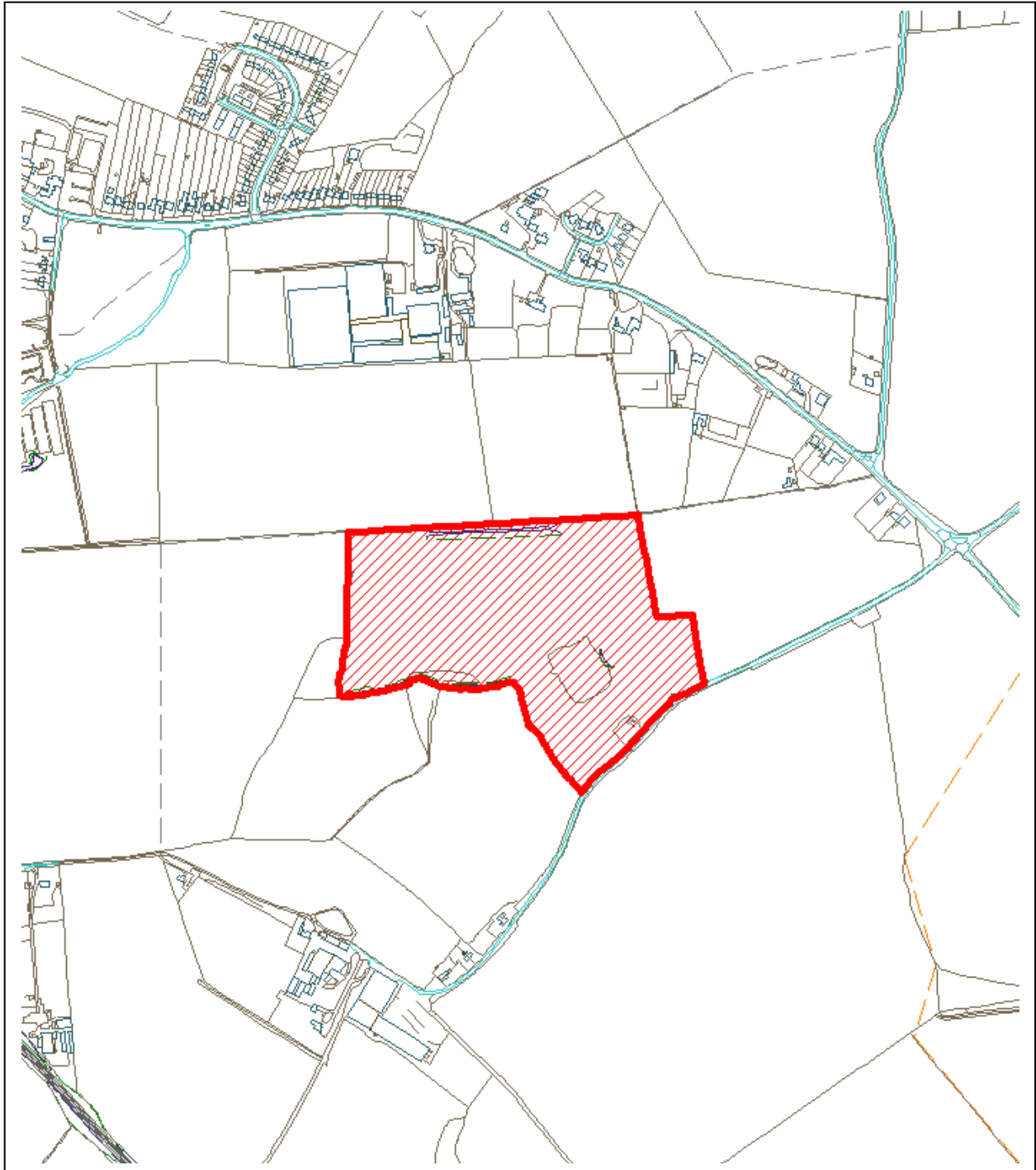


PLANNING COMMITTEE

8<sup>TH</sup> OCTOBER 2013

REPORT OF THE HEAD OF PLANNING

**A.6 PLANNING APPLICATION - 12/01086/FUL - R M C ROSE FARM QUARRY**  
**THORPE PARK LANE, THORPE LE SOKEN, CO16 0HN**



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**Application:** 12/01086/FUL      **Town / Parish:** Thorpe-Le-Soken Parish Council

