

Agenda



Knowsley Council

Tuesday, 1 October 2024

To: The Chairperson and
Members of the Planning Committee

Dear Councillor

A Meeting of the **PLANNING COMMITTEE** will be held on **Thursday, 10th October, 2024**, in the Council Chamber, Municipal Buildings, Huyton at **6.00pm**.

If you have any queries regarding this meeting, please contact Keith Glover on telephone number 0151 443-3502.

Yours faithfully

Chief Executive

Please Note:-

1. *(Please Note: Access to the Council Chamber is limited and members of the public or press wishing to attend in person are strongly advised to register in advance by emailing committees@knowsley.gov.uk or telephoning (0151) 443 2679. Attendees will be required to show photographic identification and will be subject to [security checks](#). Please note that meetings will also be live streamed. The live stream can be accessed from the following link - <https://knowsley.public-i.tv/core/portal/home>.)*
2. *If you have submitted a representation in respect of any of the planning applications that are included on the agenda for determination at this meeting, and wish to speak at the meeting, there is a procedure to be followed which can be accessed via the link below:-*

<https://www.knowsley.gov.uk/residents/building-and-planning/make-a-planning-application/speaking-at-planning-committee>

Membership of the Planning Committee

Councillors

S Donnelly	(Chairperson)
Mrs D Arnall	Ms J Harvey
Mrs C Bannon	Ms J Lilly
D J Baum	Mrs J E Lonergan
H Bell	K W McGlashan
T Brennan	G J Morgan
M Burke	Mrs S Powell
T Byron	I Smith
A J Flute	K Taylor
R Gaffney	Ms A Wright
G Golding	

(Note: The Agenda and Reports are circulated to all other Members of the Council for information only.)

A G E N D A

PART I

APOLOGIES

1. DECLARATIONS OF INTEREST

2. MINUTES

To receive as a correct record the minutes of the meeting of the Committee held on 11th July 2024.

(Pages 1 - 2)

3. APPLICATIONS FOR PLANNING PERMISSION

To consider the reports of the Executive Director (Regeneration and Economic Development) in respect of the following applications for planning permission.

(Please note that:-

- (i) Background Papers to the planning applications referred to in this agenda comprise the following: -
 - 1. The planning application as submitted or subsequently revised including all forms and plans, etc.
 - 2. The application case sheet, inspection report, photographs, etc.
 - 3. An Ordnance Survey sheet extract showing the application site and the surrounding area.
 - 4. Standard planning conditions as adopted by the Council.
 - 5. Relevant policies from the Unitary Development Plan as appropriate.
 - 6. Copies of all statutory and non-statutory consultations and related correspondence except where they are strictly confidential.
 - 7. The relevant planning history of the application site.

Specific documents, which have been used as a background paper for a particular planning application, and which are not included in the above, are detailed as appropriate at the end of the individual report concerned. Please contact the planning services team (0151 443 2381 or via email at Dcsubmissions@knowsley.gov.uk) to arrange inspection of these files and documents; and

- (ii) Details of the contact officer is contained in the individual report and additional information/some background papers can be found on the [Public Access](#) site via the link shown beneath each planning application below).

- (a) **24/00334/FUL - REMOVAL OF RESTRICTIONS ASSOCIATED WITH PREVIOUS PLANNING APPLICATION (12/00297/COU - CHANGE OF USE FROM RESIDENTIAL FLATS TO SUPPORTED ACCOMODATION (USE CLASS C2) FOR UP TO A MAXIMUM OF SIX CHILDREN UP TO THE AGE OF EIGHTEEN) TO ENABLE A GENERAL C2 USE (RESIDENTIAL INSTITUTION) - 16 NORTH PARK ROAD, KIRKBY PARK, KIRKBY, KNOWSLEY, L32 2AS**

Additional information in relation to this item can be obtained on Public Access via the following link:-

<https://planapp.knowsley.gov.uk/online-applications>

and entering 24/00334/FUL in the search box

(Pages 3 - 16)

- (b) **21/00744/FUL - RE-DEVELOPMENT OF GOLF COURSE - KIRKBY GOLF COURSE, INGOE LANE, FIELD LANE ESTATE, KNOWSLEY, L32 4SS**

Additional information in relation to this item can be obtained on Public Access via the following link:-

<https://planapp.knowsley.gov.uk/online-applications>

and entering 21/00744/FUL in the search box

(Pages 17 - 68)

- (c) **23/02677/FUL - ERECTION OF 88 NO. AFFORDABLE RESIDENTIAL DWELLINGS AND ASSOCIATED INFRASTRUCTURE - LAND AT CARR LANE, PRESCOT, KNOWSLEY**

Additional information in relation to this item can be obtained on Public Access via the following link:-

<https://planapp.knowsley.gov.uk/online-applications>

and entering 23/02677/FUL in the search box

(Pages 69 - 106)

- (d) **23/02847/FUL - CREATION OF 3G ARTIFICIAL PITCH WITH PERMITTER FENCING, BALL STOP NETTING, FLOODLIGHTING, HARDSTANDING, STORAGE CONTAINER, CAR PARK, ACCESS IMPROVEMENTS TO LINCOMBE ROAD AND ASSOCIATED WORKS - JUBILEE PARK, DINAS LANE, ROBY**

Additional information in relation to this item can be obtained on Public Access via the following link:-

<https://planapp.knowsley.gov.uk/online-applications>

and entering 23/02847/FUL in the search box

(Pages 107 - 150)

4. DELEGATED PLANNING DECISIONS

To consider the report of the Head of Planning.

(Pages 151 - 170)

5. TOWN AND COUNTRY PLANNING ACT 1990 - APPEAL DECISIONS

The Head of Planning and Building Control to report on the appeal decision taken by the Planning Inspectorate in respect of 95 Arncliffe Road, Halewood, Knowsley, L25 9QE.

(Pages 171 - 176)

6. ANY OTHER ITEM(S) WHICH THE CHAIRPERSON DEEMS TO BE OF AN URGENT NATURE

APPLICATION NO: 21/00744/FUL

APPLICANT: L32 Trading Ltd

WARD AFFECTED: Cherryfield

DEVELOPMENT: RE-DEVELOPMENT OF GOLF COURSE INCLUDING; THE IMPORTATION OF UP TO 475,000 CUBIC METRES OF INERT SOILS, SANDS AND AGGREGATE (TO BE GOVERNED BY CL:AIRE DOWCOP PROCEDURES / PROTOCOLS), TO REMODEL THE EXISTING GOLF COURSE AND CREATE A NEW 9 HOLE PAR 3 GOLF COURSE ON 52 ACRES OF DISUSED LAND ADJACENT TO THE EXISTING GOLF COURSE, ERECTION OF NEW TWO STOREY CLUBHOUSE COMPRISING BAR, RESTAURANT, FUNCTION SPACE, CHANGING ROOMS AND ASSOCIATED FACILITIES, CHANGE OF USE OF EXISTING CLUB HOUSE TO GOLF RELATED TRAINING ACADEMY WITH OVERNIGHT ACCOMMODATION FOR GOLF PROFESSIONALS WITH EXTENSION TO BUILDING AND ALTERATIONS, NEW CENTRALLY LOCATED GREENKEEPERS COMPOUND WITH ASSOCIATED PORTAL FRAME BUILDING HOUSING WELFARE FACILITIES, OFFICE SPACE, TRAINING SPACE AND EQUIPMENT STORAGE, AND MAINTENANCE AND SECURITY FENCING, CREATION OF AN ADVENTURE GOLF COURSE AND PRACTICE PUTTING GREEN, CREATION OF A GOLF DRIVING RANGE WITH TWO STOREY BUILDING INCLUDING BAR/LOUNGE, PRO GOLF SHOP, TRAINING AND PRACTICE, LIGHTING AND NETTING AND SUPPORTING WORKS INCLUDING DRAINAGE WORKS (INCLUDING IRRIGATION WATER BODIES / WETLAND FEATURES), THE ERECTION OF A FOOTBRIDGE OVER THE RIVER ALT, CREATION OF 1NO NEW ACCESS ONTO VALLEY ROAD, EXTENDING CAR PARK AND SITE WIDE LANDSCAPING.

LOCATION OF SITE: KIRKBY GOLF COURSE, INGOE LANE, FIELD LANE ESTATE, KNOWSLEY, L32 4SS

DEVELOPMENT PLAN ALLOCATION:

Green Belt

Urban Greenspace and Education Land

REPRESENTATIONS:

Four rounds of consultation with local residents have taken place. The first consultation had 2 objections, 2 neutral comments, 1 support and 1 petition opposing (4 signatures). The second consultation had 6 objections, 1 neutral comment and 3 in support. The third consultation had 1 objection and 2 petitions (one in favour with 560 signatures, one against with 4 signatures). The fourth consultation received no additional objections or support.

RECOMMENDATION:

That Members delegate authority to the Head of Planning & Building Control to grant planning permission subject to:

- (i) The conditions set out in the attached schedule, or such additional or amended conditions that the Head of Planning & Building Control in conjunction with the Chair of Planning Committee considers appropriate;
- (ii) The applicants entering into a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure the obligations set out at the end of this report and
- (iii) the application being referred to the Secretary of State for Housing, Communities and Local Government, and the Secretary of State deciding not to “call in the application” for a Public Inquiry;
- (iv) In the event of the applicants not entering into a Section 106 agreement within 6 months of Planning Committee’s resolution to secure the obligations, that Planning Committee delegate authority to the Head of Planning & Building Control to refuse planning permission under delegated powers, on such grounds, should it be deemed that insufficient progress has been made in completing the Section 106 agreement.

CASE OFFICER: Jo Sheridan

SUMMARY:

This application is a full application for the redevelopment of the golf course, the relevant key issues are:

- The principle of development, including impacts on the Green Belt.
- Phasing
- Landscape and visual impact
- Changes to site levels and the importation of waste
- Layout and design
- Residential amenity
- Access and Highway Safety;
- Trees and landscaping
- Ecology
- Phasing

1. SITE AND SURROUNDINGS

- 1.1 The application relates to the existing Kirkby Valley golf course which extends to 80.3 hectares. The golf course was founded in 1928. The course consists of an 18-hole course that is dissected by the River Alt. Most of the course sits to the east of the River Alt and to the west lies a number of holes and an area of private greenspace that is not currently part of the golf course. Visually, the ground levels appear to be generally at a consistent, however there is a 5-metre variation with part of the middle of the site being lower than the surrounding areas; this variation is gradual across the site, there are no steep

drops etc. The ground level does have some artificially created features as part of the existing course as well as bunkers and extensive tree planting.

- 1.2 At the south of the site, where it meets Ingoe Lane there is an existing single storey clubhouse and other buildings used in connection with the maintenance of the course. A relatively large car park is located adjacent to the clubhouse. The vehicular access to the site is taken from Valley Road via Ingoe Lane.
- 1.3 The site is bounded by the M57 to the east, by dwellings to the southeast around Oxtan Close/Ingoe Lane, (which is a conservation area). There are also dwellings to the northwest of the site on Aintree Lane, and a derelict contaminated site of the west side of Aintree Lane (Fazakerley playing fields). The site is bounded by Valley Road (A506) to the south and there are also dwellings on the southern side of the A506 to the southeast of the site. The north, the site is bounded by the Liverpool – Kirkby railway line which sits above the site on an embankment. As stated earlier the River Alt divides the site running in a north – south direction.
- 1.4 Whilst the golf course is located within Knowsley, the land is owned by Liverpool City Council. The City Council leased the course to the applicant in 2019 on a 150-year long lease. The applicant also controls Allerton Manor golf club in Liverpool.
- 1.5 The aim of the proposals, as stated within the Planning Statement is to turn a currently an ailing, not fit for purpose, unsafe, unattractive, unviable facility into a fit-for-purpose golf destination.

2. PROPOSAL

- 2.1 This application is a full application for redevelopment of the golf course and its associated facilities.
- 2.2 The main components of the application are the following:
 - The importation of 475,000 cubic metres of inert (clean) material to regrade areas of the site;
 - Reconfiguration of the 18-hole golf course, including the raising of site levels to include drainage and irrigation;
 - Creation of a new 9-hole golf course to the southwest of the site
 - Erection of two storey clubhouse comprising bar and restaurant facilities, toilets, a golf shop, changing rooms, training rooms and function rooms. The club house would be 49.3m wide; 30.7m deep and 10.5m high at its highest point. The floorspace of the building would be 1,714sq.m;
 - Change of use of the existing clubhouse (676sq.m) to a golf training academy and a 364 sqm extension. The building would accommodate training spaces, a café and overnight accommodation.

