



Appeal Decision

Site visit made on 5 September 2023

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 December 2023

Appeal Ref: APP/R1845/W/23/3318254

Wharton Park Golf Club, Longbank, Bewdley DY12 2QW

- 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 Wharton Park Golf & Country Club Ltd against the decision of Wyre Forest District Council.
 - The application Ref 21/0333/FUL, dated 25 March 2021, was refused by notice dated 26 September 2022.
 - The development proposed is change of use of land for the siting of holiday lodge caravans.
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Decision

1. The appeal is allowed and planning permission is granted for change of use of land for the siting of holiday lodge caravans at Wharton Park Golf Club, Longbank, Bewdley DY12 2QW in accordance with the terms of the application, Ref 21/0333/FUL, dated 25 March 2021, subject to the conditions in the attached schedule.

Applications for costs

2. An application for costs was made by Wharton Park Golf & Country Club Ltd against Wyre Forest District Council. This application is the subject of a separate decision.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the area; and, whether or not the appeal site is an appropriate location for development of this type, having regard to policy.

Reasons

Character and Appearance

4. The appeal site is a golf club and hotel and its extensive grounds, including a driving range building and associated course. The driving range is the subject of this appeal and is highly self-contained rectangular area of land, bound by mature hedgerows on all four sides. The land slopes upwards from east to west. Due to the mature hedgerow, there are extremely limited views of the appeal site from the surrounding area. Even in winter, the tree growth is extensive, and views through to the appeal site would be intermittent at most.
5. To the south of the site the area is dominated by the golf course, hotel and parking area. There is a clear man-made character to this area. To the east is a small cluster of commercial buildings and a roundabout that serves the A456 and B4190. Close to the roundabout is an industrial estate and camp site.

Other development in the immediate area is of a sporadic nature with clusters of buildings around farmyards.

6. The appeal site lies within the Forest Smallholdings and Dwellings Landscape Character Type as defined by the Worcestershire County Council Landscape Character Assessment (LCA). This states that the area is characterised by strings of wayside cottages and associated smallholdings nested within a complex matrix of pastoral fields and narrow interlocking lanes. The key features of the area are considered to include hedgerow boundaries to fields, scattered hedgerow and garden trees and an intimate spatial character. The appeal site is not typical of this assessment because of the development to east of commercial units and an industrial estate. However, some of the identified key characteristics are still reflected on the site, in particular good representation of hedgerow boundaries and tree cover. Overall, despite its partially man-made nature and limited landscape key characteristics, the appeal site presents an attractive character and appearance.
7. It is proposed to introduce 18 holiday caravans within the driving range area. Whilst the proposal is for the change of use of land, the appellant has provided details of holiday caravans, which would be high quality timber chalet style structures, and associated layout and infrastructure, including roads and parking.
8. The proposal would urbanise the appeal site. However, this is in the context of the proposed holiday caravans being on the driving range land, which is already appears as a man-made intrusion into the landscape, with brightly coloured targets, large driving range building, 120 metres of 10 metre ball stop netting and floodlights. The proposed layout demonstrates that 18 lodges can be introduced to the site along with areas of extensive landscaping.
9. The scale of the proposal would be relatively large in comparison to the existing golf club/hotel. However, the submitted drawings demonstrate that the site would be capable of accommodating 18 holiday caravans in an attractive layout and landscape context. Importantly, it would only require the driving range land and not the golf course or other nearby open areas of agricultural land. The key characteristics of the existing landscape, in particular mature hedgerows, would be preserved. The visual effects from the proposal would also be largely contained to the appeal site itself, apart from extremely constrained and intermittent views through the retained and improved hedgerow from the A456 to the north. The holiday caravans and associated roads and parking would be confined to the lower two-thirds of the site, therefore reducing its impact on the wider area.
10. Overall, the proposal would introduce urban form to an existing open area of land. However, the specific part of the appeal site that would be directly affected is a driving range that has already introduced a man-made, slightly artificial, character and appearance. The proposal would be contained within boundaries of the existing driving range, and extensive landscaping in the forms of new native tree and hedgerow planting, flower meadow grassland and bulb planting, would mitigate and enhance the overall character and appearance of the site. The key characteristics of the landscape would not be harmed apart from a low level of harm to tranquillity, which needs to be set against the potential visual enhancements from the proposed landscaping.

