neighbourhood Plan 2015 Policy CPN12	Reducing the risk of flooding
Clymping Neighbourhood Plan 2015 Policy CPN14	Traffic and the Environment
Clymping Neighbourhood Plan 2015 Policy CPN5	Support and promote recreation and tourism
Clymping Neighbourhood Plan 2015 Policy CPN7	Protection of open views
Clymping Neighbourhood Plan 2015 Policy CPN8	Protection of Trees and Hedgerows
Yapton Neighbourhood Development Plan 2011-2031 Policy E6	Green infrastructure and development
Yapton Neighbourhood Development Plan 2011-2031 Policy E11	Minimising the impact of flooding from development
Yapton Neighbourhood Development Plan 2011-2031 Policy E1	Protection of high value agricultural land
Yapton Neighbourhood Development Plan 2011-2031 Policy H4	Quality and Design

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country

Planning (Local Planning) (England) Regulations 2012.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal conflicts with relevant Development Plan policies in that it is located in an area of countryside that is a strategic gap, within an area at risk of flooding and land comprised of best and most versatile agricultural land.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the plan unless material considerations indicate otherwise. The Development Plan for the Arun District currently comprises the Arun Local Plan 2011-2031 ("ALP"), the Yapton Neighbourhood Development Plan made in 2021 ("FNDP"), the Climping Neighbourhood Plan ("CNDP") made October 2015 and the West Sussex Waste and Minerals Plans. The Ryebank Rife crosses the site and is designated as a Biodiversity Opportunity Area

Having regard to Policy SD SP2 of the adopted Arun Local Plan, the site is located outside of the Built-up Boundary and is defined as being in the countryside. Under the provisions of Policy C SP1 of the Arun Local Plan, development will only be permitted within this area for a defined list of countryside uses. Green infrastructure is one such acceptable use and that does include outdoor sports facilities (with natural or artificial surfaces and either publicly or privately owned) - including tennis courts, bowling greens, sports pitches, golf courses, athletics tracks, school and other institutional playing fields, and other outdoor sports areas. Therefore, the proposed development would accord with the requirements of policy C SP1 of the Arun Local Plan.

The site is within an identified Settlement Gap where Policy SD SP3 is relevant. The provisions of Policy SD SP3 state that development will only be permitted within the Gaps if, amongst other things, it would not undermine the physical and/or visual separation of settlements, would not compromise the integrity of the Gap, either individually or cumulatively with other existing or proposed development and it cannot be located elsewhere.

SUSTAINABLE DEVELOPMENT

Starting with the land itself, the agricultural land maps for the area around Bognor Regis classify 60% of it as being best and most versatile land. The majority of the proposed golf course was surveyed by the Agricultural Development Advisory Service (ADAS) in the past (1993) and a further recent survey was undertaken to classify the northern part of the site. Taken together the surveys show that 2.2% is Grade 2 (very good), 27.2% is Grade 3a (Good), 42.6% is Grade 3b (moderate) and 11.2 % woodland with a further 16.8% not surveyed or not agricultural. Grades 1, 2 and 3a are classed as the best and most versatile land and as such the land is of a quality suitable for agriculture. The Environmental Statement (ES) submitted with the application concludes that parts of the golf course could be returned to agricultural use in the future, if required, and that the impact is reversible.

Policy SO DM1 of the Arun Local Plan seeks to conserve the best and most versatile agricultural land. The preamble to the policy states that the planning system should protect and enhance valued soil because it is an important natural resource. Fertile soil is vital for the production of food, timber, fibre and other crops which are all essential for human existence and which provide economic prosperity.

Many residents have objected to the loss of land on this basis. Policy SO DM1 is explicit in stating that the use of Grades 1, 2 and 3a of the Agricultural Land Classification for any form of development not associated with agriculture, horticulture or forestry will not be permitted unless need for the development outweighs the need to protect such land in the long term. The requirement to protect the best and most versatile land can be outweighed if it is demonstrated through sustainability and options appraisals that (amongst other things) any site preferred for development is demonstrated to be the best and most sustainable option, including but not limited to, the terms of land quality, ecosystem services, infrastructure and proven need. It has not been demonstrated that the site is the best and most suitable option since no other sites have been considered. Furthermore, Policy SO DM1 goes on to say that where development is permitted it should, as far as possible, use the lowest grade of land suitable for that development.

Once agricultural land is developed for golf courses, its return to agricultural land is seldom practicable because the buildings, land recontouring, water courses and hard surfaces associated with parking all have to be taken into account.

