

# Planning Committee Report 21/1676/FUL

## 1.0 Application information

<b>Number:</b>	21/1676/FUL
<b>Applicant Name:</b>	Mr Will Gannon, Exeter Golf and Country Club
<b>Proposal:</b>	Development comprising change of use to golf driving range including construction of an 8 bay and 2 training bay facility incorporating equipment store and car park.
<b>Site Address:</b>	Land North East Of 371 Topsham Road Access To West Of England School Exeter
<b>Registration Date:</b>	2 November 2021
<b>Link to Application:</b>	<a href="https://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=R1YB39HBJMA00">https://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=R1YB39HBJMA00</a>
<b>Case Officer:</b>	Matthew Diamond
<b>Ward Member(s):</b>	Cllr Marina Asvachin, Cllr Jane Begley, Cllr Tony Wardle

### REASON APPLICATION IS GOING TO COMMITTEE

In accordance with the Delegation Briefing decision made on 12 July 2022, due to the high number of objections.

## 2.0 Update following 25 May 2023 Planning Committee

The application was deferred so that changes to the conditions could be carried out. A member also asked if amenity could be improved, taking into account the local community's concerns.

Accordingly, revised conditions have been agreed with the applicant, as set out at the end of this report. Condition 14 has been added to require a Border Management Plan. Condition 21 has been added to prevent the use of herbicides etc. Condition 17 (now 18) has been amended to provide opening hours of 9.30am during the week and 10.00am on Saturdays, Sundays and Bank/Public Holidays. Condition 13 has been amended to require biodiversity monitoring. No further condition has been added with respect to noise, as condition 5 already requires a Noise Impact Assessment to be submitted and approved by the Local Planning Authority, and any necessary mitigation measures to be implemented, as recommended by Environmental Health. Sound proofing can therefore be secured through this condition if it is considered necessary.

As amenity can cover a wide range of issues it has not been possible to pin down improvements in this regard. Officers did once again raise the issue of whether public access could be allowed on the site, for example when the facility is not in use;

however, the applicant stated that this was not possible for safety, security and insurance reasons. Members are reminded that this has no bearing on whether planning permission should be granted or refused. The original committee report at Appendix 1 contains an assessment of the salient planning issues that Members should consider when coming to a decision.

In respect of lighting in the car park, Members are reminded that condition 19 controls this, so no lighting can be installed unless this is agreed by the Local Planning Authority. The applicant confirmed that no lighting is proposed in any case.

### 3.0 Recommendation

GRANT permission with the following conditions:

#### 1. Standard Time Limit – Full Planning Permission

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

**Reason:** To comply with Section 91(1)(a) of the Town and Country Planning Act 1990 (as amended).

#### 2. Approved Plans

The development hereby permitted shall be carried out in complete accordance with the approved plans listed below:

- Location Plan (KGV\_EX\_1.0A)
- Proposed Site Layout (21.115-001 Rev PL-A)
- Plans and Elevations (21.115/002 Rev PL-A)
- Landscape + Ecological Mitigation Plan including Planting Plan (2211-01 Rev B)
- Landscape + Ecological Management Plan (2211--02 Rev B)

**Reason:** To ensure the development is constructed in accordance with the approved plans.

#### 3. Construction Hours

No site machinery or plant shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site except between the hours of 8 am to 6pm Monday to Friday, 8am to 1pm Saturday and at no time on Sundays, Bank or Public Holidays.

**Reason:** To protect the amenity of the locality, especially for people living and/or working nearby.

## ***Pre-commencement Details***

### **4. Archaeology**

No development related works shall take place within the site until a written scheme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on-site work, and off site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development. This information is required before development commences to ensure that historic remains are not damaged during the construction process.

### **5. Noise**

Prior to the commencement of development, a Noise Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. Any mitigation measures contained in the approved report shall be implemented in full and maintained thereafter.

**Reason:** In the interests of local amenity. This assessment is required pre-commencement as specified to ensure that any mitigation measures required are implemented as part of the construction works.

### **6. Surface Water Drainage**

No development hereby permitted shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:

- a) Soakaway test results in accordance with BRE 365, groundwater monitoring results in line with our DCC groundwater monitoring policy and evidence that there is a low risk of groundwater re-emergence downslope of the site from any proposed soakaways or infiltration basins.
- b) A detailed drainage design based upon the approved Flood Risk Assessment and Drainage Strategy and the results of the information submitted in relation to (a) above.
- c) Detailed proposals for the management of surface water and silt runoff from the site during construction of the development hereby permitted.
- d) Proposals for the adoption and maintenance of the permanent surface water drainage system.
- e) A plan indicating how exceedance flows will be safely managed at the site.

No building hereby permitted shall be occupied until the works have been approved and implemented in accordance with the details under (a) - (e) above.

**Reason:** The above conditions are required to ensure the proposed surface water drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or downstream in line with SuDS for Devon Guidance (2017) and national policies, including NPPF and PPG. The conditions should be pre-commencement since it is essential that the proposed surface water drainage system is shown to be feasible before works begin to avoid redesign / unnecessary delays during construction when site layout is fixed.

#### 7. Sustainable Construction (Policy CP15)

Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of the measures that will be included in the building to optimise its energy and water efficiency. The measures shall be implemented as approved and maintained thereafter.

**Reason:** In the interests of sustainability in accordance with Policy CP15 of the Core Strategy. These details are required pre-commencement as specified to ensure the sustainability measures are accounted for in the detailed design and construction of the building.