**Applicant:** Thorpe Park Golf Course Ltd

**Address:** R M C Rose Farm Quarry Thorpe Park Lane Thorpe-Le-Soken CO16  
0HN

**Development:** Construction of office and shop to be associated with golf driving range, new stables for the keeping of 8 horses with associated tack room, new barn for the storage of hay and maintenance machinery, a ménage and change of use of part of the land for the keeping of horses.

## 1. **Executive Summary**

- 1.1 The application has been referred to the committee by Cllr. Jose Powell.
- 1.2 This application is for the construction of office and shop to be associated with the previously approved golf driving range, new stables for the keeping of 8 horses with associated tack room, new barn for the storage of hay and maintenance machinery, a ménage and change of use of part of the land for the keeping of horses at the former Quarry site, Thorpe Park Lane, Thorpe-Le-Soken. The application details have been revised since original submission. The revision solely relates to private stabling of horses rather than a commercial enterprise.
- 1.3 There is already planning permission for a golf course and driving range at the site, which has not been fully implemented to date. A stated change in market conditions has resulted in these proposals as a substitute for the previously approved golf course.
- 1.4 The development would have no material adverse impact on the rural character and appearance of the area, no adverse impact on residential amenity or on the environment generally. The proposed development would, therefore, comply with the relevant Local Plan Policies and government guidance.

### **Recommendation: Approve**

#### **Conditions:**

1. Standard Time Limit for commencement of golf driving range and equestrian elements (3 years).
2. Floodlighting scheme to be submitted and approved.
3. Any floodlighting to illuminate the range between 1 hour before dusk and 2130hrs on any day only.
4. A scheme of landscaping, including dates for implementation, to be submitted to and approved by the local planning authority before the golf driving range is first brought into use.
5. A scheme of site drainage to be submitted to and approved by the local planning authority.
6. Site levels details to be submitted to and approved by the local planning authority.
7. No commercial use of the stables, ménage and barn.
8. The proposed new private drive to the equine element of the development site shall be constructed to a width of 6m for at least the first 12m and shall be provided with an appropriate connection to Thorpe Park Lane.

9. Vehicular visibility splays to be provided in accordance with the submitted details and such splays shall be maintained in perpetuity free from obstruction exceeding a height of 600mm.
10. Details of the construction and future maintenance of the necessary bridging or piping of the drainage ditch/watercourse to be submitted to and approved in writing by the Local Planning Authority.
11. No unbound materials to be used in the surface treatment of the proposed vehicular access within 12m of the highway boundary.
12. Worded signage to be provided at the ingress/egress to the proposed car park detailing car parking for both elements at the development site and additionally located entirely clear of the limits of the highway.
13. No less than 50% of the car parking area, including any spaces for the mobility impaired to be hard surfaced, sealed and marked out in parking bays. The car parking area shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles related to the use of the development.
14. The parking spaces / vehicular hardstandings shall be constructed to minimum dimensions of 5.5m x 2.9m.
15. Any gates erected at the vehicular access shall be inward opening only and shall be recessed a minimum of 12m from the nearside edge of carriageway of the existing road.
16. A vehicular turning facility, of at least size 3 dimensions and of a design which shall be approved in writing by the Local Planning Authority, shall be provided within both sites and shall be maintained free from obstruction at all times for that sole purpose.
17. Parking and vehicle turning facility suitable for horse boxes and trailers to be hard surfaced and sealed the location and design which shall be approved in writing by the Local Planning Authority. The parking area shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles related to the use of the development.
18. Details of a wheel and underbody cleaning facility within the site and adjacent to the egress onto the highway shall be submitted to and approved in writing by the Local Planning Authority and that facility shall be maintained during the period of construction.
19. No equestrian fairs or competitions to be permitted.

