

Sport in the Green Belt

Introduction

This bulletin examines Green Belt policy and the way in which sports proposals are treated in Green Belt areas. The bulletin is particularly topical as policy on Green Belts is currently under review, and an imminent revised edition is due of Planning Policy Guidance Note (PPG) 2: *Green Belts*, last revised in 1995. The Royal Town Planning Institute (RTPI) and the Town and Country Planning Association (TCPA) have also recently produced consultation documents on Green Belts.

Of all the elements of the planning system, Green Belt policy is the most readily recognised and, arguably, the most popular with the general public. Support remains for decades-old policy that has its origins in the 1930s and the first official proposal set out by the Greater London Regional Planning Committee. Back then, the purpose was to provide a reserve supply of public open space and of recreational areas, and to establish a Green Belt or girdle of open space.

The Town and Country Planning Act 1947 made a statutory provision for Green Belts to be included in

development plans. In *Circular MHLG 40/55* published by the former Ministry of Housing and Local Government, this provision was later extended to areas around other conurbations.

The purposes of the Green Belt as set out in *Circular MHLG 40/55* remain valid today and are still included in PPG 2.

The latest statistics reveal that the total designated Green Belt land in England amounts to around 1.65 million hectares or about 13 per cent of the country. In Scotland, its six Green Belts cover a total of 156,000 hectares, or about two per cent of the country. Northern Ireland has 226,000 hectares of Green Belt covering 16 per cent of the country. No Green Belts are designated in Wales although *Planning Policy Wales* (2002) does contain policies for unitary authorities to establish Green Belts in Wales.

In this bulletin we will examine the current and possible future purposes and policy objectives of Green Belts and their implications for sport and recreation and then look at a number of planning appeal and called-in decisions on proposals in Green Belts.

Purposes of Green Belts

PPG 2 lists five purposes for including land in Green Belts:

- to check unrestricted sprawl of large built-up areas
- to prevent neighbouring towns merging into one another
- to assist safeguarding the countryside from encroachment
- to preserve the setting and general character of historic towns
- to assist in urban regeneration by encouraging recycling of derelict and other urban land.

Land use objectives of Green Belts

The role of sport is not immediately apparent from these five purposes. However, PPG 2 goes on to identify the uses of land in the Green Belt and the positive role it has to play in fulfilling the following objectives:

- to provide opportunities for access to the open countryside for the urban population
- to provide opportunities for outdoor sport and outdoor recreation near urban areas
- to retain attractive landscapes, and enhance landscapes, near to where people live

- to improve damaged and derelict land around towns
- to secure nature conservation interests
- to retain land in agricultural, forestry and related uses.

The second land use objective directly addresses sport, advocating a role for outdoor sport in Green Belt land near urban areas. PPG 2 is keen to point out that the above objectives are not the tests for inclusion of land in the Green Belt, only the functions of it.

In Scotland, the approach to Green Belt policy is different. In the Scottish Development Department's *Circular 24/1985: Development in the Countryside and Green Belts*, the purposes of Scottish Green Belts are set out:

- to maintain the identity of towns by establishing a clear definition of their physical boundaries and preventing coalescence
- to provide countryside for recreation or institutional purposes of various kinds
- to maintain the landscape setting of towns.

The key difference between the English and Scottish Green Belts is that providing opportunities for recreation and preserving the landscape are among the purposes rather than land use objectives of Green Belts in Scotland. Perhaps the revised PPG 2 will embrace this distinction.

Green Belt policy

Planning policy in the Green Belt is set within the context of a presumption against inappropriate development. This presumption is in addition to the normal policies for development in the countryside.

New buildings in the Green Belt will be considered inappropriate unless they are for the following purposes:

- agriculture or forestry
- essential facilities for outdoor sport or outdoor recreation, for cemeteries or other uses preserving the openness of the Green Belt

- limited infilling in existing villages
- limited extension, alteration and replacement of existing dwellings
- limited infilling or redevelopment of major existing developed sites identified in local plans.

The re-use of existing buildings is also acceptable, in principle, subject to detailed criteria concerning the impact of any re-use on the openness of the Green Belt.

As with every planning application or appeal, Section 54A of the Town and Country Planning Act 1990 requires the first reasoning to be whether the proposal is in



accordance with the development plan. Once this is established any other material consideration that could lead to a decision not in accordance with the development plan is considered.

When judging a proposal in the Green Belt, PPG 2 will be a material consideration, in particular Section 3 and the consideration of whether the proposal is appropriate development. Development plan policies often reflect the wording and criteria for inappropriate developments as described in the PPG.