The existing golf course has not been closed and nor has any planning permission been granted for an alternative use on the site (such as permission for the outline application for residential development that is also before members today). In the absence of a demonstrated loss of the golf course, there is no requirement for another to replace it.

Therefore, the proposed golf course has not been demonstrated to be necessary. If permitted, it would result in the loss of best and most versatile land and the likelihood of the land being returned to the same level of agricultural use it has now is considered unlikely. Accordingly the proposal is considered to fail to accord with the principles of sustainable development and be contrary to Policy SD SP1 and SO DM1 of the Arun Local Plan, Policy CPN10 of the Clymping Neighbourhood Plan and Policy E1 of the Yapton Neighbourhood Plan both relating to the protection of agricultural land.

ACCESS, TRAFFIC, ROAD SAFETY & PARKING

The main access into the site will be from a new priority junction being formed on to the A259 along the site's northern boundary. In addition a right turn lane is proposed with localised widening of the road to accommodate this. Visibility splays of 4.5 metres x 215 metres are shown corresponding with the speed limit of the A259 in this location.

The highways works for the creation of the access will require the removal of some Category C trees.

The site entrance is designed to include soft features such as mounding and native hedgerows along with estate railings with signage proposed adjacent to the A259 to direct visitors into the site.

The new access road will be a two-way carriageway with a minimum width of 4.8 metres and a 2 metre footway which will extend some 140 metres into the site providing pedestrian access to the club house, car park and maintenance facility. The road will cross the existing public right of way and pedestrian measures will be provided to retain this route.

Improvements are proposed to a section of the existing public right of way which will be improved with a loose substrate surface at 3 metres wide with a 1 metre maintained grass strip either side; and there will be a new connection between the public right of way and pedestrian crossing on Grevatt's Lane running along the northern boundary. Off site highway mitigation will include a refuge island on the A259 to accommodate a pedestrian and cycle crossing point.

The access will also feature a spur road to allow deliveries to the course maintenance building as well as providing access for the green staff. The main clubhouse will have a layby for drop off and a service area to the west for clubhouse deliveries such as kegs, refuse etc.

The parking provision consists of 241 car parking spaces which will be located to the west of the access road. In accordance with The Arun Parking Standards SPD, at least 30% of the total number of spaces should feature active EV charging provision. A further overspill area is proposed to the north of the main car park and will feature additional parking for approximately 42 vehicles. A total of 13 spaces are shown on the plans as being accessible which would equate to just over 5% of the main car park in accordance with the Arun Parking SPD.

The A259 forms part of the National Cycle Network Route 2 and there will be three cycle stands provided, these will be located close to the Golf Club entrance and accommodate up to 6 cycles. The cycle parking will be in a lit and sheltered location.

The nearest bus stop to the site is at The Oystercatcher and is located around 1.2km to the east of the site which is approximately a 15 minute walk. Whilst it is noted in the travel plan that this is not considered an unreasonable distance to walk, especially for commuting trips, it must be borne in mind that most commuters do not carry a set of golf clubs. It is unlikely that this is a realistic option for golfers accessing the club. Therefore, the lack of alternative modes of transport will restrict the use of the facility to those who travel by car. Therefore, the site is considered to be in a very unsustainable location by virtue of the limited public transport options.

The highway impacts of the development have been considered by West Sussex County Council (WSCC) as Highway Authority and they have raised no objections in terms of highway safety or impacts.

FLOOD RISK

The majority of the site is located in Flood Zone 3 with a small area of the site in the northwest located in Flood Zone 1. Policy W SP1 is relevant to flood risk and states that the Council will support development that:

- a - is appropriately located, taking account of flood risk and promotes the incorporation of appropriate mitigation measures into new development, particularly Sustainable Drainage Systems that reduces the creation and flow of surface water and improves water quality;
- b. reduces the risk to homes and places of work from flooding whilst increasing biodiversity; and
- c. delivers a range of community benefits including enhancing the quality of life and providing greater resistance to the impact of climate change.

Policy WDM2 of the Arun Local Plan requires development in areas at risk from flooding, identified on the latest Environment Agency flood risk maps and the Council's Strategic Flood Risk Assessment (SFRA) to only be permitted where a sequential test in accordance with the National Planning Policy Guidance (NPPG) has been met and a site specific Flood Risk Assessment demonstrates that the development will be safe, including access and egress, without increasing flood risk elsewhere and reduce flood risk overall.

