

**Title of theme that you are commenting on**

**PLANNING POLICY**

**Brief summary of areas of concern/challenge**

**FOXBRIDGE GOLF CLUB PLANNING APPLICATION**

The conflict with Planning Policy seems to boil down to a number of key concerns:

1. Size and scale in the location
2. Effect on rural character and appearance of the countryside
3. Effect on tranquillity
4. Absence of evidence of Local need.
5. Absence of evidence for essential need
6. Justification for the location i.e. in a rural location outside of the settlement boundary
7. Not sustainable development or sustainable tourism in relation to location and reliance on private cars for access.
8. Impact on existing highway network and highway safety
9. Impact on local amenity

**Detailed comments/areas of challenge/further questions to raise with CDC planning officer – to include document and page references if appropriate. Please draw out specific questions/queries to be drawn to the planning officer's attention.**

**Issue 1 Policy 45 Development in the Countryside**

Requires a countryside location and must meet:

- a) essential need
- b) small scale
- c) local need, that cannot be met within or immediately adjacent to existing settlements.
- d) The scale must have minimal impact on the landscape and rural character of the area.
- E) Local/ Small scale Farm shops would sell goods that have predominantly been produced on the Farm.
- f) There is an objective of achieving a sustainable Countryside.

**Comments**

1. There is no local need for holiday homes or hotel rooms. No evidence has been provided of any local need.
2. The only suggestion of need relates to a requirement for overnight accommodation in and around Chichester. The application site is not well located for the identified visitor attractions.

3. This is NOT SMALL scale. A development of 121 dwellings, a 50 bed hotel, restaurant and all the associated infrastructure required to support such a development is not small scale. It is in effect a new village.

4. The only viable means of transport both to and from the application site and to and from the promoted visitor attractions, most of which are many miles from the application site, would be by private car down narrow country lanes which are some distance from main roads. The proposal will bring a large amount of traffic into the local area, only for it to be going back out again to reach visitor attractions. There will be a resulting loss of tranquillity and reduced residential amenity. This was an important consideration in the Biogas appeal decision.

5. The applicant provides no evidence of local demand for a restaurant or bar. These facilities had been available at the golf club and their underuse was reported at the time to have contributed to its closure.

6. There is concern that the applicant has not considered the impact of the proposed "farm shop" on existing local businesses. No evidence of such consideration has been provided. In addition, there are no proposals for farming operations which would be required to provide stock for a farm shop.

7. It has not been demonstrated that it requires a rural location or that it cannot be accommodated in a more appropriate location that is closer to visitor attractions.

#### **ISSUE 2 Policy 25 Development in the North of the Plan Area.**

Provision is made for small scale development that will:-

- a) Conserve and enhance the rural character.
- b) Conserve and enhance the quality of its Landscape.
- c) Conserve and enhance the natural and historic environment.
- d) Safeguard existing local facilities.
- e) The policy allows small scale developments that address local employment needs and supports the Village facilities.

1 The application advises that there will be 816 bedspaces (Water Neutrality report table 1.1 page 4) and 114 on site jobs (planning statement 6.29 page 21). In addition, there will be day visitors to the restaurant, health café, farm shop, spa etc with an associated requirement for visiting service personnel and vehicles (refuse collection, recycling, laundry, food delivery for the restaurant and supermarket home delivery etc for the users). There is potential for the number of people to be on site using the development to be considerably in excess of the combined population of Plaistow, Durfold Wood and Shillinglee (cica 700 in 2011 census), in excess of the population of Kirdford (1063 in 2011 census) and as many as the whole of Ifold, which is the largest settle in the Northern Parishes, thus dwarfing all other settlements in the area. The electorate figure for complete Plaistow and Ifold Parish Council as of September 2022 was 1646. This is NOT SMALL scale and is the equivalent of a new village, outside of any settlement boundary, with the transient ever-changing population which would be entirely reliant on private cars for access.

2 The application fails to explain how the increase in traffic can enhance rural tranquillity. The Traffic Assessment notes that WSCC standards could require for up to 413 parking spaces (311 holiday parking spaces and 102 shop/restaurant car parking spaces). This would clearly not respect the natural environment and landscape or enhance the remote and tranquil rural character for the area.

