



Appeal Decision

Site visit made on 10 September 2019

by Mrs H Nicholls MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th October 2019.

Appeal Ref: APP/M1710/W/19/3229918

Tri Golf Center, Headley Road, Grayshott, Hindhead GU26 6JL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by BGH Construction Ltd against the decision of East Hampshire District Council.
 - The application Ref 27202/035, dated 5 July 2018, was refused by notice dated 11 January 2019.
 - The development proposed is change of use and conversion of building from golf driving range to place of religious worship (D1 use) and formation of new vehicular access and car park extension.
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Decision

1. The appeal is allowed and planning permission is granted for change of use and conversion of building from golf driving range to place of religious worship (D1 use) and formation of new vehicular access and car park extension at Tri Golf Center, Headley Road, Grayshott, Hindhead, GU26 6JL, in accordance with the terms of the application, Ref 27202/035, dated 5 July 2018, subject to the conditions in the attached schedule.

Main Issues

2. The main issues are the effect of the proposal on:
 - highway safety; and
 - the character and appearance of the area.

Reasons

Highway safety

3. Headley Road is a popular route for motorists and serves a high number of properties and businesses. There are some bus stops sited along the road and some stretches of footway. There do not appear to be any traffic calming features along Headley Road in the vicinity of the appeal site or any dedicated turn-in areas serving any junctions nearby.
4. The appeal proposal involves creating a new access from Headley Road to allow the separation of the appeal site from adjoining land in separate ownership. The access would be created through an existing gap between two large Lime trees which form part of the tree line on the south western side of Headley Road. The proposed point of access is a short distance from a shallow bend in the road and also relatively close to the junctions for Greyshott Health Spa and Hammer Lane. Headley Road is also subject to a 40 mph speed limit

although the appellant's submitted measured speed survey recorded the 85th percentile speeds of south-eastbound vehicles as 40.9 mph.

5. I am mindful that the former use of the appeal site as a golf driving range would have attracted vehicles throughout the day and during the weekend. The more recent use as a childcare nursery attracted a different pattern of movements, albeit largely within the working week and at either ends of the working day.
6. The appeal proposal would change the nature of the traffic movements and attract a high number of vehicles to the site for mass congregations, resulting in spikes of vehicular movements at specific times. From the evidence, I am persuaded that the anticipated level of traffic generation would not be dissimilar to that generated by the nursery use and lower of that of the former golf driving range.
7. A mitigating factor in respect of the spikes of traffic generation is that the religious services would typically be held at times outside of the working day and over the course of the weekend. This would at least ensure that the vehicle movements would not coincide with peak hour traffic periods during the week. Whilst it is regrettable that Sunday services would be unlikely to coincide with convenient public bus services, I am persuaded that the high estimated vehicle occupancy rates would be achievable given that family groups of worshipers are likely to travel together in a single vehicle. This travel behaviour would nonetheless help to minimise the number of cars traveling to and from the site.
8. As such, I consider that the proposed number of vehicular movements could be capably accommodated within the surrounding highway network. The impact of additional vehicles from the nearby housing scheme which is not yet fully completed and occupied does not lead me to an alternative view. I am also mindful of the accident record data for Headley Road which does not appear to relate to an issue of cars colliding at one of its junctions.
9. In terms of the suitability of the proposed new access, the proposal provides for a junction with a visibility of 120 metres to the east and 97 metres to the west, 2.4 metres back from the carriageway. The reduced visibility splay to the west has been calculated on the basis of the submitted measured speed survey. Given the topography and alignment of the road at the proposed point of access, the intervening distance between it and other junctions, and the proposed design of the junction itself, the proposal would not result in prejudicial highway safety effects. I also note that Hampshire County Council's Highway Service did not raise any objection in this regard or in relation to any change in vehicular movements associated with the appeal proposal.
10. In view of this main issue, the proposal would not prejudice highway safety and would therefore comply with Policy CP31 of the East Hampshire District Council Local Plan: Joint Core Strategy (2014) (Local Plan) which requires that highway design and associated signing meets the needs of vehicular traffic and the need for safety. The proposal would also comply with the policies of the National Planning Policy Framework (2019) (the Framework) which require that developments are safe and have an acceptable impact on highway safety.