- Erection of two-storey Golf Driving Range (including bar, lounge and shop) 2,716sq.m over two levels, with associated lighting and netting. This will provide 32 driving range bays across two floors for customers utilising the driving range. The building would be 10.8m high; 70.3m wide and 24.5m deep.
- Creation of an adventure golf course and practice putting green to the southwest of the site;
- Creation of a greenkeepers compound that includes a portal framed storage building (796.5sq.m) for machine storage, welfare facilities, training space and office. The building would be 39m wide, 15.5m deep and 5.9m high. This will be located in the centre of the site to the west of the River Alt. The compound will be secured by a 2.4m high palisade fence.
- Erection of a footbridge over the River Alt;
- Creation of a new vehicular access taken from the existing signal-controlled junction at Valley Road / Field Lane.
- The extension of the car parking provision within the site to create an additional 257 spaces to serve the proposed facilities.
- Landscaping across the site.

2.3 Following feedback from the Local Planning Authority and Sport England, all non-golf facilities (5 a side football pitches; tennis courts and bowling green and their associated parking and paraphernalia such as fences, lighting) have been removed from the scheme. The proposed clubhouse building has been fundamentally redesigned and reduced in scale; the proposed driving range has been fundamentally redesigned and reduced in scale; the extent of golf course improvement works has been adjusted; there has been a reduction from 2 to 1 new vehicular access via Valley Road and the removal of the formerly proposed gated access via Aintree Lane (which had been intended to provide construction traffic).

3. RELEVANT SITE HISTORY

3.1 K/APP/14084: Land forming part of Liverpool Golf Course, Valley Road, Kirkby:- formation of landscape feature utilising fly tipping already deposited on site and construction of hard standing area for adjacent model aeroplane club. Granted 22/10/1992

4. ARTICLE 35 STATEMENT

- 4.1 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

5. EQUALITIES ACT 2010

- 5.1 In determining this application, the Local Planning Authority has considered the requirements under S149 of the Equalities Act 2010.
- 5.2 Section 149 of the Act sets out a general duty that requires the council to have due regard to the need to:
- eliminate discrimination, harassment and victimisation;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

6. REPRESENTATIONS

- 6.1 The planning application was publicised by individual neighbour notification letter, the display of site notices and a notice in the local press. Four rounds of consultation with local residents have taken place.
- 6.2 The first consultation had 2 objections, 2 neutral comments, 1 support and 1 petition of four signatures opposing the proposal (one signature had already objected and one signature was a neutral comment already submitted).
- 6.3 The second consultation had 6 objections, 1 neutral comment and 3 in support, including one who objected during the first consultation.
- 6.4 The third consultation had 1 objection and 2 petitions (one in favour with 560 signatures, one against with 4 signatures).
- 6.5 The fourth and final consultation took place in May 2024 by individual neighbour notification letters. No further representations have been received as a result of the publicity given to the application.
- 6.6 The objections are summarised as follows:

Green Belt:

- Want to retain the land as an attractive landscape and secure natural conservation not to have it removed.

- Excessive – a golf course is provided not far from here in Aintree;
- Question the need for a 9-hole golf course and driving range on this site when there are both facilities available just over a mile away at Aintree Golf Centre;
- Have concerns regarding such a major development on Green Belt, Urban Greenspace and a Local Wildlife / Geological Site;

Residential amenity and noise:

- The club house is too close to a small residential area including Ingoe Lane and Oxton Close;
- The club house and training academy will be a source of constant noise, disturbance and unsociable hours of operation;
- The long construction project will prolong the noise disruption and disrupt the tranquillity of the conservation area;
- The noise caused by cars coming and going during the evening for functions/parties will also have an impact;
- The noise impact assessment states the nearest noise sensitive receptors to the site as Croxteth House, Mathers Cottage and 842 Moor Lane – there are three pairs of cottages to the east side of Ingoe Lane including Croxteth House. There is Oxton Close which has four cottages adjacent to Ingoe Lane and the main entrance to the golf club.
- 447 car parking spaces will bring additional air pollution and noise;
- The proposal has sited a high number of car parking spaces to the south of the site opposite residents of Moor Lane which will allow people to be sat of an evening or late at night with engines running playing music;
- The proposed club house would be too large, too close to my house and too close to the conservation area which must be preserved;
- Antisocial behaviour will increase with the site having open access;
- Currently activity using heavy plant on the golf course starts as early as 7am and this often involves heavy machinery meaning an early wake-up for neighbours, so I'd want some assurance about the noise implications of this, and either work does not start from there before 8am or there are noise mitigation measures put in place;
- The proposed floodlighting to the tennis courts will cause light pollution.

Highways:

- Lack of parking proposed during construction resulting to parking congestion on Ingo Lane, Oxton Close and Moore Lane;
- Further car parking is proposed which will harm the landscape including loss of trees and wildlife habitats adding to loss of open space;
- Valley Road access increases noise and light pollution. The access looks open (not gated) allowing the car park to be used at any time. The surrounding area is already struggling with drug issues;
- The existing entrance area is not currently well maintained or even maintained at all, rubbish is allowed to accumulate around it and on the surrounding area - the 'give way' road markings for traffic leaving through the Ingoe Lane gates need to be repainted and maintained. The drainage on the lane is poor and flooded in the heavy rains 26/8/23 and it is suspected there are collapsed main drains. The grid outside the current gates to the golf club is completely full of soil;

- I have great concerns with regard to the proposed site of the 9 hole golf course due to its very close proximity to both Valley Road and Aintree Lane. I assume there will be some netting in place to contain the golf balls however I still feel there will be a great chance of stray golf balls posing a serious safety risk for passing pedestrians and vehicles.

Open space:

- Loss of public open space where we walk our dogs;
- Object to public access being denied;
- Some of the area left undeveloped should be made available to residents for walking;
- This field is used by many members of the public for walks and recreational activities, especially with dog walkers. It is one of the only green spaces left in the area that the public can access freely and safely. I totally object to all of the area being used for a pre existing golf course;
- The operators of Kirkby Valley golf club have in the last 3 years fenced off the entire course, including blocking off old rights of way/footpaths and routes that local residents and wildlife use. There has not been any discussion with neighbours on this.

Trees and ecology:

- The operators use hunters with some kind of rifles who are shooting wildlife such as foxes, badgers and squirrels and this needs to be stopped;
- There have been hundreds of trees cut down in the last 5 years, which have been burnt and buried;
- The development of the land currently unused to the west of the site and making that into driving range and mystery golf means disturbing the wildlife that has reclaimed this land. Partridge and woodpeckers have returned and pheasants nest here. Similarly plans to develop the river need to demonstrate the impact on wildlife - last year there were swans and kingfisher on this stretch of the Alt;
- As much as possible of the existing trees and hedges be protected on land the golf course proposes to bring back into use.

Miscellaneous:

- Phase 2 of the proposal should be scrapped (football pitches and tennis courts)
- -Would like assurances that the existing club house and new club house would have state of the art sound proofing to eliminate the noise;
- The adventure golf course would not be in keeping with the golf course and is making the proposal more of a theme park than a professional golf course;
- The use of pesticides/fertilisers/water/lawnmowers is extremely harmful to the natural world and detrimental to local residents health;
- Excessive: There is already a large golf course in the local area (Aintree) in a region greatly lacking in green space for residents;
- No benefit at all to local residents who spend our lives here. There is no positive impact for us. What we can expect is more traffic congestion, noise and air pollution to carry out extensive building work for months and what

we will be left with is permanent environmental damage in light, noise and air pollution in an area which it is already high in;

- The old Alt Bridge is not addressed in these plans. This bridge is the focus on the council's conservation area. This bridge and its heritage is simply invisible in these plans. I'd like to see some joined up thinking on the bridge. Is it being conserved or is that just a badge that means nothing?
- We want to see this development subject to specific and monitored environmental and social responsibilities, with duties as part of the local community to support biodiversity and public access to parks and countryside.

6.7 The representations in support of the application are summarised below;

- I fully support the planning application, and it would of great benefit to the people of Knowsley to have a great golf course with driving range facilities and the additional features of this planning application. I fully support the application as a resident of Knowsley;
- I previously objected to this site over the football pitches, due to the light and noise pollution this would have on Moor Lane residents i.e. late-night traffic, additional access point and car parking opposite Moor Lane, however, the new design has removed the football pitches and thus removed the immediate lighting issue. The additional access and car parking has been removed; therefore, I no longer object to the site. In fact, I think it will drive more job opportunities and driven better economic growth in the area for years to come. In short, the designers have done a good job, not sure if it was based on feedback or lack of funding but the outcome has taken away my initial concerns.

7. CONSULTATIONS

Highways (Knowsley Council): No objections, subject to five conditions, three requiring the submission of details of cycle parking, a travel plan and a construction management plan, a condition requiring the design of the junction with Valley Road to be submitted and a condition restricting vehicular access from Aintree Lane. Highway issues will be addressed later in the report.

Environmental Health (Knowsley Council): No objection subject to fourteen conditions in relation to noise, fixed plant noise, contamination, importation of soil/material, a materials management plan, lighting, a demolition/construction management plan, construction hours, odour and smoke prevention, grease trap, opening hours, balcony hours, waste storage and removal and empty bottles. These issues will be addressed later in the report.

Arboricultural Officer (Knowsley Council): No objection, subject to the Arboricultural Impact Assessment and Arboricultural Method Statement being made approved documents and two conditions - one requiring that trees to be removed are replaced on a 2:1 basis and a condition ensuring that existing

tree protection is provided for all remaining trees within the Conservation Area and those covered by Tree Preservation Order.

Merseyside Environmental Advisory Service: No objection, subject to sixteen conditions relating to bats, lighting, reasonable avoidance measures, breeding birds, invasive species, and the submission of a construction environmental management plan and a landscape environmental management plan.

Local Lead Flood Authority (Knowsley Council): No objections, subject to a condition regarding drainage.

Environment Agency: No objection in principle to the proposed development.

Merseyside Police: No objections to the proposal and advise a condition to be attached stating that the applicant work to achieve Secure by Design accreditation.

Fusion 21: Requested a commuted sum of £6,985 towards social value.

Sport England: Sport England originally objected to the proposal, however when the application was amended to remove the football and tennis courts, Sport England withdrew its objection and considered the proposal to meeting their objections to 'enhance' and 'provide' for golf activity at the site.

Canal and River Trust: Have confirmed that they have no comment to make on the application.

Natural England: Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

National Highways: No objections. National Highways does not consider at the proposed development would have an adverse impact on the safety of, or queuing, on a trunk road.

Network Rail: No objection, subject to conditions to protect the railway and its boundary. These conditions relate to installation of a boundary treatment alongside the railway line, details of drainage and details of excavation and earthworks within 10 m of the boundary with the railway.

Merseyside Fire and Rescue Service: No objection, subject to standard informatives.

Sefton Council: No objection.

Liverpool City Council – No comments received.

8. POLICY CONTEXT

- 8.1 Paragraph 11 and 12 of the National Planning Policy Framework (NPPF 2023), an extract from which is set-out below, states that:

“Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up to date development plan, permission should not usually be granted. Local Planning Authorities may take decisions that depart from an up-to date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”

- 8.2 In this regard the Knowsley Local Plan: Core Strategy was adopted in January 2016, although certain saved policies of Knowsley Replacement Unitary Development Plan (UDP) remain operational as part of the Statutory Development Plan and are still given weight in reaching a decision under the provisions of paragraph 21 of the latest NPPF. The Joint Merseyside and Halton Waste Local Plan was adopted in 2013 and is also part of the development plan.

- 8.3 The relevant adopted policies for the assessment of the application are listed below.

Knowsley Replacement Unitary Development Plan (Saved Policies, 2006)

T7 – New Development and Walking and Cycling Routes

T8 – Transport Assessments

T9 – Travel Plans

T10 – Access for the Less Mobile

OS7 – Educational Uses and Sites

DQ2 – Security in the Built Environment

DQ3 – Gateway Sites and Corridors

DQ4 – Trees and Development
DQ5 – Development in Conservation Areas
ENV2 – Noise and Vibration
ENV3 Light Pollution
ENV5 Contaminated Land

Knowsley Local Plan Core Strategy (2016)

SD1 - Sustainable development
CS1 – Spatial Strategy for Knowsley
CS2 - Development Principles
CS5 - Green Belt
CS7 - Transport networks
CS8 - Green Infrastructure
CS19 - Design Quality and Accessibility in New Development
CS20 - Managing the Boroughs Historic Environment
CS21 – Greenspaces and Trees
CS22 – Sustainable and Low Carbon Development
CS24 - Managing Flood Risk
CS26 - Waste Management
CS27 – Planning and Paying for New Infrastructure

Merseyside Waste Local Plan (2013)

WM8 – Waste Prevention and Resource Management
WM9 - Sustainable Waste Management Design and Layout for New Development

Supplementary Planning Documents

Ensuring a Choice of Travel SPD (2010)
Design Quality in New Development SPD (2016)
Trees and Development SPD (2016)
Developer Contributions SPD (2016)
Adding Social Value to Development: Employment and Skills SPD (2018)

National Planning Policy

National Planning Policy Framework (2023)
National Planning Policy for Waste
Planning Practice Guidance

9. ISSUES AND ASSESSMENT

Principle of the Development

- 9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. This is the test that

legislation prescribes should be employed on planning decision making. The 'presumption in favour of sustainable development' at paragraph 11 of the NPPF means: "approving development proposals that accord with an up-to-date development plan without delay."