4. The application suggests that the spa facilities would be available to locals (which would presumably be after priority has been given to the potential 816 guests) and yet the transport assessment advises "It is considered that the majority of visitors to the health club would be people staying at the holiday units or hotel rooms". It is clear the proposals provide no local or community offer or serves any local need - it provides a destination drawing people in from outside the local area. This is reflected in the potential requirements for up to 413 car parking spaces.
5. The requirement to both widen Foxbridge lane and construct a second access into the site, with the associated vision splays, will have a detrimental and urbanising/suburbanising effect on the rural character of the area. The very fact that the development requires road widening works and a second entrance seems to confirm that this is both inappropriately located and a large-scale development and as such fails to meet the requirements of policy 25.
6. Landscape and visual Impact assessment (10.47 – 10.49) acknowledges the environmental zone status of the site and surrounding area will be downgraded from E1 to E2 and is therefore contrary to the requirement to conserve and enhance the natural environment.

#### **ISSUE 3 Policy 2 Development Strategy and Settlement Hierarchy**

1. The application site being an area outside the defined settlement boundary and rural in character, requires that any development is limited to that which requires a countryside location or meets an essential local rural need. No evidence has been provided to show that the uses meet an essential local rural need or require such a rural location.
2. Outside Chichester city and the settlement hubs the emphasis is on SMALL scale tourism or leisure proposals. With a potential for 816 guests, in addition to any spa/health club, bar, and restaurant users, this application cannot be considered small scale.
3. The location is unsuited to the "local" attractions that it seeks to promote such as Arundel, Chichester, Crawley, Guildford and sea based activities all of which would be inaccessible except by car.

#### **ISSUE 4 Policy 3 The Economy and Employment provision**

This policy sets out growth and notes "planning to provide a wider range of local employment in rural parts" but goes on to state "..... small-scale employment development or live/work units, including extensions to existing sites in rural areas, may be identified in neighbourhood plans or permitted in appropriate circumstances where commercial demand exists. i.e. small scale and in appropriate circumstances."

The proposed development is not small scale and demonstration of commercial demand has not been shown.

#### **ISSUE 5 Policy 8 Transport and Accessibility**

New developments are required to be well located and designed to minimise the need for travel.

The proposed development is in the North of the plan area and located in a remote and isolated area away from any transport links. Tourist attractions that are promoted include Arundel, Chichester, Crawley, Guildford and even “sea-based activities,” all of which are located many miles away with the only realistic means of access being by private car. The location appears designed to bring a large amount of traffic into the local area, only for it to be going back out again to reach the visitor attractions.

#### **ISSUE 6 Policy 30 Built Tourist and Leisure Development**

1. The policy requires the development to be sensitively designed to maintain the tranquillity and character of the area and minimise impact on the natural and historic environment. With a transient population of up to 816 residents and a further 114 staff requiring up to 413 parking spaces this development will not be tranquil, will not maintain the character of the area and with the number of users and associated private car and service vehicle movements there will be major impact on both the natural and historic environment, not least the listed Foxbridge Farmhouse located immediately opposite.
2. Policy 30 requires that new tourist development be on a scale appropriate to the location. With a population of up to 816 residents and 114 staff this is considerably greater than the combined population of Plaistow, Shillinglee and Durford Wood (approximately 700) and almost equal to that of Kirdford (1063), it is suggested that this is not appropriate for the location for such a major development.
3. Simply by reason of its large scale, location and form, the proposal does not represent sustainable rural tourism or leisure development which respects the character of the countryside and local environment. A three storey structure and general massing of a hotel, restaurant farm shop and 121 dwellings would have an urbanising impact, at odds with and eroding the local landscape character. Whilst it is acknowledged that the golf course will have altered this landscape this is in a low-key manner, preserving the original patchwork of woodland and open land. This proposal will however create an uncharacteristic built form in the open countryside that does not make a positive contribution to the local landscape character or local distinctiveness.
4. The downgrading of the environmental zone status of the site and surrounding area from E1 to E2 is significant and demonstrates the impact that this development would have on the natural environment.

#### **ISSUE 7 Policy 31 Caravan and Camping Sites**

1. The proposal provides for 31 of the 121 dwellings to be “tents” and therefore Policy 31 requires consideration. This requires that all the specified criteria are met and in particular :

a demonstrable need. The applicant has not shown evidence of such need or demonstrated high demand on existing camping sites, as set out in guidance in Appendix 5 of the Local Plan.

2 The policy requires that sites are of an appropriate scale and would not diminish local amenity, and maintain the tranquillity and character of the area. 31 tents with up to 186 occupants (Water Neutrality table 1.1) would impact local residential amenity and impact the sensitive ecology and biodiversity of ancient woodland. The ability to control noise, use of lights, movement around and through the site from the up to 186 occupants of 31 tents would be difficult to achieve by the applicant. This is a concern of The Woodland Trust who have raised an objection.