This policy is reiterated in Policy CPN12 of the Clymping Neighbourhood Plan and Policy E11 of the Yapton Neighbourhood Plan. As set out in the National Planning Policy Framework (NPPF), the aim of the sequential test is to steer new development to areas with the lowest probability of flooding.

Under the National Planning Policy Framework a golf course is classed as 'Water Compatible' using the flood risk vulnerability classification. Water compatible development is permitted in Flood Zone 3a. But the aim of the sequential test is to firstly steer development away from areas at risk of flooding and to only consider such sites if a sequential test has been undertaken which identifies that no other suitable sites at less risk of flooding are available.

The applicant has not undertaken a sequential test to explore whether there are alternative sites available within the district that could be used for the golf course. It is usual practice for applicants to agree a geographical search area with the local authority and then explore whether there were sites suitable for such a use within that area and run through an exercise to assess their flood risk, specific suitability, and availability. If at the end of that exercise no alternative sites were deemed suitable, they could proceed with the site they preferred. The applicants have not undertaken this exercise.

The applicants undertook consultation with the Environment Agency to agree the scope and methodology for hydraulic modelling to redefine the flood extents for the site. The modelled 1 in 100 year plus climate change flood depths and extents showed that the majority of the site was not at risk of flooding but some remained at risk, and some areas such as Acton Way to the south of the site had flood depths 17mm deeper in the post development event but this difference was 'deemed to be within the model tolerance', which is considered to be +/- 20mm. The most significant area at risk was along the boundary of the site adjacent to the River Elmer.

A Flood Risk Assessment was provided with the application when it was submitted dated February 2022. Within that the applicants make the case that the hydraulic model was then modified to incorporate the post development scenario to include site regrading (land raising). This showed that there are areas of beneficial and adverse impact. Fluvial modelling again used post development modelling to show minor changes in the flood depth in the post development scenario compared to the baseline scenario. The submission identified that golf buildings are intended to be located to the north of the site outside of the floodplain.

Surface water flood risk was shown to be low and it was noted that the proposed development would re-profile the entire site which would change the existing surface water flow routes. But the drainage strategy would be designed to address this.

The site is also in an area at high risk of groundwater flooding. To mitigate against this a positive surface water drainage system is proposed, surface water channels will be increased and reprofiled where necessary and the clubhouse and maintenance buildings raised above ground levels. It is on this basis that the applicant considers the scheme to be sequentially acceptable because the buildings would, (after development and regrading of the site) be in an area at low risk of flooding.

The Environment Agency maps show that the site is in an area at risk of flooding. Refined modelling scenarios (agreed with the Environment Agency) show that even after modelling some of the site

remains at risk of flooding. Notwithstanding the fact that the Environment Agency do not now object to the proposal (based on the fact that post development the buildings will be located to the north of the site on raised platforms and thus in an area at low risk of flooding), some of the site remains in an area at risk of flooding.

Despite the exercise carried out for the flood risk assessment, there may well be other sites within the district suitable for a new golf course that are not at risk of flooding and that do not result in loss of best and most versatile land, require land reprofiling, buildings being raised etc. to overcome the flood risk. This land regrading affects the current flood levels, and as stated in the flood risk assessment report, introduces minor differences which would result in both beneficial and adverse impacts.

The site is currently at risk of flooding, hydraulic modelling and reprofiling of the land shows that the more sensitive parts of the development (clubhouse and maintenance buildings) will be located outside of the floodplain in the post development scenario but other areas of the course i.e. the development as a whole, will remain at risk of flooding.

Whilst golf courses are identified as outdoor sports and recreation uses and therefore considered to be water compatible development, one of the reasons the existing golf courses wishes to relocate is because of problems it is experiencing with drainage and flooding. The best place to relocate the golf course to would have been to an area at low / zero risk of flooding for the entire site.

By way of example, the land to the north of the A259 is not located in Flood Zone 2 or 3 and nor is it within an area identified as a strategic gap, and whilst also likely to result in a loss of agricultural land, it is not on land that would have any flood risk associated with it.

A sequential approach to site selection as advocated by the planning practice guidance note may have identified other more suitable sites.

For the above reasons, the development fails to accord with flood risk policies as set out in Policy W DM2 of the Arun Local Plan, Policy CPN12 of the Clymping Neighbourhood Plan and Policy E11 of the Yapton Neighbourhood Plan as well as the NPPF.