- 9.2 The development is located within both 'Green Belt' and 'Urban Greenspace and Educational Land'

Green Belt

- 9.3 Paragraph 142 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 9.4 Paragraphs 152 and 153 of the NPPF and Policy CS5 in the Core Strategy explain that inappropriate development by definition is harmful to the Green Belt and should not be approved except in 'very special circumstances'. They state that 'very special circumstances' will only exist if the potential harm to the Green Belt (which must be given substantial weight) and any other harm arising from the development is clearly outweighed by other considerations.
- 9.5 Paragraph 154 of the NPPF establishes that the construction of new buildings in the Green Belt is inappropriate development unless certain exceptions apply. Three such exceptions are:

"The provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it."

"the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;"

"Limited infilling or the partial or complete redevelopment of previously developed land whether redundant or in continuing use (excluding temporary buildings) which would not have a greater impact on the openness of the Green Belt than the existing development."

- 9.6 Paragraph 155 of the NPPF also states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include engineering operations.
- 9.7 The applicant contends in their Planning Statement that the entirety of the proposal constitutes 'appropriate facilities for outdoor sport and recreation.' The applicant states that all of the proposals are intrinsically related to the sport of golf and all of those elements will play an important role in improving the quality, attractiveness, usability and viability of the existing golf facility.

- 9.8 The Planning Statement states that NPPF paragraph 154 confirms that any such 'appropriate facilities' can only be deemed 'appropriate development' if they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. It is here that the applicant acknowledges that much of the development proposed by this application calls to be classed as inappropriate development in that most elements of the scheme will have an inevitable and unavoidable impact on openness. All new structures and buildings will cause a degree of harm to the openness.
- 9.9 Consequently, the proposed development, when taken as a whole, would inevitably have greater impact on the openness of the Green Belt than the existing development within the site. The development is therefore inappropriate development within the Green Belt.
- 9.10 As detailed above, inappropriate development is by definition harmful to the Green Belt and should only be approved if 'very special circumstances' exist that clearly outweigh the harm caused to the Green Belt and any 'other harm'. This harm by reason of inappropriateness must be given substantial weight against the proposed development. In addition to this harm, it is also necessary to understand the other harm caused to the Green Belt.
- 9.11 Paragraph 143 of the NPPF Green Belt states that the Green Belt serves five purposes:
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another.
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 9.12 Given the nature and location of the proposed development it is considered that the proposed development, due to its location would not conflict with any of the purposes of including land within the Green Belt. This is because the development, by reason of the site's characteristics and the particular characteristics of this proposal, would not result in additional sprawl from existing built-up areas, nor will it result in neighbouring settlements merging into one another. The majority of the site cannot be considered as being countryside as it is in use already as a golf course and the remainder of the site is unmanaged scrub land and whilst there is an increase in built development the site and its surrounds will maintain the aspect of openness it currently enjoys. The proposals would not affect the setting or character of any historic towns and the type of development cannot be accommodated within the urban area.
- 9.13 Although it has already been established that the development will have a greater impact on the openness of the Green Belt than the existing development on the site, it is necessary to quantify the harm that would be caused to openness. 'Planning Practice Guidance' (PPG) states that a

number of factors may be taken into account when assessing the impact of a development on the openness of the Green Belt including both spatial and visual aspects, such as volume and visual impact. PPG advises that this assessment requires judgement based on circumstances of the case and the courts have identified a number of matters which may be taken into account under three elements:

- Spatial and visual impacts
- Duration of development and its remediability
- Degree of activity to be generated.

- 9.14 The proposed club house, driving range building, the levels change to form the driving range and the required ancillary structures such as netting would undoubtedly have a greater spatial impact than the existing form which would reduce the openness of the Green Belt due to the presence of more built form and the associated enclosures and infrastructure proposed.
- 9.15 In terms of the visual aspect of the Green Belt (which is not an assessment of the visual quality of the proposals) the development would lead to the site having a different visual form. The new buildings and associated enclosures / infrastructure would be introduced on parts of the site where none exist at present.
- 9.16 The front of the site closest to Valley Road would be the area which would experience the greatest and most apparent visual change. It is currently flat and open land that would be occupied by a driving range, adventure golf, a club house and its associated car park. The buildings have been set back from the highway and would be partially screened by the existing hedgerow and proposed landscaping; however, this would still result in a significant impact on the openness of the Green Belt.
- 9.17 It is proposed that material will be brought into the site to re-profile it, this includes creating mounds to make the course more challenging for players and levelling an area to create a driving range. The material would increase levels in some places by up to 5.5m. It is important to note that the site levels at the boundaries of the site will remain as existing.
- 9.18 The Landscape Visual Impact Assessment (LVIA) submitted in support of the application indicates that the levels changes would result in a variety of impacts from various vantage points throughout the site, however, it was determined that none of the changes in visual amenity would be of significance. Given the existing use of the site as a golf course this conclusion is considered to be reasonable, and these changes would have a low to moderate impact on the openness of the Green Belt, especially given the size of the site.
9. 19 Another consideration is 'the degree of activity' likely to be generated, such as traffic generation. During operational use, the site it would be active with visitors coming and going to and from the site seven days a week and some evenings. Given the improved facilities it can be concluded that more activity

would occur as a result of the development. Nevertheless, having regard to the existing use this would not have a material effect on the openness of the Green Belt.

- 9.20 The proposed development is inappropriate development in the Green Belt, no harm would be caused to the purposes of including land in the Green Belt but there would be harm caused to the openness of the Green Belt. In accordance with Paragraph 153 of the NPPF the harm by reason of inappropriateness and the harm caused to the openness must be given substantial weight against the development.
- 9.21 Inappropriate development in the Green Belt should only be approved in very special circumstances where the benefits of the proposal clearly outweigh the harm caused to the Green Belt and any 'other' harm.

Very special circumstances

- 9.22 The applicant acknowledges that the development is inappropriate development in the Green Belt and has argued that there are very special circumstances which clearly outweigh the harm caused to the Green Belt and any other harm.
- 9.23 The applicant has submitted significant information in support of the application that they consider constitutes very special circumstances. Whilst the supporting case is outlined in detail below the applicant's very special circumstances case comprises of the economic benefits of the scheme, increasing the viability of the facility, improvement of the current facilities which are not fit for purpose, improved access for all groups to golf and the associated health benefits this brings and landscape and biodiversity enhancements.
- 9.24 The applicant states that the current golf course is in a state of dereliction and disrepair with declining numbers of members, inadequate course facilities, including poor course design and poor financial prospects. The applicant cites that the existing course has many health and safety issues, with some areas subject to flooding and some areas that are poor in appearance. A 'Golf course audit, July 2022)' was submitted alongside the planning application which outlines on a hole by hole, basis the issue with the current golf course (for example, hole 4: 'A sliced tee shot risks hitting golfers on hole 3 tee and rough areas. Approach shot is at risk of leaving the site boundary to the left, hitting road users on Aintree Lane' and hole 1: 'This area is subject to flooding from the adjacent River Alt.'
- 9.25 The applicant states that the golf course in its current state is not attractive enough to attract significant numbers of golfers given that the facilities are limited and that it does not meet modern golfing standards and requirements. They argue that people have a finite amount of time and money and will choose to visit golf course that, simply put, are better than Kirkby golf course. The applicant identifies that the course lacks variation in elevation and distinctive features that create a more unique golf course experience and

lacks attractions for more casual golfers such as a modern driving range or adventure golf which the applicant states are needed to create a broad based and diverse range of customers. The information submitted by the applicant has been reviewed and the local authority broadly agrees that with the applicant's submission.

- 9.26 A document titled 'A Commentary from a Golf Market Perspective and 'Very Special Circumstances'' by Smith Leisure has been submitted in support of the planning application. Its author provides support on the topics of golf need and financial viability for golf use and worth.
- 9.27 The report outlines how 18 hole venues that are likely to struggle are those where the disposable income of its main customer base is squeezed due to the cost of living crisis and where the golf product is modest or poor. The Smith Leisure report puts Kirkby golf course in this bracket.
- 9.28 For the year ending 31 July 2020, L32 Trading Ltd's turnover was £304,133. This increased year end 31 July 2021 to £499,709 and was put down to the covid lockdown spike in golf demands. Turnover figures for 2022 and 2023 are £467,078 (with EBITDA of £68,777) and £520,174 (with EBITDA £95,965) respectively (EBITDA is earnings before interest and taxes and depreciation).
- 9.29 The applicant states that whilst the increase in turnover is a positive, the figures are too low for a viable long term golf operation. The turnover figures are not high enough to support the capital investment needed to make the venue fit for purpose for modern golfing needs. The application documents state that the existing club house alone needs major capital investment which could run to seven figures and that this could not be justified if the main part of the business remains a basic 18 hole ex-municipal golf course. To make Kirkby work in the long term in an economically sustainable way, the report states that the venue needs a carefully thought out and radical solution. It needs a major strategic repositioning in the local golf marketplace and this will inevitably need a high level of capital investment.
- 9.30 The applicant contends that the playability and attraction of the course and associated facilities have suffered leading to a decline in membership and associated income, which barely covers the base operational costs and leaves no room for investment to improve the course or to introduce any new or better facilities. The course as it exists is not fit for purpose or viable beyond the short term. The applicant states that in the absence of development, there is a strong possibility that the golf course would cease to operate within a few years or at best continue to deteriorate in its current dilapidated state.
- 9.31 The applicant states that their vision for the site is to transform what is currently an ailing, not fit for purpose, unsafe, unattractive, unviable facility into a modern, exciting, fit for purpose golf destination with a range of complimentary golf related facilities. The applicant argues that this can only be achieved through very serious change, including comprehensive course improvements to deliver a championship level course and complimentary

facilities that attract a wider range and number of visitors and generate a level of income that makes the facility economically sustainable.

- 9.32 The improvements to the course include:
- The re-routing, reconfiguration and reshaping of the golf occurs to provide a more interesting, safer and challenging layout;
 - New and reconfigured tees and greens, involving the raising and lowering of levels to create relief and undulations to create golf challenge, thus making the course more challenging and attractive to play;
 - A new irrigation system across the entirety of the course to address the current drainage problems (which the applicant states render large parts of the course unplayable during wet weather)
- 9.33 The applicant states that the provision of the 18 hole adventure golf course and the proposed 9 hole course are offers for the public who are new to the game of golf and want to try the sport. This is also a family offer where young and old can play together. The applicant states in their Planning Statement that the adventure golf course is an important facility for modern enterprising golf complexes, and particularly those which have suffered from poor management and lack of investment. The golf adventure course provides an informal introduction into the sport of golf. All equipment is proposed to be provided meaning a complete beginner can just turn up and play. The facility will also be fully accessible to all and attract visitors to the local area.
- 9.34 The applicant states that the proposed 9 hole golf course would be complementary to the existing and to be improved 18 hole golf course and is the step between the adventure golf and the full course, but also for those with limited time. The 9 hole course is proposed on an area of land that has been left to overgrow and is not currently in any productive use.
- 9.35 The applicant states that driving ranges are a popular and now common feature of a modern golf course and popular with beginners though to professionals. It is a facility that would provide golfing opportunities to those who may otherwise find the accessibility of a traditional golf course channelling due to financial constraints or physical limitations. Driving ranges are an increasingly common feature of golf courses.
- 9.36 The provision of the club house is seen as essential by the applicant to secure the financial future of the golf course. The club house together with the aforementioned facilities would be of benefit for the health and wellbeing of the community and will crucially generate new income streams that will inevitably play a critical part in making the regeneration of the golf course viable.
- 9.37 It is considered that the investment in Kirkby golf course as the great potential to create a significant visitor attraction within the Borough and the economic benefits that this would bring would be significant. The Economic benefits are discussed further at paragraph 9.43.