PPG 2 explains that a proposal amounting to inappropriate development will by definition be harmful to the Green Belt. This principle applies whether the impact is slight or even when there is no harm in any other way. Harm can be caused simply by reducing the

openness of the site or by conflicting with the purposes as stated above of including land in the Green Belt.

It is also necessary to consider factors separate to Green Belt issues, for example highway, noise or disturbance issues.

If a proposal at this stage is considered inappropriate development, the decision-maker then turns to consider whether there are very special circumstances that might outweigh the presumption against inappropriate development in the Green Belt, and any other harm caused by the development. The onus here is on the applicants or appellants to advocate positive factors that justify allowing the inappropriate development, not merely to state that the proposal will cause little or no harm.



When balancing any very special circumstances with the harm caused in principle, the decision-maker will look to a convincing material consideration that exceeds an argument that little harm would be caused by the proposal. Strong positive arguments such as job creation and economic growth may amount to very special circumstances. It is not for the decision-maker to judge whether a site should or should not be included in the Green Belt outside of the development plan review process.

A site should not be exempt from Green Belt policy simply because it is unsightly or unkempt. There are likely to be many sites within the Green Belt that fall within this category. To allow development because of unsightliness would create a dangerous precedent, encouraging landowners to neglect land in the hope of improving its development potential.

Sports facilities

Unless a proposal for a sports building can demonstrate that it is both essential and for outdoor sport, it will generally be considered to be inappropriate development in the Green Belt. The test of policy will then revert to consideration of the very special circumstances as explained above. No distinction is made between public and private outdoor sport. Examples of essential facilities given in the PPG are 'small changing rooms or unobtrusive spectator accommodation for outdoor sport, or small stables for outdoor sport and outdoor recreation' (PPG 2, paragraph 3.5).

There has been considerable debate about what is meant by 'small' in this context, and reference has frequently been made to appropriate standards set out in Sport England guidance such as the *Pavilions and Clubhouses* Guidance Note. As schemes that seek funding from the Sport England Lottery Fund must accord with such guidance, it would seem reasonable that local planning authorities and planning inspectors should give these documents a good deal of weight.

In the case of sports facilities that do not involve new buildings, such as floodlighting of existing tennis courts, decision-makers tend to consider the impact on the openness of the Green Belt, as well as amenity issues. Some inspectors have taken the view that floodlights can detract from the rural nature of an area, both in daylight hours when the columns may be considered to be conspicuous, and at night when poorly designed and constructed floodlights can be a foreign presence. However, it must be said that modern floodlights tend to



be well directed and designed to reduce light spillage and clutter to a minimum.

In the report *The Effectiveness of Planning Policy Guidance on Sport and Recreation*, produced by Oxford Brookes University to inform the revision of PPG 17, the impact of Green Belt policies on sport was briefly considered. This found an apparent tension between promoting sport and recreation in the Green Belts near to major towns and cities in the interests of sustainable development, and the aim of Green Belt policy to keep land open. If sports facilities cannot compete with other, higher-value land uses in urban areas and also cannot locate within Green Belts, they will be forced to consider moving into deeper countryside. Such a move would not only be unsustainable due to increased travel times, but may also face development plan policies for countryside areas that are just as stringent as Green Belt policies.

The Oxford Brookes University report identified two possible solutions to this tension:

- Local authorities could allow for a range of 'doorstep' sport and recreation provision by allocating land on the urban fringe in development plans, and drawing inner Green Belt boundaries accordingly.
- Schemes that could prove a sustainability benefit, for example by providing realistic access by rail, cycle or on foot, could have this balanced against any harm to the openness of the Green Belt resulting from the development.

The report went on to recommend that the issue of promoting sport and recreation in Green Belts through the planning system, and necessary ancillary facilities, should be assessed as part of the ongoing monitoring of PPG 2.

Green Belts – the modernising agenda

Several organisations have identified weaknesses in Green Belt policy in England. 2002 saw the Royal Town Planning Institution (RTPI), the Town and Country Planning Association (TCPA), the Country Land and Business Association (CLA) and the Council for the Protection of Rural England (CPRE) all producing their own policy recommendations for the future of Green Belts.

All of these organisations identify what they deem to be the success of Green Belt policy in preventing urban sprawl, resisting the merging of neighbouring towns and cities and protecting open land. There is no suggestion that containment policies are no longer necessary or relevant.