## 2. **Planning Policy**

### National Policy:

*National Planning Policy Framework*

### Local Plan Policy:

*Tendring District Local Plan (2007)*

QL1	Spatial Strategy
QL2	Promoting Transport Choice
QL3	Minimising and Managing Flood Risk
QL7	Rural Regeneration
QL9	Design of New Development
QL10	Designing New Development to Meet Functional Needs
QL11	Environmental Impacts and Compatibility of Uses

ER7	Business, Industrial and Warehouse Proposals
ER16	Tourism and Leisure Uses
COM1	Access for All
COM2	Community Safety
COM4	New Community Facilities (including Built Sports and Recreation Facilities)
COM8	Provision and Improvement of Outdoor Recreational Facilities
COM11	Formal Recreation Facilities in the Countryside
COM12	Equestrian Uses and Buildings
COM19	Contaminated Land
COM21	Light Pollution
COM23	General Pollution
COM29	Utilities
COM31a	Sewerage and Sewage Disposal
EN1	Landscape Character
EN6	Biodiversity
TR1a	Development Affecting Highways
TR1	Transport Assessment
TR2	Travel Plans
TR3a	Provision for Walking
TR5	Provision for Cycling
TR6	Provision for Public Transport Use
TR7	Vehicle Parking at New Development

*Tending District Plan Proposed Submission Draft (2012)*

SD1	Presumption In Favour Of Sustainable Development
SD5	Managing Growth
SD8	Transport and Accessibility
SD9	Design of New Development
PRO6	Retail, Leisure and Office Development

PEO20	Playing Pitches and Outdoor Sports Facilities
PLA1	Development and Flood Risk
PLA4	Nature Conservation and Geo-Diversity
PLA5	The Countryside Landscape
COU4	Business and Domestic Equine-Related Activities
COU7	Farm Diversification

### 3. **Relevant Planning History**

2002 – Golf club house and maintenance building – Approved (01/00603/OUT).

2002 – Development of a nine hole golf course, driving range and car park – Approved (01/00604/FUL).

2002 - Golf clubhouse, managers cottage, golf driving range building, golf course maintenance building – Withdrawn from determination (02/00708/FUL).

2003 - Golf driving range, golf course maintenance building and golf clubhouse – Refused (02/02213/FUL).

2004 - Erection of Golf Driving Bays and construction of car park (with details of Driving Range illumination) – Approved (03/01791/FUL).

2007 - Erection of portacabin units associated with the construction of new 9 hole golf course – Approved (03/00295/FUL).

2007 - Revision of layout of 9 hole golf course. – Withdrawn from determination (06/00447/FUL).

2010 - Construction of nine hole golf course and driving range. Erection of club house. Construction of new vehicular access – No determination - (07/01958/FUL).

### 4. **Consultations**

#### ***Original Consultation***

#### **TDC Public Experience (Environmental Services)**

4.1 Previous use of the land suggests that there may be a contaminated land issue where the buildings are to be constructed. Recommend conditions to ensure:

- A survey and reports are submitted and approved prior to any works starting, and
- Any remediation and associated reports are submitted and approved by the Local Planning Authority should they be required.

#### **TDC Regeneration**

4.2 The Regeneration team are broadly supportive of this application as the site has been unused for a significant length of time even though there has been a longstanding

permission on the site for a golf course. This application would see this site brought into full commercial use with the creation of 2 full-time jobs.