Character and appearance

11. The area has a semi-rural, sylvan character with significant tree belts along both sides of Headley Road. Most buildings in residential or other uses are well set back from the roadside and views towards them are screened to an extent by trees and hedgerow vegetation.
12. The appeal site adjoins an existing cluster of buildings and a housing estate currently under construction, both of which are easily visible from the road given the large gap in the tree line and vegetation. Only filtered views are available through the existing trees and vegetation of the existing appeal building and the grassed area to the front.
13. The appeal proposal would involve the introduction of a large area of hard surfacing to extend the car park. This would be a change in the land cover but one which would not be particularly apparent in views from the road. The introduction of cars onto the space would not result in a permanent visual change of character, as the cars would not always be present on the site, but at times, the car park would appear larger and more densely occupied than the existing car park.
14. The existing trees and understorey vegetation are to be retained and would also filter the views of the appeal proposal. Some views would be opened up through the proposed new access, but due to its alignment relative to the appeal building and proposed car park extension, these views would still remain partially obscured. Nevertheless, given that the area is semi-rural and similar features including roads and car parking areas are present in the surrounding area, the proposed car park extension and the cars that it would accommodate would not be out of keeping with the area. Furthermore, the proposal would not diminish the openness of the site and would maintain the distinction between the settlements without harm to the designated Local Gap.
15. In view of this main issue, the proposal would not be unduly harmful to the character and appearance of the area and would therefore comply with Local Plan Policies CP20 and CP29 which seek to conserve and enhance the district's natural environment, its particular characteristics and ensure new development makes a positive contribution to the overall appearance of the area.

Other Matters

16. I note the comments from neighbouring residents in respect of the principle of development. I am mindful that the appeal site is an existing underutilised business premises and that there is support in the development plan for improvements to community facilities. Given that the proposal would not result in the introduction of any new buildings and would result in the enhancement of community facilities, the principle of development is considered to be acceptable.
17. I understand that the community facility would be most likely to be used by a particular faith group as opposed to the community at large, however, I do not consider that this undermines its social benefits. I am also mindful that it is intended to be used for storage and office space for the Rapid Relief Team (RRT) which has wider social benefits.
18. In respect of the potential for noise pollution, the proposed use would be concentrated within the building and is not considered likely to give rise to any noise impacts. Similarly, the installation of any external lighting would be

prohibited unless any details of siting and luminance were considered acceptable to the Council.

19. I have noted the proximity of the appeal site to the Wealden Heaths Phase I Special Protection Area (SPA) and in particular Ludshott Common which is a short distance to the south-west of the site and is also a Site of Special Scientific Interest (SSSI). The SPA is designated due to its importance as a habitat for breeding bird populations of European importance, including Dartford Warbler and Nightjar. As the proposal involves the change of use of an existing building to a place of religious worship, there are no implications for the SPA or SSSI, and the Habitat Regulations¹ are therefore not engaged.

Conditions

20. I have considered the conditions in light of paragraph 55 of the Framework and the Planning Practice Guidance. I have undertaken some minor editing in the interests of precision and clarity.
21. In addition to the standard time limit, it is necessary to specify the approved plans in the interests of certainty. It is not necessary to list any background documents other than those specifically referenced in separate conditions.
22. In order to ensure that surface and foul water drainage is adequately addressed, it is necessary to impose a condition requiring the submission of a scheme to be implemented prior to first use of the building.
23. In the interests of certainty and the character and appearance of the area, it is necessary to specify that the materials to be used in the development are those specified on the approved plans, with the exception of the car parking surfacing material which shall be addressed by way of separate condition ensure all new hard surfaces are constructed from porous materials.
24. In the interests of the character and appearance of the area, it is necessary to condition adherence to the approved arboricultural method statement throughout construction to ensure the protection of existing trees.
25. In the interests of highway safety, it is necessary to ensure that the new access is provided with adequate visibility splays prior to any development works on the building itself. For similar reasons, it is necessary to impose a condition requiring the car parking spaces to be provided prior to its first use.
26. A condition limiting the specific use of the building is necessary.
27. In the interests of the character and appearance of the area and biodiversity value of the site, a condition requiring details of any external lighting details to be submitted is necessary.

