



# *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

## **SUPPLEMENTARY PROOF OF EVIDENCE**

of

**PAUL ALMOND**

Street Scene & Landscape Manager, Cherwell District Council

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## **1. INTRODUCTION**

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

## **2. PURPOSE AND SCOPE OF PROOF**

2.1 In addition to the proof of evidence provided already by me, this supplementary proof of evidence is necessary due additional information received from the Appellant as part of the evidence of John Ashworth. Within the report produced as Appendix 1 to Mr Ashworth's proof of evidence there is included a revised golf design proposal. This proposal was not previously provided to the Council and was received for the first time, without any notice, on 13<sup>th</sup> January 2021, as part of the Appellant's evidence. It is therefore necessary to set out the Council's observations on this amended design proposal. The revised proposal is materially different to the design proposal submitted to the Council at the application stage on the 11<sup>th</sup> March 2020.

2.2 I will explain the technical reasons why the revised proposal remains inappropriate and does not address the Council's concerns regarding the loss of golf provision within the Bicester sub-area of Cherwell District and therefore the Council considers the appeal proposal to be unacceptable.

## **3. THE COUNCIL'S CASE IN RESPECT OF THE AMENDED PROPOSED DESIGN**

3.1 Planning permission for the proposed development was refused at the Planning Committee meeting on 12<sup>th</sup> March 2020 for the reasons set out elsewhere in evidence.

3.2 One-day before application Ref: 19/02550/F was refused on 12<sup>th</sup> March 2020, the Appellant's representatives 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 smaller 18-hole facility with two holes sharing each fairway, over the page is the proposed reconfigured layout which my original Proof of Evidence was based on.



3.3 However, in the Proof of Evidence the Council received on the 13<sup>th</sup> January 2021 a new design layout, prepared by Swan Golf Designs, was submitted for the first time. This proposal still utilises the remaining nine holes, however, the order in which the holes are played has been reconfigured as compared to the original proposal. The design continues to suggest that by installing additional tee positions on each hole, golfers could play from different tee positions to the same green, it will become an 18-hole facility. This amended course layout and design is provided below.



- 3.4 The main differences between the two proposals are that the order the holes are played in has changed and the additional tee positions have been repositioned.
- 3.5 The new proposal still does not address the loss of the separate nine holes. The yardage and par for this proposal has increased from the first proposal due to the new tee positions being closer to the existing tee positions; this has increased the length of the course meaning the latest proposal would provide a Par 70 facility, which would be acceptable from a competition standard point of view. However, this latest design proposal does not comprise of 18 different holes, it is a 9-hole course that golfers will still in effect be playing each hole twice.
- 3.6 With the exception of the distance from the green on hole 1/10 and the tee positions of 2/11, the issue of golfers having to have long walks between greens to the next tees or having to cross fairways where other golfers will be teeing off or playing, has largely been addressed in the revised layout design.

3.7 However, there seems to be little or no design thought in the proposal as to where the additional tee positions have been positioned. In the revised configured layout proposal, the Council still has significant concerns over the suggested additional tee positions.

- a. With the exception of the hole numbers 4/13 6/15 and 7/16, where play is from a different line of play completely, depending on the priority of play all the other forward tee positions would mean that golfers on those tees would be at risk of being hit by golf balls being played from the rear tee positions of each hole. This is an unacceptable risk as the forward tee positions are only just offline from rear tee positions and there would be no safe areas for golfers to stand where they would not be in the firing line of golfers teeing off from the rear tees.
- b. When playing a round of golf you should never play a shot if there is any player in front of you within the range or distance that you can strike the ball and the assumption that a shot may be badly taken must be factored in; this new design layout means that this would be case on six out of the nine holes. These can be seen on the revised configuration as holes 1/10, 2/11, 3/12, 5/14, 8/17, 9/18.
- c. The new tee position proposed for hole 3 is directly behind the green for hole 2/11, meaning players on the third tee could be hit by golfers playing their approach shots to the green from 2/11. Such an arrangement is plainly not safe or feasible.
- d. The line of shots played from the new tee position on hole 8 is very close to the green position of hole 7/16. Any stray shot played from the 8<sup>th</sup> tee carries a real risk of hitting golfers putting out on 7/16 green.