#### TDC Principal Tree & Landscape Officer

- 4.3 The main body of the land does not contain any trees or other significant vegetation. However the boundary with Thorpe Park Lane benefits from an established hedge of mixed indigenous species.
- 4.4 The Outline Design and Access Statement makes reference to the production of a detailed landscaping scheme to identify any trees or landscape features that should be retained and the need to provide detailing for the indicative landscaping shown of drawing No. 669/01 A.
- 4.5 Any landscaping plan should show the retention of the boundary hedge - which would be improved if routine maintenance functions were to be carried out.
- 4.6 In addition to the retention of the above hedge the landscaping scheme should address the treatment of boundaries to partially screen the application site and to ensure that it fits comfortably in the countryside. The scheme should also address the need to maximise planting opportunities within the main body of the land.

#### Essex County Council Highways

- 4.7 The Highway Authority raises no objection subject to the imposition of controlling conditions relating to the following:-
  - The proposed new private drive to the equine element of the development site shall be constructed to a width of 6m for at least the first 12m and shall be provided with an appropriate connection to Thorpe Park Lane;
  - Vehicular visibility splays to be provided in accordance with the submitted details and such splays shall be maintained in perpetuity free from obstruction exceeding a height of 600mm;
  - Details of the construction and future maintenance of the necessary bridging or piping of the drainage ditch/watercourse to be submitted to and approved in writing by the Local Planning Authority;
  - No unbound materials to be used in the surface treatment of the proposed vehicular access within 12m of the highway boundary;
  - Worded signage to be provided at the ingress/egress to the proposed car park detailing car parking for both elements at the development site and additionally located entirely clear of the limits of the highway;
  - No less than 50% of the car parking area, including any spaces for the mobility impaired to be hard surfaced, sealed and marked out in parking bays. The car parking area shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles related to the use of the development;
  - The parking spaces / vehicular hardstandings shall be constructed to minimum dimensions of 5.5m x 2.9m;
  - Any gates erected at the vehicular access shall be inward opening only and shall be recessed a minimum of 12m. from the nearside edge of carriageway of the existing road;

- A vehicular turning facility, of at least size 3 dimensions and of a design which shall be approved in writing by the Local Planning Authority, shall be provided within both sites and shall be maintained free from obstruction at all times for that sole purpose;
- Parking and vehicle turning facility suitable for horse boxes and trailers to be hard surfaced and sealed the location and design which shall be approved in writing by the Local Planning Authority. The parking area shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles related to the use of the development;
- Details of a wheel and underbody cleaning facility within the site and adjacent to the egress onto the highway shall be submitted to and approved in writing by the Local Planning Authority and that facility shall be maintained during the period of construction, and
- No equestrian fairs or competitions to be permitted.

#### Environment Agency

- 4.8 We have looked at the application and although it lies on an historic landfill we consider that the water environment at this site is of low environmental sensitivity, therefore we will not be providing detailed site-specific advice or comments.

#### Thorpe-Le-Soken Parish Council

- 4.9 Recommend refusal.
- 4.10 We would request that this application goes to a full Committee rather than be decided by an individual officer and a site visit by the Planning Committee is considered essential before any consideration of this plan is put in place, as the 2001 application is being used as part of the above application. Surely all terms and conditions on the 2001 should be implemented before any consideration is given to this new application. The proposed access for the equine centre is in a narrow part of an existing unclassified road with an insufficient turning circle for access into the centre. The use of part of the site for stabling is out of keeping with the area as flooding is an issue for the residents who live in Frinton Road and who have paddocks and stabling. The Parish Council also believes that another equine centre in the area would be an over development of the existing area. The Parish Council also feels that the excess of soil which was previously imported onto the site under the 2001 permission should be removed, with no further import of topsoil being allowed onto the site and would suggest that some of the existing soil be re-graded to use as topsoil. The proposed equine centre does not comply with the Tendring District Plan and has contravened most of COM12 regulations which are the requirements for equestrian use. Finally, we feel that there is already an abundance of stabling facilities, not only in Thorpe-Le-Soken, but the Tendring District on general.

#### ***Revised Consultation***

- 4.11 Any further representations received will be reported at the meeting.