However, at a time when there are housing shortages, demand for employment land, and the need for environmentally, socially and commercially sustainable development, great pressure is put on Green Belt land.



Tensions can occur between Green Belt guidance contained in PPG 2 and the guidance contained in PPGs 3 and 13. Concerns are often expressed over the role of the Green Belt as agriculture and other rural industries attempt to restructure. Although an element of flexibility is emerging in attitudes towards development in the countryside, concern has been expressed that this is not reflected in Green Belt areas.

Both the RTPI and the CLA question what development is 'appropriate' in the Green Belt. While sports stadiums and sports academies are deemed inappropriate, but nevertheless gain planning permission due to other material considerations, much smaller or domestic developments that are also considered inappropriate, but without significant other considerations, are often refused planning permission.

The CLA has proposed the deletion of any reference to 'appropriate' development, advocating instead reference to specific issues such as scale, siting and design. Such an approach, the CLA suggests, would give encouragement to farm diversification and more sustainable forms of development.

Both the RTPI and the TCPA call for more flexibility in the policy. A 'lighter touch' is proposed by the RTPI, allowing different approaches in different areas. Applying the same policy nationally, it suggests, disregards the local appreciation of the environmental and ecological quality of the countryside. Also, it disregards the scope of development of previously developed land within the urban area, local infrastructure, local affordable housing and economic development needs.



The TCPA calls on the Government's Green Belt policy review to bring out the creative potential of the Green Belts, suggesting they should become eco-parks, accommodating farming and horticulture that can help to feed neighbouring towns. In addition, the Green Belts should provide extensive public access, have country parks and recreational space and be rich in wildlife, woodland and unimproved grassland.

Case studies

Green Belt areas can be seen by sports clubs and other recreational interests as an obvious place to relocate from an urban area or to provide new sport and recreation facilities to serve the urban populations. By definition, Green Belts are immediately adjacent to built-up areas and are generally not built on and thus potentially available to locate a range of sport and recreation uses, together with ancillary buildings, car parks and related activities.

However, due to the strength and nature of Green Belt planning policies and the normal resistance of local residents to any form of new development, Green Belts provide a battleground for proposals for both major and, sometimes, minor recreational development.

In many cases, particularly for major developments such as football academies where sports development and community enhancement may be involved, local planning authorities can be sympathetic. However, they will have to defend their support for a scheme at a public inquiry when an application is called in for consideration and determination by the Secretary of State, as such proposals will almost inevitably involve a departure from the development plan policy.

The following case studies examine how the tension between Green Belt policies and wider planning and sports/community development issues have been addressed, first in relation to two football academy proposals and then in relation to smaller-scale golf proposals.



Football academy and training centre for Derby County Football Club – Land at Morley Road, Derby – May 2001
Erewash Borough Council
Reference: APP/N1025/V/00/000197
Decision: Planning permission granted

Following a Members’ refusal on an initial application, Derby County Football Club Ltd resubmitted an application for its football academy with the repositioning of buildings and rearrangement of pitches and parking. The Secretary of State called in the reapplication in 2001 because the case appeared to raise issues of wider than local importance.

The application proposed a football academy and training centre (with removal of existing buildings) with access, car parking and landscaping on 17.5 hectares of agricultural land at Moor Farm, Locko Estate, Morley Road, Derby. The proposal fell within the jurisdiction of Erewash Borough Council. City of Derby Council and Derbyshire County Council were consulted on the application. The site was in the Green Belt with limited public transport links.

The master plan showed six full-size grass football pitches, two half-size pitches of which one had an artificial surface, two three-quarter-size pitches and an indoor sports hall. The indoor hall was sunk into the site by approximately 3.5m. The overall building footprint would be 5,065m² replacing 870m² of existing farm buildings. There would be parking for 89 cars and five coaches. The overall built-up area of the proposal extended to three per cent of the site.

Under a Section 106 Undertaking, no paying spectators would be admitted to the academy, limited use of the facility would be available for local schools within the City of Derby and Erewash Borough, and the ability to make a planning application for installation of any type of floodlighting was withdrawn.

Erewash Borough Council had resolved to grant permission subject to the 106 Undertaking. City of Derby Council had concerns about the development but did not regard itself as an adversary to the applicants.

The inspector holding the inquiry considered the principal issue in the case to be whether the harm to the Green Belt, and any other harm, would be outweighed by very special circumstances. While the pitches and landscaping



were not necessarily inappropriate development, this was not the case for the buildings, access roads and car parking.