DRAINAGE

To mitigate the risk of surface water flooding a drainage and suburban drainage system strategy has been developed which will involve attenuation and harvesting of surface water runoff at source via ponds and swales prior to discharge into the Ryebank Rife. The water will be collected in a reservoir for re-use to minimise the impacts on the wider water environment by minimising the amount of water which is required for irrigation.

The surface water runoff to the Ryebank or Elmer Rife will be at greenfield rates for the following scenarios:

- Should the reservoir become full during a storm event;
- The runoff rates exceed the pump rates; or
- Runoff occurs from areas which are not part of the rain water harvesting scheme.

It is stated that as the golf course will predominantly remain as a greenfield site (excluding car parking, access roads, club house and maintenance depot) the scheme will not result in an increase in runoff rates from these areas. The surface water runoff from the new impermeable areas will be collected, treated appropriately (e.g. suburban drainage system) and discharged to the reservoir or discharged at greenfield rates to the Ryebank or Elmer Rife.

Arun Engineers do not consider pumping sustainable for the site and encouraged the applicant to investigate alternative methods and have also stated that no clear surface water drainage proposals are provided for this site.

Whilst 3D ground modelling is provided, the Council's Engineers have advised that more information needs to be provided on where the proposed impermeable areas are draining to, the level of attenuation provision and where surface water will be discharge to. Surface water calculations also need to be provided to demonstrate that the run-off from these areas can be accommodated within the proposed attenuation features.

Clear information on the modelled fluvial flood level in relation to the attenuation features also needs to be provided and surface water calculations need to demonstrate the impact of joint probability events. This is to ensure that the quantum of development proposed at outline stage is achievable and that the surface water drainage proposals are appropriate and do not increase the risk of flooding elsewhere or onsite. In addition to this, the locations of the proposed SUDs features must be sited outside of the modelled fluvial flood extents.

The current strategy outlines that run-off from the site will be restricted to greenfield rates to the existing watercourse but does not explore the opportunity for on-site infiltration. A hierarchical approach to the disposal of surface water should be undertaken with priority to infiltration of surface water. Infiltration testing must be carried out to assess the opportunities for infiltration to ground. Therefore, infiltration testing is required and should be carried out in January/February (subject to agreement) and at agreed locations / depths. Furthermore groundwater monitoring is required to support the design of the basins and ensure there is no loss in attenuation capacity as a result of high groundwater levels.

No further information was provided by the applicant in response to the comments from the Council's Drainage Engineers made in March 2023. As such a holding objection remains in place. In the absence of further information being provided, the development as it stands is contrary to Policy W DM3 of the Arun Local Plan relating to sustainable drainage.

LAYOUT

The site can be broadly split into 3 areas:

- Western Field south of the A259 which will feature a 9 hole golf course, and car parking plus overspill parking area.
- Northern Field south of the A259 featuring the club house, maintenance facility, driving range and range building, practice facilities, 1st hole and 18th green of the course.
- Southern Field containing holes 2-17, halfway house and the 18th fairway.

There will also be a number of water bodies associated with the course. In the far northeast of the site and east of the maintenance facility will be a large irrigation storage pond. In the west of the site (west of the car park) will be a further 2 lakes and another irrigation storage pond. In the southern part around the 18 hole course will be a further 5 ponds.

2 bridges will be required to cross the Ryebank Rife, one from the 1st hole to go south to the second hole and another to cross from the 18th hole to finish on the green by the clubhouse.

BUILT DEVELOPMENT

The club house is a single storey building with a footprint of 1,407m² with an additional balcony of 57m² and a maximum ridge height of 7.1 metres, reaching 7.5 metres to the top of the chimney. This building will contain hospitality areas, changing rooms, offices, and ancillary rooms. The club house is set on a plinth at 5.00 metres above ordnance datum.

The proposed maintenance facility is also a single storey building with a footprint of 883m² with a maximum ridge height of 6.0 metres. This building will house a maintenance vehicle workshop, various storerooms, offices, as well as staff change rooms.

The driving range building will feature a maximum height of 5.0 metres and a footprint of 502m². The building will have 15 bays (10 covered) as well as a buggy store that will house 12 buggies.

The greenkeepers buildings are illustrated as being featuring brick plinth, timber cladding and a metal roof system all in muted earthy colours. The driving range will feature a flint plinth with timber cladding above and a mono pitch roof, again all in muted earthy tones.