- 9.38 The applicant and supporting information state that the proposed level of development of the club house and golf driving range are essential in order to generate revenue that will finance the course improvements and pay back money lent for the investment. They say that without these elements, the improvements to the course would not be financially viable and no developer would invest similarly large sums of money. These improvements would also benefit the golf course and potentially allow for prestigious golf tournaments to be held. In such cases the number of visitors would greatly benefit the local economy.
- 9.39 The applicant argues that Kirkby Valley golf course is in a good commercial trading location, given its proximity to the nearby motorway junction and the large population centres nearby. They identify that the demographics for a modern 'fit for purpose' golf centre are excellent with approximately 1 million residents within the key 20 minute drivetime and around 2 million residents within the 30 minute drivetime.
- 9.40 The 'very special circumstances' report states that to take advantage of Kirkby's strong location and catchment area, any development must be 'outstanding' and not just a run of the mill 18 hole course with a club house and to create anything inferior would be a wasted opportunity.
- 9.41 It is considered that the delivery of the club house and driving range are key to the delivery of a significant visitor attraction. Good, state of the art facilities are expected by users and are not uncommon at golf facilities.
- 9.42 It is recommended that should the application be granted planning permission; three conditions are attached which will seek to secure the proposed amendments to the golf course are tied with the delivery of the club house and the driving range. Essentially, the recommended planning conditions would, if members are minded to grant planning permission, ensure that the applicant would not just deliver the club house and driving range but would deliver the proposed improvements to the 18 hole golf course as well as the provision of the 9 hole golf course and car parking.
- 9.43 There are 10 existing jobs on site which will be safeguarded. The proposed development would generate significant employment both during construction and operational phases of development. It is estimated that 65 jobs would be created during construction. It is also estimated that the new scheme operation has the potential to create approximately 93 new/additional part time jobs, which the applicant has stated equates to an equivalent 67 new/additional full time jobs. These jobs would be in the areas of greenkeeping, golf course maintenance, food and beverage (chefs, waiters, bar staff, etc), golf retail, management and marketing and cleaning and general maintenance jobs. These numbers of jobs are a significant addition to the local area of Kirkby, which suffers from relatively high unemployment levels as well as high levels of deprivation linked to lack of economic opportunity. The development would therefore provide a significant boost to the local economy of the area. The applicant will also work closely with the council's social value consultants (Fusion 21) and Knowsley Works to

maximise the job and training opportunities for local residents and maximise the local benefits from the development. If members are minded to approve the planning application, this can be secured via a legal agreement.

- 9.44 The proposal would also create a more diverse and accessible facility for the community, as at present, use of the golf course is restricted to more keen golfers whilst the adventure golf, driving range, bar/ lounge and function space would attract a more diverse range of customers including families and more casual golfers. This will expand and improve the offer of the golf course and create a wider range of persons using the course.
- 9.45 The applicant has agreed to a package of 'Community Benefits' which would provide opportunities for local school and disadvantaged groups to access the facilities during term time. The package would include:
- 35 hours a year of tuition (two hours per week based on terms time for a designated school within Kirkby, Knowsley (additional hours can be purchased by the school);
 - Monthly taster sessions provided for up to 100 local children throughout the year;
 - 20 volunteer opportunities offered;
 - 3 courses per year run through Golf Development Officer;
 - 4 children (2 male and 2 female under the age of 18 years) to receive a scholarship per year;
 - Lessons offered to 20 talented young people.
- 9.46 The applicant has confirmed that the monthly taster sessions would be held at the golf club. The sessions would be run by the PGA Director of Golf and other golf tutors / senior staff who will provide an introduction to golf sessions utilising all of the facilities at the club, including the driving range, the par 3 course and the adventure golf course in order to introduce local children into the sport of golf in a fun and engaging way.
- 9.47 The volunteer opportunities would include persons who volunteer their time to carry out marshalling activities on the course, basic repairs to the course, or during busy events in directing traffic and parking, usually in exchange for the free use of the course for their own golfing activities.
- 9.48 The 3 courses to be run per year would be more outreach sessions focused on local primary and secondary schools, often woven in with school PE lessons. Golf tutors would visit the school, providing golf equipment. The four scholarships would constitute free passes onto the golf course for talented young golfers plus free tuition sessions from the golf team. The lessons offered to 20 talented young people would be free and likely to be 1-hour lesson per month involving small groups.
- 9.49 Should members be minded to grant planning permission, the community benefits can be secured by condition and would further refine the detail of the community benefits offered.

- 9.50 In addition, the above the application would provide material biodiversity benefits. The scheme was submitted in 2021 and is only required to achieve no net loss in biodiversity. The proposals would provide a net biodiversity gain of 7.66% for area based habitats and 9.11% for hedgerows. Therefore, the developers would provide biodiversity benefits above and beyond what they are required to do. This is considered to be a public benefit of the scheme.
- 9.51 As set out above there are significant benefits associated with the scheme which should be given significant weight in favour of the proposed development. To allow the proposed development would bring forward Kirkby Golf Course in to the 21st Century making it a tourist attraction within the City Region and beyond. Significant investment is being put into site to secure its future, with the result being the creation of jobs within Kirkby. These benefits must be weighed against the harm caused to the Green Belt and any 'other' harm caused in order to determine whether there are 'Very Special Circumstances' that mean planning permission should be granted.

Urban Greenspace and Educational Land

- 9.52 The site's allocation as Urban Greenspace and Educational Land means that the application needs to be assessed against Policy CS21 of the Local Plan: Core Strategy. Part 2 of the Policy states that new development which would result in the loss of urban greenspace will not be permitted unless identified criteria apply. Of relevance is criterion d) which states that development is required to improve greenspace provision or for ancillary facilities to support sport and recreation.
- 9.53 The site is in existing use as a golf course and the built development proposed by this application would only affect a small proportion of the overall site, the rest would remain as green space. The applicant argues that the development would significantly enhance the existing golf course, and that the provision of the club house, driving range and adventure golf are necessary to deliver and maintain those enhancements and make the golf course sustainable business. This, in principle, complies with the requirements of Policy CS21.
- 9.54 Part 3 of Policy CS21 states that development on urban greenspace will be resisted if it would harm the special qualities of the greenspace such as visual, residential amenity, biodiversity & environmental benefits, historical value, community value, recreational benefits or linkages between adjoining green spaces. There is no public access to the site, and it would continue to be used as a golf course, the site is not a local nature reserve, and the development would result in an improvement to biodiversity. The site does not offer any benefit to residential amenity, nor does it hold any community value or provide linkages between greenspaces (impacts on heritage are discussed at paragraph 9.93 of this report). The site is open, but it does not hold any special visual qualities. Accordingly, subject to the development not harming any heritage value the green space holds the proposal would be in compliance with Part 3 of Policy CS21.

Landscape Visual Impact and Character

- 9.55 The NPPF states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. Local Plan Core Strategy policy CS2 also within the Core Strategy requires development to understand and respect the character and distinctiveness of places and landscapes. Policy CS8 seeks to preserve the character and function of valued landscapes. To clarify, the application site is not a protected landscape nor is it an area identified as being of a high landscape quality.
- 9.56 A Landscape Visual Impact Assessment (LVIA) has been submitted with the planning application. The LVIA sets out to define the existing landscape and visual baseline environments and assess the significance of these changes. This assessment is a separate consideration subject to different tests to those addressed previously in the report concerning the impact of the development on the openness of the Green Belt.
- 9.57 The LVIA states that the majority of the works are well screened from public view. The perimeter of the site is densely vegetated which mitigates the view and that when areas are visible to the public, they are often not subject to any changes.
- 9.58 The club house and driving range buildings would be visible from Valley Road. The hedgerow and trees along Valley Road are to remain with the residential proposed across Valley Road being approximately 75m away. The LVIA puts this change as 'high' with a high sensitivity receptor which generates a 'significant' impact.
- 9.59 Significant levels of impacts are identified in the following locations:
- View 3: The proposed development from the pedestrian footpath on the southern side of Valley Road looking towards Kirkby golf course
 - View 4: The proposed development from the pedestrian footpath on the southern side of Valley Road looking west (towards Aintree Lane)
 - View 6: The proposed development from the pedestrian footpath to the southern side of Moor Lane of Valley Road looking north
 - View 7: The proposed development from the pedestrian footpath on the southern side of Moor Lane of Valley Road looking west
 - View 11: The proposed development from the Aldi car park, junction of Coplehouse Lane and Longmoor Lane
 - View 16: The proposed development from a break in the hedge on Aintree Lane
 - View 17: The proposed development from a break in the hedge on Aintree Lane looking east
 - View 19: View from residences of Ingoe Lane towards the existing car park
- 9.60 A significant impact does not necessarily mean a negative impact and the impact of these views will be determined by the quality of the built and landscape architecture. Many of the views are concluded as being either

neutral or beneficial with three being considered negative (view 4, 6 and 7) and all are a view of the club house and driving range as seen from Valley Road and Moor Lane.

- 9.61 These significant impacts must then be put into the planning balance to determine whether this impact is acceptable or not.
- 9.62 A club house and driving range are relatively common facilities at golf courses and therefore it would be considered in keeping with the use as a golf course. As stated earlier, the requirement to provide the club house and the driving range is to raise money to pay for the regrading of the 18 hole golf course to make it more attractive to golf users and making Kirkby golf course a course of choice and a visitor attraction to the Borough. The impact on the openness of the Green Belt has already been discussed in this report. On balance, it is considered that the visual impacts of the club house and the driving range would not cause unacceptable harm.
- 9.63 As stated in paragraph 9.54, the views towards the site at the corner of Valley Road and Aintree Lane is significant. As with any built form, views will change. In this instance, the built form will follow Valley Road and will read as part of the built environment. The views into the site would be of the car park and the driving range. The driving range building would be enclosed by 15m high ball capture nets which is a common feature of a golf course.
- 9.64 Properties along Moor Lane, Longmore Lane and Fazakerley Sport club. Views are also possible from Aintree Lane where breaks in the hedge occurs. Residents of Ingoe Lane have a disrupted view of the existing club house and car park due to heavy planting. The LVIA also stated that the properties at Oxtan Close and Mather Cottage on Aintree Lane have no view of the proposal due to heavy planting. There is also no view from the M57 and the trainline approximately 400m away would not get a clear view of the proposal.
- 9.65 The applicant was requested to specifically look at the impact of the 15m high ball capture net and poles associated with the driving range. The author of the Landscape Visual Impact Assessment considered that the ball stop netting would not be visible from any of the viewpoints identified, primarily due to the topography but also due to the landscaping on the boundaries of the site. The author went on to state that in the unlikely event that a view is possible the nearest public point to the range would be 100m away and the netting itself would not be visible at this distance. The posts may be visible but they would not have a significant impact at this range. Should the posts of the ball netting be viewed, it would be within the context of the driving range and would read as a golfing landscape. Officers agree with this assessment.
- 9.66 The LVIA concludes that the proposed works to the golf course would make significant changes to the appearance of the golf course and rejuvenate a derelict area of land. The changes will be visible to users of the golf facilities and indirectly to those passing in front of the development. Given the current character of the site and the facilities already offered it is envisaged that the proposed development would maintain the overall character of the local area

and would not have an unacceptable visual impact. Officers agree with this assessment and the proposals comply with Local Plan Core Strategy CS2 and CS8 as the proposed development understands and respects the character and distinctiveness of places and landscapes. The application site is also not a protected landscape nor is it an area identified as being of a high landscape quality.

Changes to the site levels/importation of waste and air quality

- 9.67 The development proposal includes bringing onto site up to 475,000 cubic metres of inert soils, sands and aggregate to be governed by Contaminated Land: Applications in Real Environments Definition of Waste Code of Practice (CL:AIRE DoWCoP) procedures/protocols. This procedure is controlled by the Environment Agency. The land is to be used to remodel the existing golf course, facilitate the driving range and create a new 9-hole par 3 golf course on 52 acres of disused land directly adjacent to the existing golf course.
- 9.68 In addition to the controls of the Environment Agency, a condition is advised should members decide to grant planning permission which would require the applicant to submit details of the soil or other aggregates to be imported to the site. The condition would state that no soil would be imported to the site until it has been tested for contamination. The condition would require the applicant to submit a suitable methodology for the testing and recording of the material is to be submitted, keep a log of the amount of material that has been brought on to site and submit the details that have been recorded and results of any testing to the Council on a quarterly basis. This condition is to ensure that the material being brought to site is carefully monitored and controlled and the Council can take enforcement action should any issues be identified.
- 9.69 Existing and proposed site levels have been submitted with the planning application along with a cut and fill plan which visually demonstrates the proposed site level changes on site. The majority of the site level increases are for the creation of the 9-hole course and the driving range which sees increases of 5-6m (although even when the land is increased by this amount it is no higher than existing land levels on Valley Road). The 18-hole golf courses see increases up to 5.5m which is to the east of the site, to the rear of the existing club house and to the west of the conservation area.
- 9.70 Justification for the site level increases have been discussed in the Green Belt section earlier in this report and they seek to improve the drainage across the course as well as making the course more challenging and safer than it is now, in order to compete with other golf courses in a competitive market.
- 9.71 Pollutant emissions associated with construction and importation activities have the potential to cause impacts at sensitive locations within the vicinity of the site. The Air Quality Assessment (AQA) submitted with the planning application stated that the construction phase and importation of materials to deliver the course reconfiguration and improvements is anticipated to generate an annual average daily traffic flow of 65 HGV deliveries, equating

to 130 two-way trips a day. It should be noted that the Transport Addendum has the daily figure of 80 HGV a day.

