



# *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

## **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.
- 1.2 Between 1993 – 1997 I was Golf Course Manager at Chesham Park Golf Course in the Borough of Broxbourne. In addition to my duties of management and maintenance of the golf course, I managed new green and tee construction. Between 1990 – 1993 I was Golf Course Manager at Newbold Common Golf Course in Warwick District. In addition to my duties of management and maintenance of the golf course, I managed new green and tee construction. Between 1988-1990 I was Golf Course Manager at Humberstone Heights Golf Course in Leicester. In addition to my duties of management and maintenance of the golf course, I managed alterations to course layout due to a new relief road construction in conjunction with Hawtree & Sons Golf Course Architects. Between 1987-1988 I was a Landscape Development Chargehand at Beaumont Park Par 3 Golf Facility in Leicester where I supervised the layout and construction of a 9-hole golf facility. Throughout my career I have gained knowledge from golfers about what they find attractive and acceptable in terms of course layout and speed of play. In addition, as a keen golfer myself, I have experienced playing at many courses and understand from a customer prospective the importance of good design and layout from a players point of view.

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

- 2.1 In this proof of evidence, I will deal with the golfing considerations [suggested re-provision of facilities at BHGS] that arise in this appeal. I will 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 2018 and any other material considerations, and would be harmful in respect to golf provision in the Bicester sub-area of Cherwell District. I will conclude by setting out why the Council considers 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 (186,000m<sup>2</sup>) 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 located to the southwest of Bicester. The detail of the appeal site and its context is described on other evidence and will not be repeated here.

#### **The Appeal Proposal**

- 3.2 The appeal relates to a refused planning application (CDC Ref: 19/02550/F) which sought planning permission for a Leisure resort consisting of:
- A 498-bed Hotel (27,250m<sup>2</sup>);
  - An Indoor Water Park (8,340m<sup>2</sup>) with external slide tower (height 22.5m);
  - A Family Entertainment Centre (12,350m<sup>2</sup>) including an adventure park, food and beverage and merchandise retail facilities, plus Conferencing (comprising 550m<sup>2</sup>) 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's Planning Committee resolved to refuse the application on 12<sup>th</sup> 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**

- 5.1 Planning permission for the proposed development was refused at the Planning Committee meeting on 12 March 2020 for the reasons detailed at paragraph 4.1 above.

### **Golfing Impacts – Refusal Reason 1**

- 5.2 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 a smaller 18-hole facility in a poor and potentially unsafe layout, with two holes sharing each fairway.
- 5.3 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.
- 5.4 The Council's adopted Open Space, Sport and Recreation Assessment and Strategy (produced on its behalf by Nortoft in October 2018) identifies that there is likely to be a need for more provision of golf courses in the Bicester sub-area due to the level of housing growth (a doubling in the size of the town) and that existing golf courses should be protected. It forecasts a long term and currently unresolved need for an additional 18-hole golf course or two 9-hole courses plus 8 driving range bays in the Bicester sub-area by 2031. The assessment advanced by the Appellant and referred to inter alia at para.5.4 of its Statement of Case is not accepted by the LPA.

- 5.5 As the proposal will result in the reduction of the golf course provision at this site, the Council then 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.
- 5.6 The tests set out at paragraph 97 of the NPPF would not be met and the loss of half the existing golf course will result in a worsening in the shortage of golf provision in the Bicester sub-area, which could not adequately be re-provided in the manner suggested by the Appellant. I will demonstrate that the development would conflict with the policies quoted in reason for refusal one. The assertion by the Appellant (at Para.5.4 of its Statement of Case) that the Council's first reason for refusal is "misconceived" and could be appropriately addressed through a re-provision of 18 holes on a suggested redesign of the retained 9-hole course (as referenced at Para.9.5 of its Statement of Case) is contested by me as unfeasible, impractical and unsafe and therefore could not be relied upon.
- 5.7 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 for the land to provide a new leisure resort incorporating waterpark, family entertainment centre, hotel, conference and restaurant facilities and car park 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, plus a suggested s106 obligation to provide enhanced practice facilities and a new scholarship scheme for up to twenty under-16 golfers. The revised proposals are indicated in the attached image below. At the time, such a belated suggested alteration to an application proposal that was already deemed unacceptable on several grounds was considered inappropriate for consideration and contrary to the Council's adopted Negotiating Protocol.



- 5.8 The yellow lines and red lines indicate what the Appellant suggested could be a potentially viable alternative new layout utilising existing tee and green positions with the provision of nine new additional tee positions.
- 5.9 In my capacity as the Council's Street Scene & Landscape Manager and given my extensive golf course management and design experience, I was consulted on the Appellant's suggested golf course redesign proposals and my comments are detailed below.

- 5.10 The proposal does not address the loss of the par 36, 3228 yards 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.
- 5.11 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 the next tees, but also have to cross fairways where other golfers will be teeing off or playing. Some tee positions are suggested in locations obscured by trees, such as holes 7, 9, 14 and 17. This is compounded by some suggested new tee positions being positioned close to likely landing zones from tees on the same shared fairways, such as holes 9, 10, 13, 15 and 17.
- 5.12 With the exception of the No.2/11 holes, which would share the same tee position, the eight other proposed holes would feature new tee positions set forward of the existing hole tees, where golfers would be at risk from stray golf balls being 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, to 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 the 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 less attractive facility to play.
- 5.12 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.

## **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 Poor design, 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 additional proposed tee boxes, Health and Safety compromises are unacceptable, as golfers could likely be hit by golf balls being played by other golfers on the same hole.
- 6.4 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.
- 6.5 It is my opinion that the combination of all these factors will make the golf facility less attractive to play, render it unsafe, will reduce membership and discourage visitor pay and play.

## **7. CONCLUSIONS**

- 7.1 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. 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 & Strategy (October 2018) 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.