The club house is of an angular design featuring a mix of roof pitches, the roof will also be provided with a photovoltaic cell bank. Externally the elevations will comprise a mix of red brick and flint stonework in large sections to break up the elevations. A timber brise soleil (solar shade) will be provided to screen the restaurant bar and function area and the adjoining members sports area. This part of the building will also feature an external mezzanine.

The building is designed to be modern and contemporary. One of the main complicating factors in assessing the application and the likely impact of the clubhouse building is that there is no landscape visual assessment submitted with the application. Therefore, it is not possible to assess how the building will sit in the landscape or how it will be viewed from any wider public viewpoints. This is also compounded by the fact that land raising is proposed. A visual impact assessment could have shown the views into and out of the current site and explored how these would have altered with land raising and the placement of buildings. This is covered in more detail in the sections below. However, the design of the club house building is deemed to be refreshing and contemporary with the materials proposed being suitable for a rural area.

A single storey halfway house will be sited in the southern part of the application site with a footprint of 23 m². An irrigation pump station enclosure will also be needed and this will resemble a simple metal shed type structure together with a circular 5 metre high water tank approximately 10 metres in width located to the north east of the maintenance facility.

The development also includes earthworks and infrastructure which is covered separately in this report. One section of ditch on site will be lost to create hole 3 and another will be culverted over to allow for the creation of the first hole. To compensate for sections of this loss a new ditch will run along the sites boundary and connect with the Rife. Finally, 2 bridges will be required to enable golfers to cross the Ryebank Rife watercourse that crosses the site running east to west.

No Landscape Visual Impact Assessment (LVIA) was provided with the application but some key viewpoints were assessed to see what, if any impact, the development would have on those. However, it is not clear whether those assessments looked at the impact of the development based on the existing landform and topography or whether they took into account the land raising and subsequent built development, they were also viewpoints taken from some distance beyond the site boundary.

The Planning Statement provided with the application states that the placement of the buildings will ensure that there is limited inter-visibility when passing along the A259, and with visual impact from more distant locations. It goes on to state that the layout of the scheme places the club house and associated buildings in a set back location from the A259 in keeping with the character of the Gap.

However, public footpath 165 runs along the eastern boundary of the site and will cut through the northern section and run alongside the proposed access road. This path provides views into and across

the site offering public viewpoints for the site yet no analysis was undertaken of the likely impact of the development from here. When entering the site on footpath 165 from the north, there will be clear views to the car park to the west, the clubhouse to the south and the maintenance depot to the east. The clubhouse will sit at 5.0m above ordnance datum and at the highest point be 13m above ordnance datum. It will be significant in scale and it will become a prominent feature in the landscape when viewed from the public footpath. The access, cycleway, and public footpath will represent a clear break in the hedge line and allow additional views into the site and of the built development beyond.

The development as proposed would undermine the physical and visual separation of the settlements due to the introduction of built form within the site especially given the structures visibility from public viewpoints. The proposed development is therefore contrary to Policies SD SP2 and C SP1 of the Arun Local Plan and Policy BB1 and E6 of the Yapton Neighbourhood Plan as well as Policy CPN 5 of the Clymping Neighbourhood Plan.

LANDRAISING

As noted above, the clubhouse is proposed to be set on a plinth at 5.00 metres above ordnance datum. The land where the clubhouse is proposed to be located currently sits at around 4 metres above ordnance datum. The formation of the golf course will require substantial land grading to achieve the landform that golfers expect. A grading plan shows the existing and proposed contours.

In the north of the site just south of the A259, existing ground levels sit at around 3.5 metres to 4.0 metres above ordnance datum. Along the Ryebank Rife (separating the northern and southern parts of the site) levels sit at around 3 metres above ordnance datum. South of the Ryebank Rife levels sit at around 2.5 metres to 3.6 metres above ordnance datum.

The site is currently largely flat but the regrading will create localised depressions for the lakes with a bottom notated at 0 metres above ordnance datum and other depressions at around 2 & 3 metres above ordnance datum and mounds which would extend up to 6 metres above ordnance datum.

The clubhouse, driving range and maintenance buildings are proposed to be sited on land that currently sits at an average of between 4.0 metres and 4.2 metres above ordnance datum. The proposed clubhouse will have a finished floor level of 5.5 metres above ordnance datum to bring it out of the area at risk of flooding.

It is not clear within the submission as to whether the regrading can be carried out using the material that exists on site or whether material will need to be imported / exported to achieve the resultant landform.