- 9.72 The AQA found that the overall significance of potential road vehicle exhaust emissions impacts associated with the proposed development was determined to be not significant and this would remain the case with the larger figure of 80 movements. Environmental Health have reviewed the AQA and concur with its findings. The distance of the entrance to the site from the closest sensitive receptors is far enough away that the impact on the residents will be low.
- 9.73 Environmental Health requested that construction vehicles and site operators are not to use Ingoe Lane or Oxton Close at any time and should members be minded to approve the planning application, this can be restricted by condition within the construction management plan. To ensure this, two conditions are proposed should members be minded to grant permission. The first condition requires the construction of a temporary site access from Valley Road to be constructed and the second condition restricts the use of Ingoe Lane or Aintree Lane for construction traffic.
- 9.74 The proposed mitigation measures detailed within the construction phase (section 6) are acceptable and to be implemented within the Demolition / Construction Management Plan, which again can be secured by condition if members are minded to approve the application.
- 9.75 The proposal would comply with Policy CS19 of the Local Plan Core Strategy sets out that new development will be expected to maintain a good standard of amenity for all existing and future occupants.

Layout and Design

- 9.76 Local Plan Core Strategy Policy CS2 states that new development will be expected to enhance local character and promote quality of space. Policy CS19 sets out several criteria that developments will be expected to conform to so that they enhance local distinctiveness, the identity and accessibility of new places. Saved Policy DQ2 of the Knowsley UDP requires developments to be designed to provide good levels of security. Also of relevance is the Design Quality in New Development SPD.
- 9.77 Paragraph 131 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning process should achieve. Good design is a key aspect of sustainable development. Paragraph 139 goes on to state that development that is not well designed should be refused.
- 9.78 Three new buildings are proposed – a new club house, a driving range building and a groundkeeper maintenance building. The other new build floorspace is an extension to the existing club house which is to be refurbished and changed into a golf training academy. Careful consideration

has been given to the siting of the buildings which have been spaced to maintain a sense of openness when viewed from Valley Road.

Proposed club house

- 9.79 The club house is proposed to be sited to the west of the existing club house and River Alt and would comprise of a bar, restaurant facilities, toilets, changing rooms, a pro golf shop, state of the art training and tuition rooms. The first floor is to serve golf related and other functions and to cater for golf competitions. Car parking is proposed to the front of the club house which would be accessed from the proposed new vehicular access from Valley Road.
- 9.80 The current club house does not allow for adequate surveillance and security of the course. The applicant states that simply put, the existing club house is in the wrong location. The proposed club house is proposed to be sited near to the main entrance to the course, adjacent to the reconfigured 1st tee and 18th green and overlooking the proposed adventure golf course. The club house would be 1,714sq.m over two levels. Throughout the course of this application, the floorspace of the club house had been reduced from the originally proposed 2,727sq.m.
- 9.81 As stated previously, the club house would be visible from Valley Road. The elevational details of the club house have been amended during the consideration of the application. The amendments illustrate a simpler form building, with cleaner lines which gives the impression of a reduction in scale of the built form from that originally proposed. The proposed materials to be used in the construction of the club house would be timber cladding, glazing and stone. Again, the simple palette of materials adds to the high-quality design of the proposal. Should members be minded to approve the application, precise detail of the materials can be secured by condition.
- 9.82 It is considered that the design and siting of the club house are acceptable and is a facility that would commonly be seen at a golf course and the context of the site layout, and buildings and materials would be appropriate to their setting. The proposed landscaping would help to assimilate the development into its surroundings. Taken as a whole, the design and appearance of the proposed development is acceptable and complies with Policies CS2 and CS19.

Driving Range

- 9.83 The driving range building is proposed to comprise of 2,716sq.m floor space over two levels (the building was previously 2,852sq.m). The driving range would accommodate 32 driving range bays over two levels, a bar, lounge area, golf shop, training and practice rooms, external lighting and safety netting. Pit lighting is proposed to minimise light pollution. The range would be contained by 15m high ball stop netting to the perimeter.

- 9.84 The driving range has been sited to ensure view over the adventure golf area and the proposed 9-hole course.
- 9.85 The driving range would be visible from Valley Road. As with the proposed club house, the elevational details of the club house have been amended during the consideration of the application. The amendments illustrate a simpler form building, with cleaner lines which gives the impression of a reduction in scale of the built form from that originally proposed. The proposed materials to be used in the construction of the driving range would be timber cladding, glazing and render. Again, the simple palette of materials adds to the high-quality design of the proposal. Should members be minded to approve the application, precise detail of the materials can be secured by condition.
- 9.86 It is considered that the design and siting of the driving range are acceptable and is a facility that would commonly be seen at a golf course and the context of the site layout, and buildings and materials would be appropriate to their setting. The proposed landscaping would help to assimilate the development into its surroundings. Taken as a whole, the design and appearance of the proposed development is acceptable and complies with Policies CS2 and CS19.

Car parks

- 9.87 The club house and driving range have their own parking areas and would be accessed from Valley Road. These have been amended during the course of the planning application to incorporate more planting of trees, thus softening the visual impact of the parking areas. In total, 257 car parking spaces are proposed (in addition to the 188 spaces at the original club house area).

Change of use and extension to former club house to a golf training facility

- 9.88 Once the proposed club house is operational, the existing, single storey club house is proposed to be internally and externally refurbished and extended and changed into a golf academy. The existing building would be extended to accommodate the proposed facilities. The elevation and floorplan of the existing building is irregular due to various ad hoc extensions over the years. The proposed extensions would regularise the building and make it more functional. The floor space of the extensions would be 361.5sq.m.
- 9.89 The proposed academy building would provide training and education about all that is golf, including teaching greenkeeper skills and course maintenance to the teaching of the skill of playing golf. The building would provide teaching rooms, golf simulation, training putting green, cafe and overnight accommodation for golf professional, teachers, trainers providing 8 ensuite double bedrooms.

- 9.90 The buildings elevations would be overclad in the same palette of materials proposed for the driving range and club house. This would ensure that the building on site read as one whole development golf facility.
- 9.91 It is considered that the amendments and extensions to the existing club house would improve the appearance of the building to the benefit of the local area. The design and appearance of the proposed development is acceptable and complies with Policies CS2 and CS19.

Proposed 9-hole golf course

- 9.92 The proposed 9-hole golf course would be sited to the southwest of the site on an area that is currently not used and overgrown. The area is proposed to be mounded to create a challenging and exciting course. The importation of land in this area has been discussed in more detail earlier in the report (changes to the site levels/importation of waste and air quality). There are also landscaping proposal in this area, which includes meadow, and wildflower seeding, and tree and shrub planting.
- 9.93 The provision of the new 9-hole golf course is considered an acceptable addition to the site and would comply with Local Plan Core Strategy policies CS2 'Development Principles' and CS21 'Greenspaces and Trees.'

Adventure golf course

- 9.94 The proposed adventure golf course (mini golf) would be sited to the east of the proposed club house. The layout of the course will not be that of traditional; crazy golf but would be a layout which miniaturises the experience of playing on a full course.
- 9.95 The area would be constructed on a sculptured concrete base, covered with artificial grass, making it an all-weather course. The course would be planted with ornamental shrubs and small trees, with the perimeter secured by a 1.2m high metal bow top fence. The area has a continuous path finish in engineering brick and concrete for maximum mobility.
- 9.96 The provision of the adventure golf course is considered an acceptable addition to the site and would comply with Local Plan Core Strategy policies CS2 'Development Principles' and CS21 'Greenspaces and Trees.'

Greenkeepers compound

- 9.97 A greenkeepers compound is also proposed as part of the application. The existing greenkeepers compound is sited to the east of the existing club house, adjacent to the River Alt. The compound has evolved and grown organically over time and comprises of several portacabin buildings.
- 9.98 A greenkeepers compound is an essential component of any golf course. The proposed greenkeepers compound would be sited to the northeast of the proposed 9-hole golf course. The proposal would comprise a 796.5sq.m

building which would house welfare facilities for staff, including a mess room, changing rooms, washroom and an office area. The building would accommodate all of the course equipment and machinery and would act as a workshop for repairs and a store for materials.

- 9.99 Whilst the appearance of the building would be more industrial in appearance than the other proposed buildings on site, with two large roller shutter doors, this is necessary due to the functional requirement of the building; the palette of materials to be used in the construction of the compound is similar to the proposed club house and driving range buildings and the building would be cedar clad at first floor and render at ground floor.
- 9.100 It is considered that the proposed siting and elevation detail of the greenkeepers building is acceptable and would comply with Local Plan Core Strategy policies CS2 and CS19.

Bridge over the River Alt

- 9.101 There is an existing bridge over the River Alt. This application proposes a bridge over the River Alt, to the south of the existing bridge and to the east of the proposed driving range. The bridge would be 3m wide; 23m long with a total height of 3.3m. The sides of the bridge would be timber balustrade to a height of 1.1m with the structure of the bridge being steel to a height of 3.5m. The bridge would be used by pedestrians and golf buggies.
- 9.102 As well as securing planning permission, any works within 8m of a River require a permit from the Environment Agency which the applicant will need to secure prior to commencing the works to construct the bridge. The impact of the proposed development on ecology is discussed later in this report.
- 9.103 The construction of the bridge is a common feature seen over rivers and is considered to be acceptable. The proposal would comply with Local Plan Core Strategy Policy CS19 which sets out several criteria that developments will be expected to conform to so that they enhance local distinctiveness, the identity and accessibility of new places.

Temporary buildings during construction

- 9.104 During the construction of the proposed building and remodelling of the golf course, there will be a requirement for the provision of a contractor's compound area. This includes portacabins, offices and welfare facilities. The applicant has indicated that initially this compound would be located within the existing greenkeepers compound but will need to be relocated once construction work commences. Construction staff parking will also need to be provided on site through the full course of the works. Should members be minded to approve the planning application, a construction management plan can be secured by condition which would detail this information.

Impact on the Conservation Area

- 9.105 The Planning (Listed Building and Conservation Areas) Act 1990 Section 66 states that when considering planning application that affect a listed building or the setting of listed buildings the local planning authority is required to "...have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."
- 9.106 Local Plan Core Strategy Policy CS20 'Managing the Borough's Historic Environment' states that development proposal should preserve or enhance the borough's historic and architectural assets including Conservation Areas. The Policy goes on to state that the Council will require preservation of the local distinctiveness and character of historic assets through the sensitive design of new development including appropriate integration with their setting and immediate landscape.
- 9.107 Saved Unitary Development Plan Policy DQ5 'Development in Conservation Areas' states that new development within or close to a Conservation Area must preserve or enhance the character or appearance of the Area.
- 9.108 There are no Listed Buildings within the site or in close proximity to the site. The nearest Listed Building are No. 1-24 New Hall and the former Dining Hall, Longmore Lane (Grade II). These buildings lie to the west of the golf course, beyond Fazakerley Playing Fields. New Hall Avenue was originally constructed in an isolated position to the north of Longmoor Lane. The tower of the dining hall is visible from the application site, however, it is seen as an isolated landmark above the roofscape of rising modern residential estate. In this context, given the distance between the application site and the Listed Building, the Heritage Impact Assessment which accompanied the planning application concluded that the application site makes a neutral contribution to the significance of the Listed Buildings and officers agree with this conclusion.
- 9.109 A small part of the application site falls within the Ingoe Lane Conservation Area boundary, namely the treed edge of the site opposite the houses at Ingoe Lane. The conservation area is subject to an Article 4 Direction.
- 9.110 The NPPF (paragraphs 199-208) provides guidance upon the approach to be taken in considering the impacts against the level of harm (if any) has been identified. Paragraph 199 of the NPPF is of particular importance and, in summary, states that in considering the impact of a development on the significance of a designated heritage asset, in this case the Conservation Area, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 9.111 Ingoe Lane Conservation Area Appraisal states: Ingoe Lane Conservation Area retains the impression of a quiet enclave in a rural area. It is a relatively

small area which includes a group of Victorian Buildings set in a pleasant open environment.