The Inspector noted that outdoor sport was considered to be an appropriate use for Green Belt and that this part of the development would not result in a loss of openness nor in itself conflict with Green Belt policy.

Content that the siting of the buildings had been carefully chosen to minimise impact on the Green Belt, the Inspector also noted that the facilities were limited to those necessary to meet the FA and FA Premier League's requirements for an academy. The buildings were also of a design chosen to reflect the characteristics of farm buildings. The careful thought given to the design and landscaping would limit the perceptible harm to the openness of the Green Belt, the Inspector considered. Although the remodelling of the site to accommodate pitches and landscaping would 'radically' alter its appearance, the Inspector did not consider this to conflict with Green Belt policy. 'Significant change does not necessarily equate to harm,' she found.

Of the purposes of including land in the Green Belt, the application was deemed to conflict with only the third purpose: safeguarding the countryside from encroachment. However, due to the unusual nature of the proposal and the fact that a large part of the site would remain open, it could not be argued that a grant of permission in this instance would provide justification for further development in the Green Belt. Nevertheless, the proposal was harmful by definition to the Green Belt

and other limited harm to the openness of the Green Belt would occur and this would conflict with the purpose of including land within it.

The need for the development was considered as part of the very special circumstances to outweigh the harm to the Green Belt and any other harm caused by the development.

Although there was no obligation on the football club to operate an academy, nearly every Premier League club had set one up since the Football Association published a *Charter of Quality* in 1997. An academy had become an expected element in the operation of any club at such a level.



At the time, the club's facilities were spread around Derby at various sites and this did not meet FA rules. There were obvious benefits from including all facilities on one site. The club enjoyed a popular following in the Derby region, and was in an important position at the forefront of the community. Progressing young talented footballers was a recognised policy of national sporting bodies. It also promoted and fostered sporting excellence, and local and national civic pride.

The FA had given the club a special extension in time to secure an academy. Without the development the club would probably lose its academy licence, making it less attractive to new talent. This would in time affect the senior professional team at Derby County and also the promotion of the national game. The image and profile of the City of Derby and the East Midlands could suffer and the need for the academy was therefore considered urgent. The Inspector accepted all of these points.

Although alternative sites (including non-Green Belt sites) had been considered by the applicant, none were considered to be both suitable and available. Some sites were allocated for employment use in the development plan while others had 'hope value' attached to them and the Inspector did not disagree with the applicant's case that it would be unreasonable to expect them to compete for sites against higher-value land users. Both Erewash Borough Council and the City of Derby Council accepted that it would not be reasonable for the academy to be sited on urban land required for housing, employment or public facilities.



In her conclusions, the Inspector balanced the acknowledged limited harm that the academy would cause to the Green Belt against the urgent need of the club to provide the new facility on one site. She thought that the club's proposals did not go beyond what was considered to be necessary. These factors amounted to very special circumstances, which outweighed the limited harm to the Green Belt, and the Inspector recommended that permission be granted, a view with which the Secretary of State concurred.

March 2003

Redevelopment of golf centre to provide a football training academy for Chelsea Football Club – Hazlewood Golf Centre, Sunbury-on-Thames – October 2002

Spelthorne Borough Council

Reference: APP/Z3635/A/01/1077892

Decision: Appeal dismissed

Chelsea Village PLC applied for planning permission to locate its football academy at Hazlewood Golf Centre on Green Belt land in Spelthorne District to the south west of London.

On refusal by the local planning authority (LPA), the appeal was recovered by direction of the Secretary of State as it related to significant development in the Green Belt.

Three reasons for refusal were given by the LPA and adopted by the Inspector as the main issues for consideration at the inquiry:

- 1 inappropriate development in the Green Belt
- 2 the unacceptable reduction in the range of recreational, social and community facilities as a result of losing the golf centre
- 3 the detrimental and intrusive impact on residential amenity and other nearby amenities in the vicinity of the site.

The proposal involved the redevelopment of an existing golf centre to provide a football training academy for Chelsea FC, including the following elements:

- 12 senior and small-sized grass pitches (one floodlit)
- an all-weather pitch
- ancillary training areas
- parking and landscaping
- seating for 150 spectators
- two staff flats
- gymnasium
- hydrotherapy pool
- gift shop.

Before the LPA formally considered the proposal, plans for 600 spectator seating were reduced to just 150. The application also omitted provision for the reserve team matches at the site. No indoor sports hall was included in the proposal following early discussions with the LPA.





The buildings in the proposal were referred to as the east wing and west wing. The west wing, it was conceded, would be 42 per cent inappropriate development although approximately half the wing's accommodation would be underground.