New golf courses by their very nature entail significant alterations to the landform to create bunkers, fairways, greens, and water courses. All of these are significant engineering operations that will change the character of the land. Golf courses such as this are viewed as non-natural landscapes. If permitted it would change the character of the site from what is currently experienced as open flat agricultural land which represents a clear break in the settlement pattern to an area of land that is modified topographically, unnatural and not representative of the open countryside associated with the current settlement gap.

CONSERVATION AND HERITAGE

There are three listed buildings within 500 metres of the site, the nearest being Ancton House to the south west on Ancton Lane. Due to the distance from the site, the intervening vegetation and topography, none of the heritage assets are considered sensitive to change from the proposed development.

Therefore, the proposed development would not result in any harm to the setting or significance of any

designated heritage assets and as such would accord with policy HER SP1 of the Arun Local Plan.

A Heritage Desk Based Assessment and Geophysical Survey have been provided as part of the environmental statement. The survey has identified three areas of archaeological interest and two areas of rectilinear anomalies. Were permission to be granted these could be investigated by a staged programme of archaeological works and where necessary, a suitable mitigation strategy.

ECOLOGY

An extended phase 1 survey, desk study and range of protected species surveys were completed by the applicant for the site. These reports concluded that due to the distances from the site there will be no effect on any nearby designated international site. One non-statutory site is located 0.4km from the site (Elmer Rocks) but due to the distance there will be no impact from the proposed development. No Sites of Special Scientific Interest are located within 2 km of the site.

The existing site is dominated by arable fields bordered by deciduous woodlands, arable margins and hedgerows all of which are classified as habitats of principal importance, including the Ryebank Rife. One of the four hedgerows present on site is identified as important under the hedgerow regulations as well as providing habitat opportunities. In addition to this habitat two ponds are located within 250 metres as well as the Ryebank Rife which has been identified as not suitable for Great Crested newts. The site also provides some suitable habitat for a range of protected species including bats, birds, hazel dormice, reptiles and riparian mammals. The survey work carried out by the applicant also confirmed that slow worms and reptile populations were recorded on site.

Proposed enhancements should result in a biodiversity net gain of 49.24% for habitats, 33.56% for hedgerows and tree features and 6.53% for rivers / streams. Other enhancement will include bat and bird boxes. No objection has been raised subject to securing ecological mitigation and biodiversity enhancements.

TREES / LANDSCAPING

All of the boundary vegetation is retained other than where the existing access is widened from the A259. The formation of the access will result in the loss of approximately 70m of hedgerow to achieve the required visibility splays and new hedgerow planting has been proposed to compensate for this loss. All vegetation along the Ryebank Rife will be retained but for 2 sections which will have to be cleared to enable the construction of two bridges.

An Arboricultural Assessment has been prepared and accompanies the application. This shows the extent of trees to be retained and removed as well as new tree and hedgerow planting. Five groups of category C trees are proposed to be removed and 2 hedgerows are proposed to be entirely removed. New planting proposed includes circa 1,000 linear meters of native hedgerow; circa 750 singular specimen ornamental and native trees; 0.64ha of woodland matrix planting; and circa 4.35 hectares of proposed native shrub area. In addition, a 10 metre planting buffer is proposed along the Rife to create a physical barrier, prevent erosion of the banks and provide wildlife habitat. At least 10% biodiversity net gain will be provided.

The Council's Tree Officer has objected to the proposed development on the basis that important arboricultural information is absent from the application. In addition it has been identified that whilst it is acknowledged that the 'principle of development' is achievable on site without undue detriment to higher value trees a more sympathetic approach is required. This is specifically the case for the line of trees to the east of Gravatt's Bridge with the tree officer requesting that this area of the layout is revised. It is proposed that loss of trees would be compensated by the planting of additional trees.

Therefore, as proposed the layout would adversely impact upon existing trees contrary to the

development plan, albeit it is acknowledged by officer's that amendments to the layout could overcome this conflict. The additional planting and landscaping measures proposed are acceptable but do not appropriately mitigate for the loss of existing mature trees which could be retained through amendments to the layout.

LIGHTING

The application is accompanied by a lighting statement which identifies the main areas requiring illumination and being the main entrance, the access road, the car park (including the overflow area) the club house and surroundings, the driving range, buggy store and the green keepers compound. No lighting is proposed on the driving range itself, just the driving range building will be illuminated.