- 9.112 The boundary trees within the Conservation Area contribute to the setting of the area and act as a natural barrier between the Conservation Area and the golf course. This boundary is to remain unchanged.
- 9.113 The majority of built development would take place far away from the Conservation Area boundary. The three main new buildings, (the proposed driving range, new club house and maintenance buildings) would all be located to the west of the River Alt. The only development in close proximity to the Conservation Area would be conversion and extension of the existing club house.
- 9.114 It is considered that the proposed amendments and extensions to the existing club house would improve the external appearance of a poor quality building, thus enhancing the local area. As stated earlier, the existing clubhouse is also partly screened by the presence of trees along the boundary with the Conservation Area. Taking into account the distance and siting, it is considered that the harm would be at the lower end of the scale of less than substantial harm. As a result, there would not be harm to the setting of the Ingoe Lane Conservation Area.
- 9.115 A regrading of the land near to the Conservation Area boundary is also proposed, however, it is considered that this would have a neutral impact on the Conservation Area, given the existing use of the site as a golf course.
- 9.116 A non designated heritage asset within the site is Alder's Bridge which is on the Historic Environment Record (HER). The bridge was named in the Molyneux Estate Map of 1769 and was located in the position of the current structure as Longmore Lane curved north eastwards into Ingoe Lane, crossing the River Alt. The HER report advises that the degree to which the original structure survives is unknown. The River Alt was heavily engineered in the early 20th Century with multiple meanders removed and the river straightened.
- 9.117 The bridge is adopted highway, however, it is not used by motorised traffic. The bridge is not affected by the development proposals at all and there is no intention to 'open' the bridge to motorised traffic. On this basis, the development proposals are not considered to impact this on designated heritage asset.
- 9.118 Other non designated heritage assets within the vicinity, but not within the application site include:
- The Leeds Liverpool Canal (HER Ref: MME9, 762)
 - The Culvert to the Leeds Liverpool Canal (HER Ref: MME9, 768)
 - Winding Hole to the Leeds and Liverpool Canal (HER Ref: MME9, 830)
 - Hunter's House (HER Ref: MME11, 639)
 - Hunter's Barn, Wango Lane (HER Ref: 11, 641)
 - Mather Cottage, Aintree Lane (HER Ref: MME15, 426)

- 9.119 The two non-designated heritage assets that adjoin the site are Hunters House and Mather Cottage. The Heritage Impact Assessment states that both have been subject to considerable change and it is doubtful that they retain sufficient heritage merit to be material considerations to the current application. With that said, their immediate setting would change little as they would back onto the golf course.
- 9.120 The proposal would have an overall neutral impact on the Conservation Area for the reasons outlined above and therefore the proposal would comply with Core Strategy Policy CS 21 and Saved Unitary Development Plan Policy DQ5.

Residential Amenity

- 9.121 Policy CS19 'Design Quality and Accessibility in New Development' in the Core Strategy requires new developments to maintain a good standard of amenity for all existing and future occupants of land and buildings by avoiding unacceptable impacts on existing residents and future occupiers.
- 9.122 The proposed club house and driving range would be approximately 140m from the residential properties sited at Moor Lane. The development would not harm the amenity of neighbouring properties through loss of light, overdominance or loss of privacy due to the distance of built development away from the boundary. Additionally, Vally Road (a dual-carriageway) is located between the site and the residential properties to the south.
- 9.123 Only the existing clubhouse would be within a relatively short distance to neighbouring properties. The existing clubhouse has been on site for many years and whilst it would be extended, any noise impacts would not be materially greater than the current club house given the proposed use as a golf training facility. The application has been subject to a detailed noise assessment, this demonstrates that there would not be material noise impact on neighbouring properties. This has been reviewed and found acceptable by the council's Environmental Health team who have requested a condition which would require a specific noise report to be submitted for each building (existing club house, proposed club house and driving range) which would state the necessary mitigation measures for each building.
- 9.124 Should members be minded to approve the application, Environmental Health have requested a condition be attached which would require the applicant to submit a construction management plan. Details to be submitted and controlled by the CMP include control of mud out of the site, methods for dust control and suppression as well as contact details of the site manager or similar designated person, including a name, mobile number and email address, that should be made available to residents on Ingoe Lane and Oxtan Close and on posters around the perimeter of the site for the wider public.

- 9.125 In addition, should members be minded to approve the application, Environmental Health have requested conditions be attached which would control the hours that construction can take place (08:00-18:00 hours Monday to Friday, 08:00-13:00 hours Saturday and not at all on Sundays/Public Holidays); the hours the proposed golf club house can open (07.00 to midnight Sunday to Thursday and Friday to Saturday until 01.00am, with the exception of the toilets and changing facilities which can open from 06.30am); the hours the driving range can open (08.00 to 23:00 on any day); the balconies and terraced areas associated with the club house and academy building are not to be in use after 10pm and doors and windows must remain closed during the play of live or recorded music from 9pm; the control of when waste collections can take place (08.00 to 21.00 on any day) and a restriction of the emptying of botte (bottles not to be emptied between 20.00 to 08.00 on any day). All conditions sought seek to protect the residents from noise that may arise from the development.
- 9.126 Air Quality has been addressed earlier in this report ('Changes to the site levels/importation of waste and air quality').
- 9.127 Residents could experience noise and general disturbance during the construction of the development with particular note of the redevelopment of the existing club house to form the golf academy and the impact this would have on the residents of Ingoe Lane and Oxton Close, however the CMP will include mitigation measures to minimise the impacts of construction noise. All construction traffic is proposed to utilise a new access form Valley Road and only construction vehicles associated with the development of the proposed golf academy should utilise the existing vehicular access from Ingoe lane. As stated in paragraph 9.120 a Construction Management Plan. Can be secured by condition.
- 9.128 Overall, it is considered that the development would maintain a good standard of amenity for all existing and future occupants of land and buildings by avoiding unacceptable impacts on existing residents and future occupiers and would comply with Core Strategy Policy CS19.

Highways

- 9.129 Policy CS7 of the Local Plan Core Strategy seeks to promote accessible developments, sustainable modes of travel and reduction of carbon emissions whilst ensuring adequate on-site parking is incorporated within new development. This policy seeks to ensure development impacts are acceptable in highway safety terms. Principle 3 seeks to reduce the need to travel, especially by car and promote the use of sustainable modes of travel through encouraging the use of public transport, walking and cycling.
- 9.130 Policy CS19 of the Local Plan Core Strategy promotes the delivery of accessible places and seeks to ensure new developments provide safe, secure and convenient routes for movement, to meet the needs of all users. Saved Policy T7 of the Knowsley UDP seeks to ensure new development preserves or where possible enhances the walking and cycling

network as well as promoting access to green corridors to encourage healthy living and exercise and policy T10 seeks to ensure adequate access for the less mobile is provided in new developments. Saved Policy T5 of the Knowsley UDP requires major developments to be within 400 metres from a bus stop and/or 800m from a rail station and Policy H7 of the Knowsley UDP requires developments to incorporate safe and adequate parking areas that include screening.

- 9.131 The NPPF, paragraph 115, advises that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'
- 9.132 The planning application was accompanied by a Transport Assessment which has been reviewed by the Council's Highways team.
- 9.133 The existing golf club is currently accessed via an existing vehicular access from Ingoe Lane, which in turn is off Valley Road. The existing access from Ingoe Lane is to remain, however, it will only be used to access the proposed golf training academy building and needs to be retained to ensure access to the existing residential properties on Ingoe Lane.
- 9.134 The proposal includes the provision of a new vehicular access to the west of the site from Valley Road which would form a fourth arm off the Valley Road/Field Lane signalised junction. The proposed access would be the main access to Kirkby golf course and would be used to access the proposed club house and driving range and their associated car parks. The access would have a single lane on entry and exit, with toucan crossings to be provided over the proposed site access, with the segregated foot and cycleway continuing east relating the existing provision to the west of the access.
- 9.135 There is an existing adopted road that leads from Ingoe Lane across the River Alt which is outside of the site edged red. No structural surveys have been undertaken on the bridge and as such, should members be minded to approve the application, a condition can be secured which seeks to prevent vehicles using the bridge by installing bollards.
- 9.136 Internally, the road layout has been designed to encourage slow vehicle speeds and to provide a safe environment for pedestrians.

Impact of the Earthworks

- 9.137 The anticipated vehicle movements for the duration of the development period can be split into four separate main operations:
- Phase 1 – Soil import and shaping for existing course works (30 month duration)
 - Phase 2 – Driving range/adventure golf course and car parking areas (12 month duration)
 - Phase 3 – Construction of new Clubhouse (15 month duration)

Phase 4 – Refurbishment of existing clubhouse to form the Golf Academy (12 month duration).

The applicant proposed to import 475,000 cubic metres of materials for use. The Transport Assessment Addendum submitted with the planning application states that there would be approximately 80 HGV movements per day (one way) in total. The import of material could be anticipated to generate approximately 8-9 HGV loads per hour of operation.

- 9.138 The Council's Highways Advisor has raised no objections to the proposal. National Highways were also consulted on the proposal and made no comments. Both consultees are satisfied that the trips generated by the proposal development would not adversely affect the highway network in terms of numbers and highway safety.

Traffic Generation

- 9.139 The Valley Road / Field Lane / Site Access junction is noted to surpass its practical capacity in both future assessment years (2026/2031) without the inclusion of the proposed development. When considering the proposal, the impact is relatively small, the amount of traffic generated (??) by the development is such that the impact to on the junction is negligible and would not warrant mitigation.
- 9.140 The main point to note is capacity only appears to be a potential issue in the morning weekday peak, other scenarios (i.e. weekday pm and weekend) appear to operate with ample capacity. More specifically, vehicles queueing in the am weekday appear to be localised on the Eastern arm of the Valley Road signals (circa 120m queue).
- 9.141 Nevertheless, as mentioned, the development proposal does add some additional traffic, but is not related to the reductions in capacity of the junction in the future weekday am peak.
- 9.142 Further consideration was given to the potential impact on the M57 slip road following comments made by National Highways and it was found that the impact would be negligible.

Car parking

- 9.143 The car park that serves the existing club house will be retained to serve the change of use of that building to the training academy. This car park currently accommodates 124 spaces. The car parking in this location would remain unchanged.
- 9.144 Additional car park is proposed to serve the proposed club house and driving range and in total, an additional 257 car parking spaces are proposed, which includes 17 accessible spaces; 25 electric vehicle charging spaces, of which four would be accessible.

- 9.145 Should members be minded to approve the application, highways officers have advised that conditions are secured to provide details of cycle parking; to submit a travel plan; to submit a construction management plan; details of the precise detail for the proposed vehicular access along Valley Road to be submitted and a condition restriction any new access from Aintree Lane.
- 9.146 Overall, it is considered that the new access roads to the site are acceptable in highways terms, with appropriate visibility and turning. The proposed parking levels are acceptable and sufficient to avoid parking problems in the local area. The proposed development would not result in an unacceptable impact on highway safety nor have a severe impact on the operation of the highways network. The proposal would comply with Core Strategy Policy CS7 and NPPF para 115.

Surface Water Drainage and Flood Risk

- 9.147 Policies CS22 and CS24 of the Local Plan Core Strategy seek to ensure that development will not cause any unacceptable risk of flooding and that surface water will be drained in a safe and sustainable manner. Policy CS22 of the Local Plan Core Strategy requires new developments to offer sustainable design including flood resilient design. The applicant has submitted a Flood Risk Assessment with the application.
- 9.148 The River Alt runs through the middle of the site which is a main river. Some parts of the site close to the river are within Flood Zones 2 and 3 although the majority of the site is within Flood Zone 1.
- 9.149 The applicant has submitted detailed flood risk assessments and modelling. All of the four buildings proposed (including the extension to the existing club house) would be located in Flood Zone 1 (the lowest risk of flooding). The Environment Agency has reviewed the Flood Risk Assessment which accompanied the planning application and in so far as it relates to their remit, the Agency are satisfied that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented. Only the course works would be partly within flood zones 2 and 3 however, the changes will create no material difference in relation to flooding as they merely reconfigure an existing golf course use. This is supported by the Environment Agency who have reviewed the information submitted and have no objection to the development.
- 9.150 The Lead Local Flood Authority (LLFA) also reviewed the information submitted with the application and notes that whilst a conceptual drainage strategy has been submitted further details of the proposed strategy would be required. The LLFA has no objection in principle to the proposed development and confirms that a sustainable drainage strategy is possible. Should members be minded to grant the application, the LLFA has recommended a condition which would require the applicant to submit a detailed drainage strategy.

- 9.151 Subject to the recommended conditions the proposed development would not increase the risk of flooding elsewhere and therefore, it complies with Core Strategy Policy CS24.