3.7 Having visited the course to look the proposed new tee positions now proposed, on most holes to achieve a safe line of flight for golfers to tee off without hitting trees, it would require the removal of a significant number of mature or maturing trees. Given the importance of trees in contributing to the character of the course, intercepting badly played shots and the benefit of trees make to the environment by removing pollutants from motor vehicles especially on this course being in close proximity to the M40, the loss of tree cover on a course that is currently not heavily planted is unacceptable.

- 3.8 Furthermore, the addition of second tee boxes on the same hole will slow play down, meaning the time needed to play a round will significantly increase above the average 4 hours to play a normal 18-hole course.
- 3.9 The proposal does not explain how practically the priority for play will be managed, for safe play after approximately the first two hours each day the course could be full to capacity with golfers on every hole of the first nine holes. Assuming they are playing 18 holes the golfers wishing to continue their round wanting to play hole 10 will have a conflict with golfers wishing to start a round on hole 1.
- 3.10 If the suggested number of 20,000 rounds on the new 9 hole facility are achieved, compared with the 16,000 rounds played on the existing 18 hole facility, the quality and condition of the course going forward will be compromised with this level of intense play on the reconfigured 9 hole facility.
- 3.11 Although no formal planning permission has been made or obtained for the extension to the existing 9 bay driving range, the latest proposal indicates that the number of bays on the driving range be extended to 12 and developed in addition to a Par 3 Academy course being constructed within the flight zone for the driving range. Obviously these two facilities could only operate at different times, this will limit the value of both facilities and reduce the benefits to golfers wanting to practice on the range or wanting to experience entry level golf on the Par 3 course.
- 3.12 The area of land proposed for the Par 3 course within the driving range is small, this is demonstrated by the design proposal submitted which shows two of the greens having to be shared by 4 of the tee positions 1/8 and 3/6. As this facility is aimed at beginners to the game of golf this raises concerns for golfers putting out being hit by other golfers playing into the same green from no more than 50-75 yards. In addition, the Par 3 facility will be of limited interest as most holes are shown as being of a similar length with no interesting features such as mounds or bunkers.

#### **4. OVERALL BALANCE**

- 4.1 The revised proposal does not adequately replace the loss of separate 9-hole facility, in effect it provides a 9-hole course that will be played twice with very little difference or interest to the golfer playing from the existing tees or the new tee positions.

- 4.2 It is acknowledged the logical sense for golfers to navigate from the shared greens to the new proposed tee positions has been addressed to some degree.
- 4.3 Due to the positioning of the additional proposed tee boxes, the safety compromises remain and are unacceptable, as the position of tees means that golfers could be hit by golf balls being played by the other golfers on the same hole, waiting to tee-off, or putting out.
- 4.4 Priority for play on each hole will mean that golfers will have long waits before being able to tee off/play shots, which will significantly slow play down on the suggested redesigned course, therefore, taking an unacceptable length of time to play 18 holes and making it a far less attractive course to play.
- 4.5 The intensity of play equating to more than double the rounds of golf being played over the retained 9-hole facility will have a detrimental effect on the quality and condition of the golf course.
- 4.6 In respect of the academy and driving range, these are not two permanent additions available for the golfer. The driving range and academy par 3 course occupy the same land, therefore only one activity can be undertaken at one time, i.e. if the driving range is open the Par 3 academy is closed. This is of limited value if a golfer wants to practice on the range and it is closed or vice versa if a golfer would like to play the short par 3 course and it is closed. The course is small and has little or no interesting features for golfers.
- 4.7 It is my opinion that the combination of all these factors will make the golf facility less attractive to play and will reduce membership and discourage visitor pay and play.

## **5. CONCLUSIONS**

- 5.1 The development of the appeal site in the manner proposed 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.



- 5.2 The sporting harm that would be caused would be contrary to adopted Development Plan policies, the Council's adopted Open Space, Sport and Recreation Assessment and Strategy (October 2018) and relevant national policy as set out in the NPPF and national guidance set out by Sport England and England Golf.
- 5.3 For these reasons, the Inspector is respectfully requested to dismiss this appeal with respect to the Council's first reason for refusal.