### **5. Representations**

- 5.1 Three objections received in total. The salient points are as summarised:

- Site for future accommodation not clarified;
- Flooding of site;
- Previous site issues should be corrected before considering this application;

- How is the organic vegetable business to be operated;
- Drainage concerns,
- Sewerage concerns, and
- No additional soil/material should be imported.

### Essex County Council Highways

5.2 The Highway Authority raises no objection subject to the imposition of controlling conditions as requested upon the original submission.

## **6. Assessment**

6.1 The main planning considerations are:

- Planning Policy Considerations;
- Principle of Development;
- Highway Considerations;
- Drainage Considerations; and,
- Landscape and Ecology.

### **Site Context**

6.2 The application site measures approximately 12.1 hectares and formed part of the former La Farge quarry site. The site lies to the north western side of Thorpe Park Lane, Thorpe-Le-Soken, with sporadic residential development to the north east and south west. Access to the site is achieved via Thorpe Park Lane.

### **Proposal**

6.3 This application seeks planning permission for the construction of an office, reception and shop building to be associated to the previously approved golf driving range; new stables for the keeping of 8 no. horses with associated tack room, new barn for the storage of hay and maintenance machinery, a ménage and a change of use of part of the site for the keeping of horses.

6.4 The application has been revised since original submission. The revision relates solely to private stabling of horses rather than a commercial enterprise.

6.5 The previously approved golf driving range, parking and driving bays are to be carried out in accordance with the previous planning permission. The proposed office/reception/shop building (with W.C. facilities) is intended for use by users of the golf driving range. The building is to be located on the site of the previously approved clubhouse building (as approved under p.p. 01/00603/OUT) and in close proximity to the golf driving bays as approved under p.p. 03/01791/FUL.

#### *Office/Reception/Shop Building*

6.6 The office/reception/shop building measures 6.2m in height, 12m in width and 7m in depth. The building is to be constructed of weatherboarding to the external walls over a brick plinth under a clay pantile roof. The building will benefit from front and rear facing windows with a single front entrance door. In terms of accommodation the building will be laid out primarily as shop space selling golfing equipment with a small reception area and W.C. and managers office all at ground floor level. The building has an overall floor area of 76 m<sup>2</sup>.



### *Stables*

- 6.7 The proposed stables provide facilities for 8 horses and include 2 no. tack rooms. The stable building is proposed to be laid out around a courtyard and is to be constructed of similar materials to the office/shop building. The building will measure 4.6m (max) in height, 18.8m in width and 16.9m in depth. The floor area of the proposed stables equates to 170 m<sup>2</sup>.

### *Hay/Machinery Store*

- 6.8 The proposed hay/machinery store building is also to be constructed of weatherboarding over a brick plinth with a clay pantile roof. This building measures 5.55m in height, 10.1m in length and 7.5m in width and incorporates a wide entrance door and single side access door.
- 6.9 The machinery proposed to be stored in the building comprise of a tractor, small trailer and mower attachment together with associated tools and with hay/straw to be stored to the rear of the building (50/50 split).
- 6.10 The floor area of the building equates to 70 m<sup>2</sup>.
- 6.11 The application supporting documents state that this building is needed primarily for security against theft.

### *Ménage*

- 6.12 The proposed ménage is to measure 47m x 25m and the surface will be formed of sand/recycled rubber mixture laid over a MOT Type 1 base and is to be self draining. A timber post and rail fence is proposed to the perimeter at a height of 1.2m.

### *Grazing Land*

- 6.13 Approximately 5 hectares of grazing land is to be provided divided into paddocks. It is also proposed to use land south of the proposed stables for the growing of organic fruit and vegetables for sale locally. Members should note that the growing of vegetables does not require permission and therefore this element does not form part of the application proposals but is included in the report for completeness.

