



Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

CHERWELL DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

Appeal by Great Lakes UK Limited against Cherwell District Council's refusal to grant planning permission for the redevelopment of part of golf course to provide new leisure resort (sui generis) incorporating waterpark, family entertainment centre, hotel, conferencing facilities and restaurants with associated access, parking and landscaping at land to the east of M40 and south of A4095 Chesterton Bicester Oxfordshire

Appellant	:	Great Lakes UK Limited
Appeal Site	:	Land to east of the M40 and south of the A4095, Chesterton, Bicester, Oxfordshire, OX26 1TH
Appellant's Agent	:	DP9 Limited
LPA Reference	:	19/02550/F
Planning Inspectorate Reference	:	APP/C3105/W/20/3259189

SUMMARY PROOF

of

PAUL ALMOND

Street Scene & Landscape Manager, Cherwell District Council

1. INTRODUCTION

1.1 My name is Paul Almond. I am employed by Cherwell District Council as its Street Scene & Landscape Manager.

1.2 I have extensive golf course management experience. Between 1993-1997 I was Golf Course Manager at Chesham Park Golf Course in Broxbourne. Between 1990-1993 I was Golf Course Manager at Newbold Common Golf Course in Warwick. Between 1988-1990 I was Golf Course Manager at Humberstone Heights Golf Course in Leicester and between 1987-1988 I was a Landscape Development Chargehand at Beaumont Park Par 3 Golf Facility in Leicester. I am a keen golfer myself and throughout my career I have gained knowledge from other golfers about what they find attractive and acceptable in terms of course layout and speed of play.

2. PURPOSE AND SCOPE OF PROOF

2.1 This proof deals specifically with the golfing considerations arising from the suggested re-provision of facilities at BHGS. I explain why the proposal does not accord with relevant development plan or national planning policy and the Council's adopted Open Space, Sport and Recreation Assessment & Strategy. I will conclude by setting out why the Council and I consider the appeal proposal to be unacceptable.

3. APPEAL SITE LOCATION AND PROPOSAL

Appeal Site Location

3.1 The appeal site extends to 18.6 hectares and comprises the western nine holes of an existing 18-hole golf course that forms part of Bicester Hotel, Golf and Spa (BHGS) near Chesterton, a village southwest of Bicester.

The Appeal Proposal

3.2 The appeal relates to a refused planning application (Ref: 19/02550/F) which sought planning permission for a leisure resort consisting of:

- A 498-bed Hotel (27,250m²);

- An Indoor Water Park (8,340m²) with external slide tower (height 22.5m);
- A Family Entertainment Centre (12,350m²) including an adventure park, food and beverage and merchandise retail facilities, plus Conferencing (comprising 550m²) and back of house facilities;
- An Adventure Park providing rope course, climbing wall, miniature golf, family bowling, arcade games and an interactive role-playing game;
- Associated access and landscaping;
- 902 new parking spaces; and
- Public parkland (6 hectares) including nature trails and play spaces.

4. REASONS FOR REFUSAL

4.1 The Council refused planning permission on 12th March 2020 for six reasons, but this Proof of evidence relates purely to the Council's first reason, which is as follows:

1. The proposed development by reason of its location would result in the loss of an 18-hole golf course when the Local Planning Authority's evidence indicates the course is not surplus to requirements and there is a need for more provision for golf courses in the Bicester sub-area over the plan period. The evidence and proposals for alternative sports and recreation provision included with the application is not considered sufficient to make the loss of the golf course acceptable. The development is contrary to Policy BSC10 of the Cherwell Local Plan 2011-2031 Part 1 which seeks to protect existing sport and recreation provision and enhance the existing provision. It is also contrary to Government guidance contained within the National Planning Policy Framework.

5. THE COUNCIL'S CASE

Golfing Impacts – Refusal Reason 1

5.1 The proposed development would result in the substantive loss of half of an 18-hole golf course, with the land to remain for Bicester Hotel, Golf and Spa, potentially reconfigured to provide an 18-hole facility in a poor and potentially unsafe layout, with two holes sharing each fairway.