Conclusion

28. For the reasons set out above, the appeal is allowed.

Hollie Nicholls

INSPECTOR

¹ Conservation of Habitats and Species Regulations 2017

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan	Ref. 497 001 PL02	Dated January 2018
Existing Block Plan	Ref. 497 002 PL02	Dated January 2018
Existing Site Plan	Ref. 497 003 PL02	Dated January 2018
Proposed Site Plan	Ref. 497 011 PL05	Dated January 2018
Proposed Block Plan	Ref. 497 010 PL01	Dated January 2018
Proposed Floor Plan	Ref. 497 012 PL04	Dated January 2018
Existing and Proposed East Elevation	Ref. 497 019 PL00	Dated June 2018
Existing and Proposed North Elevation	Ref. 497 017 PL00	Dated June 2018
Existing and Proposed South Elevation	Ref. 497 016 PL00	Dated June 2018
Existing and Proposed West Elevation	Ref. 497 018 PL00	Dated June 2018
Site Survey	Ref. Drawing 1 of 2	Dated September 2014
Site Survey	Ref. Drawing 1 of 2	Dated September 2014
Site Survey/Sections	Ref. Drawing 3 of 3	Dated March 2018
Proposed Access Arrangement	Ref. 170413-03 A	-
Proposed Access Cross Sections	Ref. 170413-02 A	-
Section Through Driving Range	-	-
- 3) No development shall commence on site until details of a scheme for foul and surface water drainage has been submitted to, and approved in writing by, the Local Planning Authority. Such details should include provision for all surface water drainage from parking areas and areas of hardstanding to prevent surface water drainage from parking areas and areas of hardstanding to prevent surface water from discharging onto the highway and should be based on site investigation and percolation tests. The development shall be carried out in accordance with the approved details before any part of the development is first used and shall be retained thereafter.
- 4) Notwithstanding any indication of materials that have been set out in the application, no works shall take place on the construction of the car parking area hereby permitted, until details of the materials for its

surfacing have been submitted to, and approved in writing by, the Local Planning Authority. The construction of the car park shall be carried out in accordance with the approved details and retained thereafter.

- 5) The proposed hard surface/s shall either be made of porous materials or provision shall be made to direct water run-off water from the hard surface/s to a permeable or porous surface within the site.
- 6) Notwithstanding the hard surfacing materials, the development hereby permitted shall be constructed in accordance with the materials specified within the approved details.
- 7) The development hereby permitted shall be carried out in strict accordance with the approved Arboricultural Method Statement prepared by Martin Dobson Associates dated 14 September 2015 including appendices MD 5 (without lighting bollard in the RPA), MD6, MD7 and MD8. The condition will not be discharged on completion of the development without satisfactory written and photographic evidence of contemporaneous supervision and monitoring of tree protection measures and construction methods stipulated in the above documents, throughout construction, by a suitably qualified and pre-appointed tree specialist.
- 8) No development shall start on site until the access, including the footway and/or verge crossing shall be constructed and lines of sight of 2.4 metres by 120 metres east and 2.4 metres by 97 metres west provided in accordance with the approved plans. The lines of sight splays shown on the approved plan shall be kept free of any obstruction exceeding 600mm in height above the adjacent carriageway and shall be subsequently maintained as such thereafter.
- 9) Before use of the development is commenced, provision for parking shall have been made within the site in accordance with the approved plans and shall be retained thereafter.
- 10) The use of the building hereby approved shall only be used as a place of worship and religious instruction (including office use and equipment storage for the Rapid Relief Team) and for no other purpose, including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order without modification.
- 11) No external lighting shall be installed on the site unless details of its design (including the type, position, orientation and luminance of the fitting to be used) has been submitted to and approved in writing by the Local Planning Authority.