Trees and Landscaping

- 9.152 Local Plan Core Strategy Policy CS8 seeks to preserve landscape character. Policy CS21 seeks to enhance and protect existing trees, woodland, vegetation and other habitat features that offer a positive contribution to the local environment whilst seeking tree planting and other soft landscaping. Saved policy DQ4 of the Knowsley UDP seeks to retain and protect those trees that contribute positively to amenity, incorporate integral planting within new developments and make adequate provision for replacement planting either on or off site. The Trees and Development SPD is also a material consideration.
- 9.153 The application is supported by an Arboricultural Impact Assessment and a Tree Removal Protection Plan. The Council's Arboricultural Officer has reviewed the report and has no objection in principle to the recommendations.
- 9.154 The tree survey indicates the loss of 262 trees to facilitate development, more specifically, 5 Category B trees, 221 Category C trees, 12 Category D (dead) trees and 24 non categorised trees. 638 metres of category C hedgerow is also proposed to be removed. Category C trees are classed as trees of low quality with an estimated life expectancy of at least 10 years or young trees with a stem diameter below 150mm. They are considered as trees with no material conservation value.
- 9.155 The majority of the tree loss proposed is to the west of the River Alt to allow the development of the adventure golf course. Where tree loss cannot be avoided, Policy CS21 seeks replacement tree planting on a two for one or one for one basis having regard to appropriate tree species and size. The applicant has proposed to replace the removal of 262 trees with a total of 1,903 trees. Of these trees, 177 trees would have a girth of 12-14cm and 123 trees would have a girth of 18-20cm (total of 300 trees), with the remainder 1,603 being whips and feathers. 12-14cm trees are considered to be heavy standard.
- 9.156 Despite their smaller size, the whips and feathered trees will have a greater impact in the medium term as they will grow quicker in soils that they are used to. A whip or feathered tree will establish faster and will in turn become larger and healthier trees and will reach full maturity quicker than would the selection of standard or heavy standard specimens. On balance, whilst the maturity of the trees is less than expected, in the medium to long term the impact of the trees given the numbers proposed makes the proposal acceptable.
- 9.157 In terms of landscape impacts, Local Plan Core Strategy Policy CS8 seeks to preserve landscape character. Whilst the development would result in

permanent changes to the landscape through the introduction of buildings and infrastructure and the loss of some trees, the development does incorporate significant additional planting in mitigation which is considered to be acceptable. If members are minded to grant planning permission the proposed tree planting plans can be made approved documents and a condition can be secured by condition alongside a management and maintenance plan for the landscaped areas. A condition will also be added to ensure that if any trees are damaged or dies within 5 years, then they will be replaced.

- 9.158 It is considered that the proposal would comply with Saved policy DQ4 of the Knowsley UDP, and policies CS2 and CS21. In coming to this view regard has been given to the Trees and Development SPD.

Ecology

- 9.159 Policy CS8 of the Core Strategy aims to ensure that new development protects and enhances biodiversity, including the protection of designated sites, priority habitats and protected and endangered species. This is consistent with the aims of the NPPF. The application is accompanied by a Preliminary Ecological Appraisal, a Bat Survey Report, a Biodiversity Net Gain Assessment and a Habitats Regulations Preliminary Screening Assessment and Appropriate Assessment.
- 9.160 The applicant has submitted an Ecology Report Addendum in line with Local Plan Core Strategy Policy CS8 which assesses the amended proposals against the previously submitted ecology reports (*Ecology Services, 27 June 2023*). In summary, it concludes that the latest proposals are reduced in scale and generally pose a lesser impact on ecology and Merseyside Environmental Advisory Service (MEAS) concur with this.

Local Wildlife Site

- 9.161 The proposed development site is bisected by the River Alt, Kirkby Local Wildlife Site (LWS). The proposed footbridge abutments are to be set back a sufficient distance from the top of the riverbank to ensure that adverse effects on the riparian habitat are avoided. Water voles are a designation feature of the LWS, although during the 2020 and 2021 updated water vole survey no evidence of water vole was recorded along the watercourse MEAS have no significant concerns regarding the impacts of the proposals upon the LWS. However, mitigation is still required to ensure that harm to water vole and the riparian habitat are avoided and should members be minded to approve the application, this can be secured by condition.

Bats

- 9.162 There is a single complex of 4 buildings on the site (all form the club house) and the bat surveys confirmed the presence of a common pipistrelle day roost within Building 2. The bat survey (buildings) report states that the proposals as

envisaged indicate that the bat roost will not be damaged or destroyed by the works but may be disturbed.

- 9.163 An outline bat mitigation method statement has been provided within the bat survey (buildings) report and this proposes the provision of an interim bat box pre-commencement, toolbox talk for construction operatives and supervised removal of potential roosting features upon building 2 by a licensed bat ecologist.
- 9.164 Developments affecting European protected species must be assessed by the Local Planning Authority against three tests set out in the Habitats Regulations.
- 9.165 A three-test assessment has been completed by the applicant's ecological consultant and can be found in section 6 of the bat survey (buildings) report (paragraphs 6.2, 6.16 and 6.17). This concludes that with the proposed mitigation measures, the favourable conservation status of bats will be maintained. Merseyside Environmental Advisory Service have advised that this is acceptable and can be accepted as the Council's own assessment regarding the Habitat Regulations.
- 9.166 As the proposals involve potential disturbance to bat roost, the applicant will require a Natural England European Protected Species license prior to any works commencing on building 2. If members are minded to approve the planning application this can be secured by condition and to ensure that the three tests are met, a second condition can be included stating that the development shall only be carried out in accordance with the recommendations for mitigation and compensation set out in the bat survey (buildings) report.
- 9.167 As part of the bat surveys, affected trees upon the site were subject to a preliminary roost assessment followed by more detailed climbed inspections when potential roosting features were noted. In summary, no evidence of roosting bats was observed. However, as a precaution, the bat survey (trees) report recommends that soft-felling techniques be adopted during the felling or pruning works of trees with low bat roost potential (trees 3, 7, 8 and 9) and that further pre-felling inspections are undertaken of tree 5 and tree groups 10 and 11. If members are minded to approve the planning application this can be secured by condition
- 9.168 Compensation will be required for the loss of potential bat roosting features upon buildings 1, 2 and 3 and affected trees and Merseyside Environmental Advisory Service have advised that of bat boxes that will need to be erected on site. Again, if members are minded to grant the application, this can be secured by condition.
- 9.169 The range of habitats present within the site were considered to provide 'high' quality habitat for foraging and commuting bats. Transect and automated bat activity surveys were therefore undertaken on the site to determine the importance of the site for bat foraging and commuting. Numerous passes were recorded by a range of bat species on the site including common, soprano and Nathusius's pipistrelle, Noctule bat and potential recordings of serotine bat. As

expected, the River Alt corridor and woodland were found to be amongst the habitats most favoured by bats.

- 9.170 The bat transect and automated survey report concludes that the proposed development of the site is unlikely to result in a significant reduction in the interest of the site for foraging and commuting bats in the long-term. This is accepted, provided that retained woodland habitats and the River Alt corridor are appropriately protected.
- 9.171 Bat foraging and commuting may be adversely affected by increased lighting during both the construction and operational phases.
- 9.172 An External Lighting Strategy report (*Parker Wilson Consulting, undated, 1544-RPT-001-B*) and from this it appears that measures will be taken to avoid unnecessary light spillage during the operational phase which is welcome. If members are minded to approve the application, a condition to secure the submission of a detailed sensitive lighting scheme can be secured.

Amphibians

- 9.173 A large number of waterbodies was recorded within the application site and great crested newt survey of these has been undertaken which comprised Habitat Suitability Index (HSI) assessment and eDNA analysis (eDNA is the DN fragments shed into the environment from an animal, e.g. skins, scales, waste).
- 9.174 In summary, eDNA analysis results were found to be negative for great crested newt and, with respect to this species, the Council will not be required to undertake the three- test assessment (Habitats Regulations) and great crested newts do not need to be considered further in relation to these proposals.
- 9.175 Even though great crested newt is considered likely to be absent following the survey, the ponds and waterbodies on the site may still support breeding populations of other amphibian species, such as common toad (a Priority Species). Merseyside Environmental Advisory Service have advised a condition requiring Reasonable Avoidance Measures during contraction are implemented to protected amphibians. If members are minded to grant planning permission, this can be secured by condition. This can be included within the Construction Environmental Management Plan.

Otter

- 9.176 Otter surveys of the River Alt were completed, and field signs were present indicating that the River Alt is used by commuting otters. No potential otter holts or resting places were observed within the vicinity of the riverbanks that will be affected by the proposed development and, based on the results of the surveys, the otter survey report concluded that a European Protected Species Mitigation License application is not required and that no further monitoring surveys (required to inform such a license) are necessary. MEAS have reviewed this information and agree with the findings. They advise that in relation to otter, the Council will not be required to undertake the three-test

assessment (Habitats Regulations). With that said, the otter report recommends that a pre commencement otter survey is undertaken to check for signs of otter use. If members are minded to approve the application, this can be secured by condition. This can be included within the Construction Environmental Management Plan.

- 9.177 Reasonable Avoidance Measures for otter are included within the otter survey report and again, if members are minded to approve the application, this can be secured by condition.

Badger

- 9.178 A badger survey report has been submitted in supported of the planning application in line with Local Plan Core Strategy policy CS20 (*Ecology Services Ltd, 19125/20118/21001*). The survey is considered acceptable.

- 9.179 Various mammal holes were observed upon the site and within the wider survey area, however, following further survey and monitoring of these mammal holes they were found not to be in use by badger and the badger survey report therefore concludes that there are no apparent impacts arising from the proposed development works upon badger.

- 9.180 With that said, due to their highly transient nature, the survey report recommends that a pre-development badger survey is undertaken of the site and land within a 30m radius in order to confirm that badgers remain absent and as recommended in the badger survey report, the updated survey will need to include an assessment of the previously identified mammal holes to determine whether there has been any change in their size, depth or appearance since the previous badger surveys were undertaken (the applicant will only be able to survey land within their control). If changes are noted, further monitoring to determine their usage will be required. This can be included within the Construction Environmental Management Plan.

Water vole

- 9.181 The River Alt is considered to provide sub-optimal habitat for water vole due to significant changes which occur to the water levels. Evidence of a transient water vole was recorded during the initial survey in 2019, although no evidence of water voles were present during the 2020 and 2021 updated surveys. On this basis, there are no requirements regarding water vole mitigation or licensing, however, if members are minded to approve the planning application, a condition can be secured that required the applicant to carry out an inspection for water vole prior to commencement of development. This can be included within the Construction Environmental Management Plan.

Breeding birds

- 9.182 During the breeding bird surveys, only a relatively low number of confirmed breeding bird species were recorded. Magpie and crow nests were observed

within tall trees within the site and this was considered to be a likely explanation for the results of the survey.

- 9.183 Two schedule 1 bird species, namely barn owl and kingfisher, were observed during the survey, although suitable breeding sites for these species within the application site are considered to be absent. Built features or vegetation on site may provide nesting opportunities for breeding birds, which are protected and Local Plan Core Strategy policy CS8 applies. If members are minded to approve the planning application, two conditions are recommended, the first states no tree felling during the breeding bird season and the second seeks to secure the provision of bird boxes.

Hedgehog

- 9.184 The habitats on site are suitable for hedgehog which is a Priority Species and Local Plan Core Strategy policy CS8 applies. MEAS have requested a condition requiring reasonable avoidance measure for the protection of hedgehogs. This can be included within the Construction Environmental Management Plan.

Invasive species

- 9.185 Japanese knotweed, giant knotweed, Himalayan balsam, cotoneaster sp and Japanese rose are present within the site boundary. These species are either listed on Schedule 9 of the Wildlife and Countryside Act or Schedule 2 of the Invasive Alien Species (Enforcement and Permitting) Order 2019. MEAS have requested two conditions, one requiring a method statement to be submitted which details methods to control the spread of the species and a second condition requiring a validation report to be submitted in relation to a Japanese Knotweed stating that the site has been free of the invasive species for 12 consecutive months. Issues surrounding the removal of invasive species are addressed as part of the above-mentioned legislation. It is not the role of the LPA to replicate the requirements of non-planning legislation and it is up to the applicant to ensure compliance. Therefore, it is not reasonable to include the requested conditions, and these will be highlighted to the applicant by way of an informative on the decision notice, should the application be approved.

Construction Environmental Management Plan

- 9.186 If members are minded to approve the planning application, the submission of a Construction Environmental Management Plan (CEMP) document to manage and mitigate the main environmental effects during the construction phases of the proposed development can be secured by condition. The CEMP would address and propose measures to minimise the main construction effects of the development and, amongst other things, should include details of ecological mitigation, construction and demolition waste management, pollution prevention and soil resource management.

Landscape and Ecological Habitat Management Plan

- 9.187 If members are minded to approve the planning application, the submission of a Landscape and Ecological Habitat Management Plan which would cover the management of the retained and newly-created habitats on the site for a minimum 30-year duration can be secured by condition.