Lighting is to be proposed as mainly wall, ceiling, bollard and column lit units via LED lights. The scheme proposes that column mounted lights will be controlled via photocells and dimmable controls. In the evening as the light drops the photocells will switch the lights on to 100% and then they will dim between 12pm and 6am. An override switch can be used to turn them off when required.

Bollard lights will also be controlled via photocells as well as timers and manual override switch.

Wall mounted lights will be controlled by photocells and passive infra red (PIR) sensors. These will switch on when the daylight is reduced but then switch off if no movement is detected. Manual overrides will also be present.

The provision of photocells timers and override switches will ensure that the lights only illuminate when the daylight has sufficiently reduced and allow the users to switch off the lights manually when they are not required. Timers also allow the scheme to switch on and off of between certain hours. Generally, lights are to be designed to prevent the spread of light in an upward direction and prevent overspill out of the site boundary. Details of the types of lights proposed are given in the report and being LED they are energy efficient.

The addition of lights here will introduce an element of light that is currently not present. However, light spill would not pass the site boundary and not have an impact on the wider landscape. The levels proposed are seen as appropriate and necessary for the use proposed, the design of the units will minimise upward glare and spillage and the duration of illumination could be controlled via the imposition of planning conditions. The proposed lighting scheme is therefore considered to be acceptable for the use.

SUMMARY & PLANNING BALANCE

This application is interlinked with and dependent on, application FP/274/21/OUT, which is an outline application for residential development on the existing golf course. Each application is mutually dependent on the other, but each is a separate planning application that must be considered on its own merits.

Should Member's agree with the officer's recommendation to refuse FP/274/21/OUT for residential development on the existing golf course then the need for this replacement golf course would fall away. In such a situation the refusal of FP/274/21/OUT would remove the need for the existing course to be relocated and as such reduce the need for such a facility to be provided.

This report identifies that the proposal is in conflict with the Council's policies in respect of being development in an area at risk of flooding. No sequential test has been undertaken to assess whether the proposed golf course could be located within an area with a lower risk of flooding and it is necessary to pass the sequential test before seeking to apply the exception test.

The development is located outside of the built up area boundary and within the countryside, Policy C SP1 relating to the countryside does not rule out the development proposals for quiet, informal recreation and golf could fall within this category. Therefore, the development is not inappropriate for a countryside location and would not conflict with policy C SP1 of the Arun Local Plan.

The site is also located within a Gap between settlements and Policy SD SP3 is relevant. Development will only be permitted within the Gaps if, amongst other things, it cannot be located elsewhere. Due to the fact that an appropriate sequential test has not been undertaken, it has not been demonstrated that there is no alternative site which could accommodate the golf course outside of the settlement gap, as required by Policy SD SP3 (c).

The designation of Gaps is not intended to rule out all development and does allow for appropriate, small scale development, which is in keeping with the rural nature of the Gaps. However, the proposal includes an 18 hole course, 9 hole course, golf driving range as well as the club house, maintenance building, reservoir and car parking for more than 240 vehicles. It is defined as major development and is not considered to represent appropriate small scale development and in the absence of any demonstrated need (subject to the refusal of FP/274/21/OUT) would not be appropriate within the Gap.

By virtue of the public viewpoints that will be available, and the level of built development and associated infrastructure such as buildings, heights, car parking areas, land raising and lighting, the development as proposed would introduce significant new development to the immediate south of the A259 which would significantly reduce the extent of the strategic gap undermining the visual separation of the settlements and compromising the integrity of the Gap.

The site is identified as being comprised of best and most versatile land and the development would, if permitted, result in a loss of this. In addition, there are outstanding issues relating to drainage.

To conclude, the identified harm likely to result from the provision of the new golf course is not outweighed by the requirement to provide a golf course. However, were the application for residential development on the existing golf course to be permitted, the harm from the application for the proposed new golf course would need to be balanced against the requirement to provide an alternative facility, as proposed by this application.

Therefore, in light of the above it is recommended that the application is refused for the reasons set out below.

HUMAN RIGHTS ACT

The Council in making a decision, should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (Right to respect private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

CIL DETAILS

This application is CIL liable, therefore, developer contributions towards infrastructure will be required (dependent on any exemptions or relief that may apply).