### *Topsoil Importation*

- 6.14 The application also details that topsoil is to be imported. It is advanced that no topsoil has been previously imported to the site and that the existing levels are required to be graded and an allowance made for 200-300mm of topsoil. Such action is stated as being required whether the extant scheme or this proposal is carried out as without the importation of topsoil, nothing can be grown on the land.

## **Planning Policy Considerations**

### *National Planning Policy*

- 6.15 The National Planning Policy Framework (2012) sets out the three dimensions to sustainable development - an economic role, a social role and an environmental role - and outlines the presumption in favour of sustainable development. Under the heading of Delivering Sustainable Development, the Framework sets out the Government's planning policies for : building a strong, competitive economy; ensuring the vitality of town centres; supporting a prosperous rural economy; promoting sustainable transport; supporting high

quality communications infrastructure; delivering a wide choice of high quality homes; requiring good design; promoting healthy communities; protecting Green Belt land; meeting the challenge of climate change, flooding and coastal change; conserving and enhancing the natural environment; conserving and enhancing the historic environment; and facilitating the sustainable use of minerals.

*Tendring District Local Plan 2007*

- 6.16 The main policies applicable to this application are QL9 (Design of Development), QL11 (Environmental Impacts and Compatibility of Uses), ER16 (Tourism and Leisure Uses), COM12 (Equestrian Uses and Buildings), EN1 (Landscape Character) and TR1a (Development affecting Highways).
- 6.17 Policy QL9 requires all new development to make a positive contribution to the quality of the local environment and protect or enhance local character. Policy QL11 provides that all new development should be compatible with surrounding land uses and minimise any adverse environmental impacts.
- 6.18 Policy ER16 states, amongst other things, that leisure uses will be permitted provided that the development is accessible to all potential visitors, there is suitable vehicular and public transport access, the use would not cause undue disturbance, there would be no adverse effect on agricultural holdings (or involve the loss of high quality agricultural land and that where appropriate, opportunities are taken to improve damaged and despoiled landscapes.
- 6.19 Policy COM11 and states that golf driving ranges (and courses and riding centres) will only be permitted if:
- a) the site and buildings can satisfactorily accommodate the activities proposed;
  - b) the use of the site would not have a materially adverse impact on public rights of way, local roads and ecologically sensitive areas;
  - c) built development and structures are restricted to those that are functionally essential for the facility;
  - d) development would not involve provision of residential, hotel or guest accommodation outside the Development Settlement Boundaries;
  - e) existing natural features, including hedgerows and ponds are retained and enhanced; and
  - f) satisfactory and safe road access is available to the site and can be accessed by a variety of means of transport including public transport.
- 6.20 Policy COM12 relates to equestrian uses and buildings. The policy provides a range of criteria against which such applications are assessed. Amongst these are the nature and scale of the equestrian use and the impact of the built development on the character of the countryside. In addition, issues of size of stables, impact on amenity of neighbouring residential properties, drainage provision, vehicular access, level of traffic to be generated and the suitability of the road to cater for such movements.
- 6.21 Policy EN1 refers to landscape character and details that the quality of the landscape and its distinctive character will be protected and, where possible, enhances and that any development which would significantly harm landscape character or quality will not be permitted.
- 6.22 Policy TR1a provides that proposals for developments affecting highways will be considered in relation to the road hierarchy to reducing and preventing hazards and inconvenience to traffic.