3. The policy requires that the road network can safely accommodate any additional traffic generated. This will be subject to separate comment in response to the Traffic Assessment but in simple terms the fact that the applicant requires a second entrance and acknowledges that road widening/passing places would be required confirms that the road network cannot currently safely accommodate the additional traffic that this development would generate. The additional traffic will create both real and perceived safety issues for non-motorised priority road users (walkers, cyclists, and horse riders)

#### **ISSUE 8 Policy 39 - Transport, Accessibility and Parking**

It is necessary to consider the impact of a new development on the existing transport network, how it links to the network and impacts on Highway safety.

The Policy requires the development to be designed to minimise additional traffic generation and movement and not create or add to problems of safety.

1. Setting aside the predicted traffic assessment, which is considered separately, we would suggest that a potential requirement for up to 413 car parking spaces demonstrates a high level of traffic generation and movement in what is acknowledged to be a rural tranquil area. Many of the local planning appeal decisions have identified one of the main issues as being the effect of even minor developments on the character and appearance of the area together with the reliance on cars and the sustainability of such developments due to the limited accessibility.

2. The policy encourages development that can be accessed by sustainable means of transport. A potential requirement for up to 413 car parking spaces would suggest the contrary. The application site is located in a remote area with the only realistic means of access for the vast majority of the up to 816 potential residential user population, unspecified number of day visitors and 114 staff, is by private car or motorcycle.

3. The fact that the applicant acknowledges that road widening/passing places would be required would seem to confirm that the road network cannot without significant alteration safely accommodate the additional traffic that would be generated by this development.

4. The Landscape and visual Impact assessment (10.47 – 10.49) acknowledges that the environmental zone status of the site and surrounding area will be downgraded from E1 to E2, contrary to policy 39 which requires no damage to the environment.

5. Foxbridge Lane is an essential pedestrian link to Footpath 619 which is the only pedestrian access link between Ifold and Plaistow and is well used during the dryer months when the clay base allows. The additional traffic using Foxbridge Lane would represent a safety issue to pedestrians using Foxbridge lane to access footpath 619.

#### **ISSUE 9 Policy 40 – Sustainable Design and Construction**

There are 10 points the developer must demonstrate all have been considered. Point 7 states “the historic and built environment open space and landscape character will be protected and enhanced”. Point 9 states ‘the development is appropriate and sympathetic in terms of scale height appearance ... and is sensitively designed to maintain the tranquillity and local character and identity of the area and Point 11” reduce impacts associated with traffic and pollution will be achieved”.

The proposed development is very large with the indicative design of modern buildings which are not constructed in the local vernacular (i.e. “Urban Blossom Poppy Units” and 3 storey structure) Given the size of the development and for the development to be economically viable it will require a very large number of visitors and associated staff and service personnel, the majority of whom will need to access the site by private cars and commercial HGV vehicles. This will increase impacts associated with traffic and pollution and must be considered against the tranquil rural and historic environment. It is considered the applicant has not demonstrated how the development would meet these points in the policy. In summary this proposal does not represent sustainable rural tourism or leisure development which respects or enhances the landscape character of the local countryside.

#### **ISSUE 10 Policy 47 Heritage and Design**

1. Policy 47.4 requires the individual identity of settlements is maintained, and the integrity of predominantly open and undeveloped character of the area, including the openness of the views.... is not undermined. This proposal for 121 dwellings in close proximity to each other and to the settlement of Ifold, set in what is currently open and undeveloped countryside fails this Policy requirement.

#### **ISSUE 11 Policy 48 Natural Environment**

1. This policy requires that there is no adverse impact on the tranquillity and rural character of the area.

The new development will consist of 121 dwellings together with a 50 bed spa hotel, Health Club, restaurant, bar, farm shop, Concierge building, tennis courts and five a side football pitches and associated access roads and infrastructure. The effect of this development will be both detrimental to the rural character of the area and would have a major impact on the existing tranquillity. It is of note that the Baseline Noise Survey identified “ the main and constant source of sound at the time of the site visits was birdsong and rustling leaves.” and that “at night, background noise levels are extremely low”.

2. The applicant acknowledges that the volume of additional traffic generated by the development would require both road widening and the construction of a second site access with vision splays. This will have both an adverse impact on the character of the area and specifically Foxbridge Lane, and the considerable increase in traffic have a major impact on the tranquillity of the area.

3. The existing character and tranquillity of the area are the qualities that the applicant acknowledges and seeks to promote and exploit, but in so doing by constructing 121 dwellings, a 50-bed hotel, spa, health club, restaurant and all the other associated support infrastructure these special qualities will be effectively lost or at best severely diminished.