11. The proposal would therefore preserve, and enhance, the character and appearance of the area. It complies with Policies SP19, SP22 and DM30 of the Wyre Forest District Local Plan (2016-2036) (LP) (2022) which seek, amongst other things, to ensure that caravan development does not impact on the landscape and that all developments protect and where possible enhance the unique character of the landscape. It would also comply with Paragraphs 85 and 174 of the National Planning Policy Framework (the Framework) which requires countryside development to be sensitive to its surroundings and recognises the intrinsic character and beauty of the countryside.

Location

12. LP Policy SP19 states that support will be given to proposals that improve the quality and diversity of existing visitor/tourist facilities where development is compatible with the physical character of the area and does not cause unacceptable impacts. It goes on to state that new tourism development will be considered on its own merits.
13. The Council's concerns relate to the lack of evidence of a need for such accommodation and the loss of the driving range facility. The appellant has provided evidence that the current enterprise at the golf club is operating at a loss. In order to increase membership and users of the site research was undertaken that established additional spa/health club type facilities would improve user numbers. The appellant has gained planning permission to develop this facility however needs further capital in order for the works to be undertaken.
14. The proposed development would provide 18 holiday caravans that would be sold as holiday accommodation. The appellant proposes that these are limited to holiday accommodation by condition. Additional self-catering accommodation would also aid in improving users of the golf club, with the site being able to offer golfing holidays.
15. I am mindful that LP Policy SP19 does not require a business case or specific need to be demonstrated for compliance with policy. However, I do understand the Council's rationale for asking for additional information to ensure that the development is necessary and likely to be delivered. Nevertheless, the submitted business case has detailed a demand for self-catering accommodation as part of a golf course. Whilst there would be the loss of a driving range the proposed development would enable the redevelopment of the golf club in line with the business case in order to ensure the retention and increase in membership and the continued viability of the enterprise. The golf course is an existing tourism facility which would improve the quality and diversity of the existing site. This would be in accordance with LP Policy SP19.
16. I have had regard to LP Policy DM30 which seeks to resist new chalet, caravan and mobile home development. The reasoned justification for this policy outlines that a key pressure relates to such sites becoming residential. Conditions restricting the use of the holiday caravans to holiday use only would ensure that they are not used for residential purposes.
17. In light of the above, the proposal would therefore improve and existing tourism facility. It would comply with LP Policies SP19 and DM30 that seek, amongst other things, to ensure that developments improve the quality and diversity of existing tourism and visitor facilities.

Other Matters

18. I note that in addition to concerns relating to the main issues that interested parties have raised concern regarding flooding and highway safety. It is noted that the appeal site slopes down towards built development, which is largely commercial but there are residential dwellings. The submitted Flood Risk Assessment and Drainage Strategy advises that through a combination of traditional pipe network and various SuDS features a green field run off rate can be achieved. Further details can be controlled by condition.
19. With regards to highway safety, I note the comments relating to parking problems during events. The proposal would benefit from its own parking which would be utilised for the development. Whilst the proposal could increase numbers of visitors to the site, sufficient land and parking is provided within the proposal to ensure that parking would not spill over into other areas.

Conditions

20. The Council has provided a list of conditions, which I have assessed in regard to the advice provided in the Planning Practice Guidance (PPG). I have added a condition relating to approved plans for clarity. I have also removed some conditions that duplicated others. I consider a condition regarding materials necessary in order to safeguard the character of the area. I consider that conditions regarding surface water drainage and site levels necessary in order to ensure that any surface water runoff is adequately managed. Conditions regarding improving the parking, maintaining visibility and access and the provision of cycle storage and EV parking are necessary in order to ensure a safe access and to promote the use of alternative methods of travelling. Landscaping and biodiversity conditions are necessary in order to ensure the proposed landscaping and biodiversity mitigation is completed and maintained. I have altered the wording of some conditions in order to ensure they comply with the PPG.
21. With regards to the Council's request for a condition requiring the use restricted to holiday accommodation. I agree that conditions restricting the use of the site to holiday accommodation are necessary in order to ensure that the holiday caravans are not used for permanent residential accommodation. Nevertheless, I do not consider that a restriction of 3 weeks is necessary, and I have not been provided with any evidence why such a timeframe would be suitable. As such, I do not consider this condition to be necessary.

Conclusion

22. The appeal scheme would accord with the development plan and there are no material considerations worthy of sufficient weight that would indicate a decision otherwise. The appeal should therefore, subject to the conditions in the schedule below, be allowed.