- 5.2 Policy BSC10 of the Cherwell Local Plan Part 1 2011-2031, states that the Council will ensure sufficient quantity and quality of open space, sport and recreation provision by protecting existing sites and enhancing existing provision. Supporting paragraph B.159 explains that development proposals that would result in the loss of sites will be assessed in accordance with guidance in the NPPF and the PPG.
- 5.3 The Council's Open Space, Sport and Recreation Assessment & Strategy identifies that there is likely to be a need for more provision, not less of golf courses in the Bicester sub-area due to the level of housing growth and that existing golf courses should be protected. It forecasts a long term and unresolved need for either an additional 18-hole golf course or two 9-hole courses plus an 8-bay driving range in the Bicester sub-area by 2031.
- 5.4 As the proposal would result in the reduction of the golf course provision at this site, the Council has to consider the proposal against paragraph 97 of the NPPF. This states that existing open space, sports and recreation buildings and land should not be built on unless:
- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements, or
 - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location, or
 - c) the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- 5.5 The tests set out at paragraph 97 of the NPPF would not be met in my opinion and the effective loss of half the existing golf course (because the re-provision plans are unfeasible) would result in a worsening in the shortage of golf provision in the Bicester sub-area. My evidence demonstrates that the proposals would conflict with the policies quoted in reason for refusal one. The assertion by the Appellant that the Council's first reason for refusal is "misconceived" and could be appropriately addressed through a re-provision of 18 holes on its suggested redesign of the retained 9-hole course is contested by me in the following evidence as unfeasible, impractical and unsafe and therefore could not be relied upon.

5.6 One-day before the application was refused, the Appellant's suggested that the nine golf holes to be lost as a consequence of their redevelopment proposals could potentially be re-provided through a reconfiguration of the remaining 9-hole course to provide a new 18-hole facility with two holes sharing each fairway. The revised proposals are indicated in the attached image below. At the time, the belated suggestion was considered inappropriate for consideration and contrary to the Council's adopted Negotiating Protocol.



5.7 The yellow and red lines indicate what the Appellant suggested could be a viable alternative layout utilising existing tee and green positions with the provision of nine new additional tee positions.

- 5.8 The revised proposal does not address the loss of the par 36, 3228-yard front nine holes. The additional holes will have to be significantly reduced, meaning it could not be classed as a course suitable for competition as 18-hole courses should have a Par between 69 and 74. The suggested revised layout would introduce six par 3 holes, two par 4 holes and one par 5 hole, i.e. nine new holes with a combined par of 31 and result in an 18-hole course with a revised overall par of just 67.
- 5.9 There seems to be little or no design thought in the proposal as to where the additional tee positions have been positioned. Golfers not only have long walks between greens to next tees, but also have to cross fairways where other golfers will be teeing off or playing. Some tee positions are in locations obscured by trees, such as holes 7, 9, 14 and 17 and some new tee are positioned close to likely landing zones from tees on the same shared fairways, such as holes 9, 10, 13, 15 and 17.
- 5.10 With the exception of holes 2/11, which would share the same tee position, the eight other proposed holes would feature new tees set forward of the existing tees, where golfers would be at risk from stray golf balls hit from existing tee positions sharing the same fairways. All nine new holes (six of which would be par-3 holes) would share fairways and greens with the existing nine holes. In some instances, the walk between greens and tees would involve long distances (holes 8 to 9, 9 to 10, 11 to 12, 12 to 13, 14 to 15 and 16 to 17) and would involve crossing fairways of other holes (8 to 9, 9 to 10, 11 to 12, 12 to 13, 14 to 15 and 16 to 17). That would significantly slow play on the suggested redesigned course, make it potentially unsafe and make it a far less attractive facility to play.
- 5.11 The time needed to play a round would significantly increase above the average 4 hours to play a normal 18-hole course.

6. OVERALL BALANCE

- 6.1 The proposal does not adequately replace the loss of the par 36 existing front nine holes. The proposed new nine new holes (six of which would be par-3 holes) would reduce the yardage making it a par 31 back nine.

- 6.2 It constitutes poor design, as the proposal does not make logical sense for golfers to navigate from the shared greens to the new proposed tees.
- 6.3 Due to the positioning of the proposed tee boxes, Health and Safety compromises are unacceptable, as golfers could likely be hit by golf balls being played by the other golfers on the same hole.
- 6.4 Priority for play on each hole would mean that golfers would have long waits before being able to tee off/play shots, which would significantly slow play on the redesigned course.
- 6.5 In my opinion, the combination of all these factors will make the golf facility less attractive to play, render it unsafe, reduce membership and discourage visitor pay and play.

7. CONCLUSIONS

- 7.1 The appeal site proposals would cause material harm to golf facility provision in the Bicester sub-area of the District through unacceptable and unsafe re-provision with the accommodation of 18 holes in a re-design of the residual 9-hole course, with two holes sharing each fairway. The sporting harm that would be caused would be contrary to adopted Development Plan policies, the Council's Open Space, Sport and Recreation Assessment & Strategy and relevant national policy as set out in the NPPF and national guidance set out by Sport England and England Golf.
- 7.2 For these reasons, the Inspector is respectfully requested to dismiss this appeal with respect to the Council's first reason for refusal.