The east wing would be formed by conversion of existing buildings. The Inspector and the Secretary of State considered that the new use would have a materially greater impact than the golf centre and the farm, although the general design would be in keeping with the surroundings. A further conclusion reached by the Inspector and supported by the Secretary of State dismissed the suggestion that the buildings were capable of conversion without major or complete reconstruction for the intended academy. The Inspector found that the proposed substantial changes to the

footprint and profile of the existing building would result in a larger and more consolidated building mass that would materially affect the openness of the Green Belt.

Consequently, both wings were considered to be inappropriate development and thus harm would be caused in principle to the Green Belt. Additionally, the development would lead to urban encroachment and tend to merge settlements.

Of interest is the Inspector's view that the size of the changing rooms, as proposed, could not be described as 'small'. They exceeded the description of what would be appropriate according to PPG 2. Also considered inappropriate by the Inspector were the gym, hydrotherapy pool, classroom, offices and canteen.

The Inspector then went on to consider whether the harm to the Green Belt was outweighed by other matters cited as very special circumstances. The first of these was a lack of alternative sites. Errors in the amended proposals were found by the Inspector as the search process had not been re-run following the withdrawal of the indoor sports hall from the proposal and the reduction in spectator seating. The Inspector felt that the removal of these two elements from the scheme would have resulted in a change in site requirements, which would have increased site availability in the search area.

The Inspector also found that there was no conclusive evidence about Chelsea FC's intentions regarding an indoor sports hall and how the lack of one would meet the FA requirements.

There was no evidence that Chelsea would lose its right to participate in the Academy competition, or that the club's Premiership status would be affected if the appeal failed. If planning permission were to be refused, the search for a site would carry on and the club still had several years to run as a tenant at its present training ground.

A unilateral undertaking to give 500 hours' use per annum of the facilities to the community and local youths was not considered of significant value or magnitude to the community to make a material contribution towards very special circumstances. In fact, the Inspector noted that there did not appear to be a serious shortage of opportunities for football activity in the area, even though the local plan recorded a deficiency of pitches.



On the loss of golfing facilities the Inspector and the Secretary of State disagreed. The Inspector considered that there would be no loss of recreational value to the appeal site and thus no conflict with development plan policies, even though a shortfall of golf facilities was indicated in the local plan. Conversely, the Secretary of State gave more credence to the local plan policies and aims and found that the loss of golf facilities would be contrary to PPG 17 and therefore this reason for refusal was justified.

On amenity issues the Inspector and Secretary of State were in agreement. Noise disturbance would be caused to some local residents during matches and practice on certain pitches, particularly during the week. Disturbance would also be caused to visitors to an adjacent cemetery, who should be able to expect 'a good degree of tranquillity'. Any impact of new floodlighting on local residents would be mitigated by the substantial distance between the lights and the nearest houses.

The Inspector concluded that the appeal should be dismissed as the matters put forward by the appellants did not constitute very special circumstances sufficient to outweigh the harm to Green Belt and the presumption against inappropriate development. The damage to the amenity of local residents was also a significant factor. The Secretary of State concurred with his Inspector and the appeal was dismissed.

On the face of it, the Derby County and Chelsea decisions may appear to be inconsistent, particularly as the Derby County academy, which included a sports hall, was



allowed and the Chelsea academy, which did not include a sports hall, was dismissed. However, the reasoning of each Inspector appears to be sound.

The main differences between the Chelsea and Derby cases were the evidence presented on the urgency and importance of securing the academy facilities and the evidence to illustrate the availability of any other suitable sites.

Despite the academy concept stemming from the same *Charter of Quality* produced by the Football Association, Derby's academy was considered urgent; Chelsea's academy not so.

Much weight was attributed to Derby County's role in the community, to enhancing the image of the City of Derby and the East Midlands region. Local people associated themselves with the football club. The academy would only include the necessary facilities as required for an academy by the FA and no other sites were available. This background formed very special circumstances to outweigh the harm of the development.

Chelsea failed to convince the Inspector and Secretary of State that the academy was urgent and that it

contained only necessary facilities, and of any strong association with the site chosen. A single site for the academy was not an established requirement; the Sunderland AFC inquiry had accepted the principle of split academies and they are common with some London clubs. No very special circumstances could be claimed to outweigh the harm. The search for alternative sites was considered inadequate due to the late amendments to the facilities proposed, namely the withdrawal of an indoor sports hall from the master plan.