RECOMMENDATION

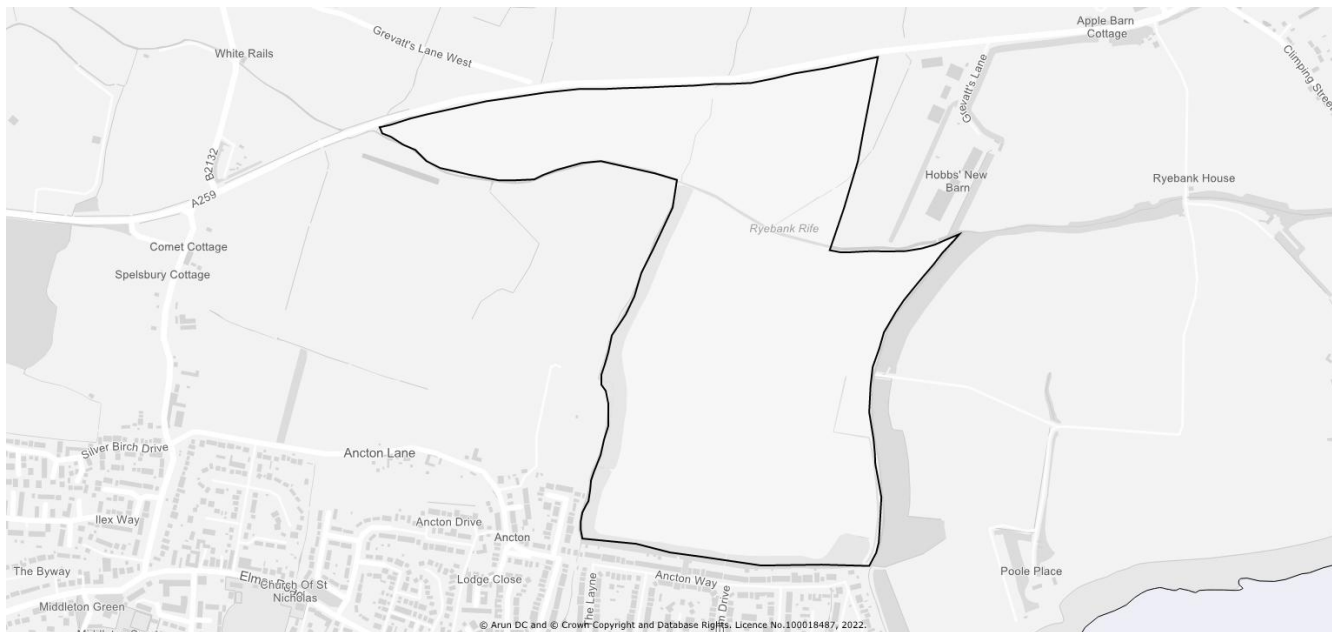
REFUSE

- 1 The site is not allocated within the Arun Local Plan and falls within an area identified as at risk of flooding (Flood Zone 3a). The application fails to adequately address the sequential test in relation to Surface Water Flood Risk and in the absence of a satisfactory sequential test, it has not been demonstrated that the proposed development is appropriate in this area contrary to policy W DM2 of the Arun Local Plan, policy CPN 12 of the Climping Neighbourhood Development Plan, policy E11 of the Yapton Neighbourhood Plan and the National Planning Policy Framework.
- 2 Insufficient information has been provided in support of the application to adequately demonstrate that the proposed drainage strategy would adequately address the risk of surface water flooding both on site and downstream. Therefore, the proposed development is contrary to policy W DM3 of the Arun Local Plan and the NPPF.
- 3 The site is located in an area identified as a Gap between settlements and identified as part of the Green Infrastructure Network. In the absence of an appropriate sequential test having been carried out, it has not been adequately demonstrated that the proposed golf course could be located elsewhere outside of the Gap. Given the extent and scale of built form, land remodelling and supporting infrastructure, the development proposed is not an appropriate small scale development. If permitted it would alter the distinctive character and settlement structure of the area to an unacceptable degree. The development would therefore be contrary to policy SD SP3 of the Arun Local Plan, policy CPN 5 of the Clymping Neighbourhood Plan and policy E6 of the Yapton Neighbourhood Plan.
- 4 The development as proposed would result in the loss of a large area of best and most versatile land with little realistic chance of it returning to agricultural use in the future contrary to policies SD SP1 and SO DM1 of the Arun Local Plan, policy CPN 10 of the Clymping Neighbourhood Plan and policy E1 of the Yapton Neighbourhood Plan.

BACKGROUND PAPERS

[The documents relating to this application can be viewed on the Arun District Council website by going to https://www.arun.gov.uk/weekly-lists and entering the application reference or directly by clicking on this link.](https://www.arun.gov.uk/weekly-lists)

M/16/22/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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