4. Policy 48.5 requires the individual identity of settlements, actual or perceived, is maintained and the integrity of predominantly open and undeveloped land between settlements is not undermined. This development of 121 dwellings and a 50 bed hotel with considerable additional infrastructure fails on both counts.

5. There have been many planning appeal decisions in the Parish that recognise the tranquillity and rural character of the area. We would reference the appeal decision relating to a previous application at Foxbridge Golf Course for the construction of 10 no dwellings. One of the main issues was considered to be the effect of the development on the character and appearance of the Countryside. The Inspector noted that whilst the impact of the proposal (only 10 houses) on the landscape of the area may not be severe, the proposal would nevertheless have an adverse effect on the undeveloped character of this part of the countryside. It would be seen as a substantial built development in a rural setting from Public Rights of Way and buildings in the surrounding area. The Inspector noted the policy requirement to conserve and enhance the rural character of the area, a matter in which he found some harm. In addition the inspector noted that development would be heavily reliant on private cars and as such would not amount to sustainable development. This appeal concerned 10 dwellings. This application is for 121 dwellings, a new 50 bed hotel, concierge building, restaurant, and associated infrastructure, representing a built physical environment 20 times greater than that of the dismissed appeal. This dismissed appeal must be the starting point for consideration of any further applications for this site and given the inspectors stated reasons for dismissing the appeal against the refusal for the construction of 10 dwellings it would be difficult to understand how 121 dwellings and a 50 bed Hotel could be considered acceptable.

#### **General Points**

1. This is a large-scale scheme which, if approved, would become a destination seeking to appeal to a National Market. It would become a destination that is located in an area that The Local Plan identifies as remote and tranquil countryside with conservation of the rural character of the area, the high quality landscape and environment being identified as a key objective. The application site is remote from main roads and public transport links, requiring motorised transport using narrow and single-track roads to both arrive and depart the site and travel to and from the promoted tourist destinations, including “sea based activities”, which are located considerable distances from the application site

3. Referring to the farm shop the Parish Council requests clarification as to the produce to be sold as CDC's policy requirement are that a high proportion of the goods sold from a farm shop to have been produced on the Farm. There is no farm offering within this proposal.

4. The Parish Council would suggest that having ceased operating as a Golf course for over 3 years, the land use has reverted to its previous use i.e. that of agriculture. This is supported by the physical harvesting of grass in the intervening years and the previous planning application (19/01645/FUL) to convert the former club house to residential use where it is noted within the Design and access statement (item 1.1) that "The proposal will result in the separation of the property from the adjacent golf course of which the land is to be sold separately for agricultural purposes." This is further supported by very similar situations at both Shillinglee Golf Club and Petworth Golf Club where on closing the courses reverted to their previous agricultural use.

5. There have been numerous dismissed Planning Appeals Decisions that reinforce the unsuitability of the local area to such a development. By way of example, and using Dismissed Planning Appeal Decisions from within the Parish of Plaistow and Ifold. We note the following:

a) Sparrow Farm, APP/L3815/W/20/327113 Decision 19/5/2021. Located 2400m from the application site. This related to the proposed erection of a Stable Barn and 25 X 50m Ménage. The main issue is considered to be the effect of the proposed development on the character and appearance of the area. It was noted that the scale and bulk and height of the proposed Barn would be significant and visually prominent and as a result would have a harmful and detrimental impact on *the character and appearance* of the area. It was noted that it would have significant visual impact on the site's rural setting and the areas established landscape character. The Inspector noted that the appeal site made a positive contribution to what is an attractive rural landscape surrounded by ancient Woodland and the benefit of extensive views from various public vantage points and concluded significant harm to the character and appearance of the open countryside and landscape character of the area would be contrary to Policy 45, 48 and 55

b) Foxbridge Golf Club, APP/L3815/W/18/3206819. Decision 9/5/19. This is concerning a development for the construction of 10 dwellings and vehicular access to replace the existing Golf Club. One of the main issues was considered to be the effect of the development on *the character and appearance* of the Countryside. The Inspector noted that whilst the impact of the proposal on the landscape of the area may not be severe, the proposal would nevertheless have an adverse effect on the undeveloped character of this part of the countryside. It would be seen as a substantial built development in a rural setting from Public Rights of Way and buildings in the surrounding area. The Inspector noted the policy requirement to conserve and enhance the rural character of the area, a matter in which he found some harm. In addition the inspector noted that development would be heavily reliant on private cars and as such would not amount to sustainable development.