#### 8. Tree/Hedge Protection

Prior to the commencement of the development hereby approved, a scheme for the protection of trees and hedges on-site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with BS 5837:2012 and include a tree protection plan. The scheme shall be implemented as approved.

**Reason:** To protect the trees and hedges on site during construction works. The scheme is required pre-commencement as specified to ensure the protection measures are satisfactory before construction works begin.

#### 9. Ecology

Prior to the commencement of the development, a letter by a suitably qualified ecologist shall be submitted to and approved in writing by the Local Planning Authority confirming the results of a survey of the site and the date this was carried out where the building and car park will be constructed, and avoidance/mitigation/compensation measures for any protected species that will be affected by the construction works. The measures shall be implemented as approved.

**Reason:** To ensure protected species will not be harmed by the construction works. The letter is required pre-commencement as specified to ensure that any mitigation measures necessary are agreed before construction works begin.

## 10. Waste Audit Statement

Prior to the commencement of the development hereby permitted, a Waste Audit Statement shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include all information outlined in the waste audit template provided in Devon County Council's Waste Management and Infrastructure Supplementary Planning Document. The development shall be carried out in accordance with the approved statement.

**Reason:** To minimise the amount of waste produced and promote sustainable methods of waste management in accordance with Policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document. These details are required pre-commencement as specified to ensure that building operations are carried out in a sustainable manner.

### ***Pre-Specific Works***

## 11. Materials

Prior to the construction of the building hereby approved (not including the foundations), samples and/or product specification sheets, including confirmation of colour, of the external facing materials and roof materials shall be submitted to and approved in writing by the Local Planning Authority. The building shall be constructed in accordance with the approved materials.

**Reason:** To ensure that the materials are appropriate for the landscape setting, in accordance with Policies CP16 and CP17 of the Core Strategy, and saved Policies LS1 and DG1 of the Exeter Local Plan First Review.

## 12. Security Fence

Prior to its installation, detailed drawings of the security fence indicated on drawing number 21.115-001 Rev PL-A ('Proposed Site Layout') along the Rydon Lane boundary shall be submitted to and approved in writing by the Local Planning Authority. These shall include siting, elevations and foundations. The fence shall be implemented in accordance with the approved drawings.

**Reason:** To ensure the fence has an appropriate design for the landscape setting, in accordance with Policies CP16 and CP17 of the Core Strategy, and saved Policies LS1 and DG1 of the Exeter Local Plan First Review.

## ***Pre-Occupation***

### 13. LEMP

Prior to the occupation/first use of the facility hereby approved, a timetable for implementation of the landscaping and ecology work shown on drawing numbers 2211-01 Rev B ('Landscape + Ecological Mitigation Plan including Planting Plan') and 2211--02 Rev B ('Landscape + Ecological Management Plan') and details of the management regime and biodiversity monitoring shall be submitted to and approved in writing by the Local Planning Authority. The landscaping and ecology work shall be implemented, managed and monitored as approved.

**Reason:** To enhance biodiversity on the site in accordance with Policy CP16 of the Core Strategy and paragraphs 174 and 180 of the NPPF.

### 14. Border Management Plan

Prior to the occupation/first use of the facility hereby approved, a Border Management Plan (BMP) shall be submitted to and approved in writing by the Local Planning Authority. The BMP shall be implemented as approved.

**Reason:** To ensure that the borders of the site are managed appropriately in the interests of the amenity of the neighbouring land uses.

### 15. Cycle Parking

Prior to the occupation/first use of the facility hereby approved, cycle parking shall be provided on-site in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be maintained at all times thereafter.

**Reason:** To encourage sustainable travel in accordance with saved Policy T3 of the Exeter Local Plan First Review, the Sustainable Transport SPD and paragraph 112 of the NPPF (2021).

### 16. Disabled Parking Spaces

Prior to the occupation/first use of the facility hereby approved, three disabled parking spaces shall be marked out in the car park in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The disabled spaces shall be retained for disabled parking thereafter.

**Reason:** In the interests of equality and to comply with the minimum car parking standards for disabled users in Table 4 of the Sustainable Transport SPD.

## 17. EV Charging Points

Prior to the occupation/first use of the facility hereby approved, Electric Vehicle (EV) charging points shall be installed for two of the parking spaces in the car park in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The EV charging points shall be maintained thereafter.

**Reason:** In the interests of sustainability taking into account guidance in the Sustainable Transport SPD and paragraph 112e) of the NPPF (2021).

## ***Post Occupancy***

## 18. Opening Hours

The facility will open during daylight hours only and when daylight allows not outside the hours of 9:30am to 9.30pm on Mondays to Fridays and 10:00am to 8:00pm on Saturdays, Sundays and Bank/Public Holidays.

**Reason:** To prevent the need for lighting in the interests of biodiversity and in the interests of local amenity.

## 19. Security Lighting

No external security lighting shall be provided on the building or in the car park unless this is otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of protecting local amenity and biodiversity.

## 20. Reduced Flight Golf Balls

Reduced/limited flight golf balls shall be used in the facility only and no other type of golf ball shall be used.

**Reason:** In the interest of highways safety.

## 21. Herbicides Etc.

No herbicides, pesticides or fertilisers shall be used on the site.

**Reason:** In the interests of biodiversity.

## Informatives

1. For the avoidance of doubt this permission does not approve any floodlighting or netting on the site, or flags or other golfing paraphernalia in the ball striking zone.

2. In accordance with the Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA) and given the nature and scale of the development it has been concluded that the proposal does not require an AA.
3. In accordance with Paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.