Tamsin Law

INSPECTOR

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: Site Location Plan; General Arrangement Plan 908.2/11B; Cut & Fill – Illustrative Cross Section 908.2/13B; Casa Di Lusso; Foresters Lodge; Plantation House; The Hampton.
3. No development shall take place until details of types and colours of all external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
4. No works or development shall take place until a scheme for a surface water drainage strategy for the proposed development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of surface water drainage measures, including for hardstanding areas, and shall conform with the non-statutory technical standards for SuDS (Defra 2015) and the Outline Drainage strategy submitted with the application (Avison Young, March 2020). If a connection to a third party owned asset is proposed, then evidence shall be submitted of the approval for this connection. The strategy shall detail a method statement, detailing how the construction will be phased and how runoff will be managed during the construction phases. The approved surface water drainage scheme shall be implemented in full prior to the first use of the development and thereafter maintained in accordance with the agreed scheme.
5. The permeable paving areas shall be maintained to facilitate the functionality and performance of the surface water drainage scheme. Permeable surfaces shall not be replaced by impermeable surfaces.
6. The development hereby permitted shall not be brought into use until a detailed site plan to show:
 - a. Vehicular access into the holiday lodge site to include access width sufficient for 2 vehicles to pass and adequate surfacing;
 - b. Pedestrian visibility either side of the access for the benefit of those using the adjacent public right of way;
 - c. 1 parking space per holiday lodge, has been properly provided with details to be submitted to and approved in writing by the Local Planning Authority.These areas shall thereafter be retained for the purposes of access and parking only.
7. The development hereby permitted shall not be occupied until sheltered, secure and accessible cycle parking to comply with the Council's adopted Streetscape Design Guide has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking shall be kept available for the parking of bicycles only.

8. The development hereby permitted shall not be occupied until a Travel Information Pack promoting sustainable forms of access to the site, has submitted to and had approval in writing from the Local Planning Authority.
9. The development hereby permitted shall not be brought into use until 2 electric vehicle charging points have been provided in accordance with a specification which shall be submitted to and approved by the Local Planning Authority.
10. No development shall take place until a Landscape and Ecological Management Plan (LEMP) and accompanying method statement detailing the creation and establishment of semi-natural habitats, public open space, trees, hedgerow and scrub planting has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details. The LEMP shall include the following:
 - a. Description and evaluation of existing landscape features and habitats to be managed;
 - b. Ecological trends and constraints on site that might influence management;
 - c. Aims and objectives of management;
 - d. Appropriate management options for achieving aims and objectives to include the management of hedgerows and other habitats using best ecological practice;
 - e. Prescriptions for management actions;
 - f. Detailed designs and working methods necessary to achieve the stated objectives;
 - g. Extent and location of proposed works shown on appropriate scale maps;
 - h. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
 - i. Timetable for implementation;
 - j. Details of the body or organization responsible for implementation of the plan;
 - k. Ongoing monitoring and remedial measures including details of Initial aftercare and long-term maintenance; and
 - l. Where the results from monitoring show that conservation aims and objectives of the LEMP are not being met, the LEMP shall set out how contingencies and/or remedial action will be identified, agreed and implemented so that the development delivers the fully functioning biodiversity objectives of the originally approved scheme.

Thereafter the development shall be carried out in accordance with the approved details and implemented within the first available planting season (the period between 31 October in any one year and 31 March in the following year) on completion of the development. Any new trees or shrubs, which within a period of five years from the completion of the planting die, are removed, or become damaged or diseased, shall be replaced on an annual basis, in the next planting season with others of a similar size and species.

- 11.No works or development shall take place until full details of all proposed planting, and the proposed times of planting, have been submitted to and approved in writing by the Local Planning Authority. All planting shall be carried out in accordance with those details and at those times.
- 12.All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard [4428 : 1989]. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter.
- 13.Finished floor levels within the development shall be set no lower than 21.88m AOD. There shall be no change to the agreed floor level without the prior written agreement of the Local Planning Authority.
- 14.The development hereby permitted shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence.
- 15.The applicant/site manager shall keep an up-to-date written register of all persons (including full name and main home addresses) visiting the site for holiday purposes. The written register shall be maintained regularly thereafter and made available to the Local Planning Authority for inspection at Reasonable notice.