c) Little Wephurst, APP/L3815/W/18/3206331 Decision 17th January 2019. Located 300m from the application site. This related to the erection of single replacement dwelling. The main issue was considered to be the impact of the development of *the character and appearance* of the area. Where the Inspector noted that the massing and scale of the development would not be sympathetic to its setting and by virtue of the scale and massing,



which could be viewed from several public vantage points and would have an adverse impact on the character and appearance of the area.

d) Hardnips Barn, APP/L3815/W/16/3150857 Decision 10th October 2016. Located 1000m from the application site. This related to the erection of a wood store and garden store on land adjacent to Hardnips Barn. The main issue was considered to be the effect of the building on *the character and appearance* of the area and the effect of the building on protected species and ancient woodland. The Inspector noted that the area consisted of undeveloped open countryside interspersed with other tracks of woodland of varying sizes giving the surroundings a secluded rural character and appearance not with-standing the proximity of the complex of large scale Farm buildings at Crouchlands Farm. The Inspector noted that the barn would be seen as an isolated and alien featuring a hitherto largely underdeveloped rural surrounding and concluded that the building caused unacceptable harm to the character and appearance of the surrounding area and as such does not conserve or enhance the rural character of the area and quality of the landscape. The Inspector further noted that an increase in the level of human activity at the appeal site as a result of the use of the single building and the use of artificial lighting in or around the building together with associated external storage would all cause a further progression of erosion to the secluded rural character of the surrounding countryside.

e) The Coach House, APP/L3815/W/15/3141476 Decision dated 25th May 2016. This related to a change of use to a Club for Fitness Training, Yoga, Spiritual Healing and Wellbeing. The main issue was considered to be the effect of the proposal of *the character and appearance* of the Countryside having regard to tranquillity and nearby Public Rights of Way and also whether the proposal would be a sustainable development. The Inspector noted that surrounding roads were lightly trafficked with the absence of any significant development and the surrounding character was resulting in a very tranquil area. The Inspector noted there would be sufficient parking for 25 cars, 10 motorcycles and 50 bicycles which indicated a significant intensification of activity within the tranquil area. The Inspector noted that based on the level of use indicated by the amount of proposed parking, the number of activities and intensity of use, the proposal would create the perception of a significant amount of activity on the site which would diminish the experience of those using the PROW in a tranquil area of the Countryside and would have an adverse effect on the tranquil and rural character of the area. The Inspector further noted that the facility would be reliant on private transport which is reflected in the proposed amount of parking and as such would run counter to the sustainable development aims of the local plan and policies.

f) Nell ball Farm, APP/L3815/W/15/3134837 Decision 22nd March 2016. Located 2200m from the application site. This concerned the retention of an existing mobile home. The main issue was considered to be the visual impact of the development on *the character and appearance* of the surrounding rural landscape and concluded that the development would harm the character and appearance of the area conflicting with the Planning policies which require development proposals to enhance the character of the surrounding area with minimal impact on the landscape and rural character of the area.

g) Little Springfield Farm, APP/L3815/W/15/3129444 Decision date 1<sup>st</sup> March 2016. Located 150m from the application site. The appeal related to the proposals to demolish Industrial buildings and erect three dwelling houses. The main issues related to whether the development would be a sustainable development with regard to the accessibility and the effect of the proposal on *the character and appearance* of the area. The Inspector concluded that the proposal would result in significant changes to the character and appearance of the location and referred to the framework which notes that the intrinsic character and beauty of the countryside should be recognised.

8. Crouchlands Farm, APP/L3815/C/15/3133236 Decision 10th October 2017. Located 500m from the application site. Main issues related to Highways safety, living conditions of nearby residents and the *rural character of the area*. The Inspector noted the roads around Crouchlands Farm are narrow country lanes where traffic is likely to be restricted to the use by residents, the farm enterprise and occasional delivery vehicles and noted fears for safety caused through meeting lorries and walking on a road with no pavement or when riding a horse or bicycle on the carriageway. The Inspector further noted that in rural situations the impact on tranquillity, increased levels of intimidation and reduced residential amenity are experienced each time an HGV passes. The Inspector found that the vehicle movements proved dangerous to other road users and caused disturbance to local residents. Noise and vibration from the traffic would be unacceptable in this rural location and detrimental to the character of the area.

These dismissed planning appeals relating to both the application site and sites in very close proximity to the application site must be the starting point for consideration of any further applications. Given that in every appeal one of the main issues for these dismissals was considered to be the effect that even minor development would have on the character and appearance of the surrounding rural landscape it would be difficult to understand how 121 dwellings and a 50 bed Hotel could be considered acceptable.