Biodiversity Net Gain

- 9.188 As the application was submitted before mandatory biodiversity net gain (BNG) requirements were introduced, biodiversity net gain measures of 10% gain are not legally required to be submitted with the application. However, the application is expected to achieve no net loss of on site habitat.
- 9.189 Compensatory habitats being of either equal type and distinctiveness or greater distinctiveness are proposed on site. The DEFRA Biodiversity Metric v3.1 has been used to inform the BNG Assessment Report submitted by the applicant, and it calculates that the proposals not only provide a no net loss of habitat, but would provide a net biodiversity gain of 7.66% for area-based habitats and 9.11% for hedgerows.
- 9.190 The levels of biodiversity provided on site are acceptable. Should members be minded to approve the application, a Landscape and Ecological Habitat Management Plan can be secured by condition which would secure the management of the retained and newly-created habitats on the site for a minimum 30-years.
- 9.191 In relation to ecological impacts, the proposal is therefore considered to comply with policies CS2 and CS8 of the Local Plan Core Strategy which seeks to protect, enhance and introduce biodiversity into existing areas

Contaminated Land

- 9.192 Saved Policy ENV5 (Contaminated Land) in the Replacement Unitary Development Plan requires new developments to remediate any sites that may be affected by contaminated land. There are two issues relating to contaminated land, firstly the existing condition of the site and secondly, the material or soil (??) being brought to site to reconfigure the existing and proposed golf courses.
- 9.193 The applicant has submitted a Phase I Desk Study (Ian Farmer Associates, October 2020, Ref: 2230065-1(01)). The Desk Study recommends that a site investigation is carried out onsite and this conclusion is accepted. The provision of this information can be secured through a suitably worded planning condition should members be minded to grant planning permission and this should include the need for a Materials Management Plan. The proposal would comply with Unitary Development Plan Policy ENV5 'Contaminated Land.'
- 9.194 The Kirkby Golf Course site is next to a site on the west of Aintree Lane that is currently subject to significant contamination issues. Waste was illegally

dumped onto this land leaving the site in a derelict state with limited prospects for development or for productive use. It is therefore imperative to put in place mechanisms to prevent this happening at Kirkby Valley Golf Course. The operators of Kirkby Valley Golf course have a track record of developing high quality golf courses and operate several golf courses in the area including Allerton Manor Golf Course, Sherdley Park Golf Course and Formby Hall Golf Resort and Spa. They have demonstrated a long-term commitment to courses in the local area.

- 9.195 In order to prevent the possibility of contamination occurring at the site from material or soil?? being brought to site, appropriate monitoring and testing of the materials used for the re-profiling of the golf course is required (this is addressed in more detail at paragraphs 9.66 – 9.74 of this report). This will be reviewed by the council's Environmental Health team who will scrutinise the material imported on site. Should members be minded to approve the application, this will be secured by condition. Subject to this, there would be no harmful contamination impacts arising from the development. And as such, the proposal would comply with Saved Policy ENV5.

Archaeology

- 9.196 The Heritage Statement issued in support of the application (Graeme Ives Heritage Planning, March 2021) concludes there would be little impact on the built historic environment.
- 9.197 An Archaeological Desk-based Assessment also issued in support of the application (ARS Ltd, December 2019) considers that there is moderate potential that below-ground prehistoric remains survive within the site; there is a low-moderate potential for remains dating to the Romano-British period; moderate potential for medieval period remains, and potential for post-medieval archaeological remains to be present. The DBA predicts that the proposed development could result in the removal, truncation or total destruction of below-ground archaeological remains during construction. It reasonably recommends that in order to mitigate any potential loss of archaeological remains and depending on the extent of ground works associated with the proposed development, that a programme of archaeological works is undertaken. If members re minded to approve the application, this can be secured by condition.

Low Carbon Development

- 9.198 The applicant has submitted an Energy Statement Report which discussed the passive measures to reduce energy demand such as thermal efficiency, glazing and natural ventilation.
- 9.199 A feasibility of Low and Zero Carbon Technologies concluded that the following were selected as being suitable for implementation into the design (where practical and financially viable):
- a. VRF heating and cooling to comfort cooled areas in the Club House.

- b. Heat recovery ventilation to mechanically ventilated areas.
- c. LED internal and external lighting with lighting control throughout the site.
- d. Consideration of air or ground source heating to serve the heating and hot water demand. Likely to be applicable only to the Club House.
- e. Consideration of photovoltaic panels to provide further carbon savings where required to meet Part L compliance.

9.200 The consideration of LZC technologies is in line with Policy CS22 (Sustainable and Low Carbon Developments). The implementation of these measures can be secured by a suitably worded planning condition if members are minded to approve the application.

Waste Management

9.201 Policy WM9 of the of the Merseyside and Halton Waste Local Plan (WLP) requires that adequate measures are provided as part of the design for the facilitation of storage and collection of waste and recyclable material. The applicant has submitted a Waste Management Statement which sets out how waste will be managed, and it is considered to be acceptable. However, the applicant will be required to provide further details on the provision and siting of the waste receptacles which can be secured by a suitably worded planning condition if planning permission is granted.

9.202 The proposal would involve excavation and construction activities which are likely to generate significant volumes of waste. Policy WM8 of the WLP and National Planning Policy for Waste and Planning Practice Guidance paragraph 49 together with Policy CS22 of the Local Plan Core Strategy apply. These policies require that the production of waste is minimised, and the measure are implemented to achieve efficient use of resources.

9.203 In accordance with Policy WM8, evidence through a waste audit or a similar mechanism (e.g. a Site Waste Management Plan (SWMP)) demonstrating how this would be achieved should be provided. This could be included within a Construction Environment Management Plan (CEMP) secured by a suitably worded condition if members are minded to approve the application. This would have the benefit of ensuring that the principles of sustainable waste management are integrated into the management of construction on-site to improve resource efficiency and minimise environmental impacts.

9.204 Subject to the recommended condition the proposed development would be acceptable and would comply with Policies WM8 and WM9 of the Waste Local Plan, Policies CS2, CS19 and CS22 of the Local Plan Core Strategy and the NPPF.

10. CONCLUSION & PLANNING BALANCE

10.1 The development plan is the starting point for decision making. Where applications that accord with the up-to-date development plan should be approved without delay. Where there is conflict with the development plan,

applications should be refused unless there are material considerations that indicate otherwise.

- 10.2 In terms of the harm to the Green Belt, whilst the development would be inappropriate development in the Green Belt, most of the harm would be caused by the buildings and car parks which are concentrated along the frontage of the site which faces the main road of Ingloe Lane (A506). This comprises only a small portion of the overall site. Approximately 5% of the site would have additional built development on it and the remaining 95% would retain its existing golf course use but with major course improvements. By concentrating development in a small part of the site, this reduces overall harm to the Green Belt compared to a dispersed development. The frontage area is already the most built-up part of the site with an existing car park and clubhouse and is partially screened from Valley Road, further development would cause some harm to the Green Belt but less than if an undeveloped area was being built on. Notwithstanding this, it is still considered that the development would cause significant harm to the openness of the Green Belt, and there would also be harm caused by reason of the scheme's inappropriateness that must carry substantial weight against the proposed development. No 'other' harm has been identified and therefore in order to determine if there are 'Very Special Circumstances' this harm must be weighed against the benefits of the development.
- 10.3 The benefits of the scheme are considered to be significant. The proposed development would provide an important new visitor attraction in Knowsley that would secure the financial future of the golf course and provide significant local economic benefits including jobs during the construction and operational phases of the development. It would create a much-improved golf course that would be better able to attract a more diverse and numerous group of customers and the applicant would ensure that local residents and local schools are able to use the facility. It would also lead to improved biodiversity at the site above what is required by planning policy.
- 10.4 On balance, having regard to the above and weighing up all material considerations relevant to the scheme, in planning terms, the benefits of the development clearly outweigh the harm that would be caused to the Green Belt. Very Special Circumstances therefore exist, and officers believe that the application proposes a sustainable development which complies with the development plan and national planning policy.

11. RECOMMENDATION

- 11.1 That Members grant authority to the Head of Planning & Building Control to grant planning permission under delegated powers subject to:
- (i) the conditions set out in the attached schedule or such additional or amended conditions that the Head of Planning & Building Control (in conjunction with the Chair of Planning Committee) considers appropriate;

- (ii) The applicants entering into a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 securing the a financial contribution of £6,985 towards social value;
- (iii) the application being referred to the Secretary of State for Housing, Communities and Local Government, and the Secretary of State deciding not to “call in the application” for a Public Inquiry; and
- (iv) In the event of the applicants not entering into a Section 106 agreement within 6 months of Planning Committee’s resolution to secure the obligations, that Planning Committee delegate authority to the Head of Planning & Building Control to refuse planning permission under delegated powers, on such grounds, should it be deemed that insufficient progress has been made in completing the s106 agreement.

SCHEDULE OF CONDITIONS

	Condition	Trigger
1.	Time period to implement the permission – 3 years	Compliance
2.	List of approved plans and documents	Compliance
3.	Materials to be used in the construction of each building	Prior to the commencement of development
4.	Global Phasing plan - setting out the phasing details of the entire development hereby approved	Prior to the commencement of development
5.	Detailed phasing plan – setting out the phasing for that specific phase (or phases) to include full construction details / drawings and confirmation of the precise amount, source and usage of any imported materials	Prior to the commencement of development
6.	Delivery - the approved golf driving range shall not be open to golfers or the wider public until at least 50% of the main golf course works and the entirety of the new 9 hole course construction works have been completed up to the point that grass has been sown,—and the approved new Clubhouse shall not be open to golfers or the wider public until 100% of the main golf course works and the entirety of the new 9 hole course construction works have been completed	As stated
7.	Quarterly logs detailing the implementation of waste	Prior to the commencement of development
8.	Contamination	Prior to the commencement of development

9.	Site log of materials	Prior to the reuse of off site materials
10	Material Management Plan	Prior to the reuse of off site materials
11.	Construction Management Plan	Prior to the commencement of development
12.	Cycle storage	Prior to the first occupation of the club house, driving range or golf training academy
13.	Travel Plan	Within 3 months of the club house, driving range of golf academy opening
14.	Details of the site access	Prior to the first use of the adventure golf, new clubhouse, driving range or 9 hole golf course
15.	Temporary vehicular access	Prior to the commencement of development
16.	No use of the accesses to Aintree Lane/Ingoe Lane	Compliance
17.	Noise – noise mitigation scheme for the club house, driving range and golf training facility,	Prior to the construction of the club house, driving range and golf training facility
18.	Fixed plant noise	Compliance
19.	Lighting scheme	Prior to the introduction of any external lighting
20.	No construction/demolition works	Compliance
21.	An assessment for that building must be carried out in accordance with the Defra document “Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems”.	Prior to the construction of the club house, driving range and golf training facility
22.	Kitchen grease trap	Compliance
23.	Opening hours of golf club house - 07.00 to midnight Sunday to Thursday and Friday to Saturday until 01.00am, with the exception of the toilets, changing facilities and golf shop counter which can open from 06.30am.	Compliance
24.	Opening hours of driving range - 08.00 to 23:00 on any day. No external music shall be played between 21:00hrs and 09:00hrs.	Compliance
25.	Balconies and terraced areas associated with the Club House are not to be in use after 10pm	Compliance
26.	Refuse collections shall not take place outside the hours of 08:00 to 20:00	Compliance

27.	Empty bottles shall not be loaded into the bins in the designated waste storage area between 20:00 and 08:00 hours on any day.	Compliance
28.	No tree felling/scrub clearing between 1 March to 31 August	Compliance
29.	Tree protection fencing	Prior to the commencement of development
30.	Written Scheme of Investigation for archaeological works	Prior to the commencement of development
31.	Scheme illustrating the low carbon and zero carbon technologies	Prior to the construction of any building
32.	Site Waste Management Plan	Prior to the commencement of development
33.	Construction Environmental Management Plan	Prior to the commencement of development
34.	Development to the existing club house building shall only be carried out in accordance with all of the recommendations for mitigation and compensation set out in Section 6 of the 'Protected Species Report (Bats):	Compliance
35.	Soft felling of specified trees	Compliance
36.	Scheme for the provision of bat and bird boxes	Prior to the commencement of development
37.	Bat sensitive lighting	Prior to the installation of any new external lighting within the site,
38.	Landscaping scheme	Prior to the commencement of development
39.	Landscape and Ecological Habitat Management Plan	Prior to the occupation of any building
40.	The contractor parking, compound and any associated temporary building including portacabins shall be removed from site and the site shall be put back to its original intended purpose once the development has been completed.	Compliance
41.	Compliance with flood risk assessment	Compliance
42.	Details of the siting and appearance of the proposed sub station	Prior to the commencement of its construction
43.	A scheme to prevent vehicles using the road bridge across the River Alt	Prior to the commencement of development
44.	Boundary details of the greenkeepers compound	Prior to its construction
45.	A scheme of community engagement and inclusivity	Prior to the opening of the club house, driving range and golf training facility



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