*Tendring District Local Plan Proposed Submission Draft 2012*

- 6.23 The main draft policies applicable to this application are SD8 (Transport and Accessibility), SD9 (Design of New Development), PRO7 (Tourism), COU4 (Business and Domestic Equine-Related Activities) and PLA5 (The Countryside Landscape).
- 6.24 Policy SD8 requires, amongst other things, that proposals address site access and service arrangements and make opportunities for access to sustainable transport. Importantly the policy states that development proposals will only be acceptable if the additional vehicle movements likely to result from the development can be accommodated within the capacity of the highway network. All developments will be judged against the current ECC car parking standards.
- 6.25 Policy SD9 states that all new development must make a positive contribution to the quality of the local environment and provides a range of criteria against which applications are assessed.
- 6.26 Policy PRO7 details that to attract visitors to the Tendring District and support economic growth in tourism, the Council will support proposals for a range of schemes, including the provision of leisure and tourism facilities as part of farm diversification schemes.
- 6.27 Policy COU4 expects any proposals for equestrian development to meet specific requirements, including, appropriate size, no detriment to residential amenity, no loss of irreversible best and most versatile agricultural land, new buildings to have minimal visual impact within the landscape, appropriate parking and access and a satisfactory scheme for the disposal of waste.
- 6.28 Policy PLA5 seeks to protect the quality of the district's landscape and its distinctive local character and where possible, provide enhancements.

### **Principle of Development**

- 6.29 Planning permission was granted in 2001 for the creation of a 9 hole golf course, a golf driving range and erection of a golf club house, maintenance building and golf driving shed. Further to this, a scheme for golf driving bays and car parking was approved in 2004. Therefore the principle of a golf driving range use on this site is not at issue.
- 6.30 The approved golf driving bay shed is to be 4 metres high by 51 metres in length with, mono pitched roof and to be clad in profile plastic coated sheeting and provides 18 driving bays. The previously approved car park has a capacity for 80 spaces.
- 6.31 The application documents detail that since the commencement of the work to construct the approved golf course and driving range in 2002, the viability of golf courses has changed significantly. The justification goes on to explain that golf driving ranges remain popular and viable and that the change in market demands has lead the applicant to review the site as a whole proposing to retain an element of leisure based use, the keeping of horses and returning the balance of the site to agricultural use.
- 6.32 It is accepted that equestrian activities are most appropriately located in rural areas. Local planning policy is generally supportive of equestrian related developments provided that the nature and scale of development is appropriate to its setting.

### **Highway Considerations**

- 6.33 Given that the principle of a golf course has been approved at this site and that full planning permission given for the driving range and car park there can be no objection to this aspect of the scheme.

- 6.34 This application however includes an equestrian element which involves the provision of a further new access to the south west of the main driving range access.
- 6.35 The application details that the proposed stables are to be used for the stabling of privately owned thoroughbred horses and that the stables, grazing and ménage will be used by the applicant and immediate family. In the absence of any on site accommodation, daily access will therefore be necessary, with the assumption that this will be achieved primarily by private motor vehicles. However, given the limited stabling proposed, it is unlikely that such development is to attract large numbers of vehicles. Although Thorpe Park Lane is relatively narrow, it is considered adequate to cater for equestrian related transport of the scale proposed.
- 6.36 ECC Highways have assessed the proposals and raise no objection in terms of highway safety and convenience.

### **Drainage Considerations**

- 6.37 Concern has been expressed in relation to flooding and drainage matters, with previous works at the site being cited as a contributory factor.
- 6.38 Given the nature of development proposed it is not envisaged that approval would result in significant impacts in this regard. However, a controlling condition is recommended requiring the submission of drainage details so that this matter can be satisfactorily addressed.
- 6.39 The matter of mains waste disposal has also been raised by objectors. It is understood that mains drainage is available but this aspect is being investigated and an update will be given at the meeting. In any event, alternative means could be made available and therefore the recommendation is not affected. However any further controlling conditions in relation to this matter will be advised at the meeting if appropriate.

### **Landscape and Ecology**

- 6.40 This application does not give rise to any significant landscape or ecology issues given the extant permission for a golf course at the site. A landscaping condition is recommended, in order to further assess and control specific landscaping requirements at the site.
- 6.41 The proposed stables and barn are of an appropriate scale and design for the use and the setting. The buildings and ménage will not be prominent in this setting and therefore not materially harmful to the landscape, having regard to the associated developments on the site.

### **Other Material Considerations**

#### *Crime and Disorder*

- 6.42 Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998, in the assessment of this application but the proposal does not raise any significant issues.

### **Background Papers**

None.