In any event, the Derby County and Chelsea decisions provide essential reading for any other football club's advisers who are soon to be grappling with the provision of a new academy in a Green Belt.



Erection of extension to clubhouse to provide ladies' changing facilities at Harpenden Golf Club, Harpenden – June 1999
Council of the City and District of St Albans
Reference: T/APP/B1930/A/99/1016180/P2
Decision: Appeal dismissed

In 1999 Harpenden Golf Club applied for planning permission to redevelop the present clubhouse to form a new ladies' changing room, stores and a meeting room. Following the refusal of planning permission, the Inspector held a local inquiry to consider the appeal.

The site fell within the Metropolitan Green Belt and the Inspector considered that the two main issues to address were the appropriateness of the proposal in Green Belt terms and the impact of the proposal on the surrounding countryside.

Although part of the proposal involved rebuilding on the present footprint of the clubhouse, substantial extensions (some 23 per cent) were also proposed, of which the ladies' changing room was the most significant part.

Other parts of the proposal included accommodation for a new pro-shop and trolley store.

The Inspector accepted that the use of the land for golf was a sport and recreation use that preserved the openness of the Green Belt and did not conflict with the purpose of including land within it.

In examining the reasons behind the need for the new facilities, the Inspector noted evidence showing that the current members' room and meeting room had been

increasingly used for dining purposes. Club events, charity days and guest days could see around 120 people being catered for at the clubhouse. The proposed redevelopment would create a permanent dining area with a new, separate meeting room.

The appellant argued that the provision of a meeting room and other staff facilities was essential and genuinely required to enable the club to survive and operate efficiently. This, the appellant argued, made the proposal comply with the development plan and PPG 2.

The Inspector disagreed, noting that meeting rooms and staff facilities were not examples of buildings that were appropriate in the Green Belt as set out in PPG 2. Further, no evidence was submitted to indicate that the survival of the club would be threatened if these rooms were not provided.

The main reason for the meeting room part of the application appeared to be the increasing use of the existing rooms for social events not directly related to the playing of golf. In these circumstances the Inspector considered the new meeting room part of the application not to be an essential facility or genuinely required for outdoor sport and recreation.

On the new ladies' changing room the Inspector accepted that PPG 2 recognised that small changing rooms could be essential facilities appropriate within the Green Belt. He was satisfied the club genuinely required to upgrade or provide new facilities. The facility would form a new western extension mainly because the existing wing was to be used for other purposes. However, the Inspector was not convinced that such an extension of the size



proposed was genuinely required at the location. Both elements would therefore be inappropriate development in the Green Belt.

A replacement trolley store, on the other hand, was considered an essential facility requirement. Also, the pro-shop, despite the retail element, on balance would be essential and a genuinely required facility for outdoor sport and recreation.

Unable to split the four elements of the proposal, the Inspector assessed the appeal as a whole to be inappropriate development in the Green Belt. It was therefore by definition harmful to the Green Belt.

The size of the extended clubhouse following redevelopment would lead to encroachment of built development in the countryside. It would be seen from a public footpath and any planting would take time to mature. The extra length and bulk of the clubhouse, being significantly larger and more intrusive than the present, would also reduce the openness of the Green Belt. Therefore, in addition to being inappropriate, the proposed development conflicted with the purpose of including land in the Green Belt.

The appellant's only arguments to support the proposal appeared to be that the ladies' changing room was needed and that the extension would not have a great impact on the visual amenity of the Green Belt. The Inspector considered that the ladies' changing room, its form and location, had been dictated by other, non-essential, elements within the clubhouse, effectively

pushing them from the envelope of the existing building. As such, the need argument was significantly devalued.

As to the argument that there was a lack of impact on the visual amenity of the Green Belt, the Inspector was clear that very special circumstances must have positive benefits. He therefore did not concur with the appellant's view on this point, in fact finding that the proposal would have an adverse effect on the character and appearance of this part of the surrounding countryside.

As a consequence of his findings, the Inspector dismissed the appeal.

Erection of golf clubhouse at Lydes Farm Golf Course, Dodington, Gloucestershire – August 2002
South Gloucestershire Council
Reference: APP/P0119/A/02/1083640
Decision: Appeal dismissed

The proposal was for a new clubhouse for Lydes Farm Golf Course, Dodington in the Bristol Green Belt. The appeal was against the non-determination of South Gloucestershire Council within the prescribed eight-week period. Prior to the determination by the Inspector, the LPA confirmed it would have refused planning permission.

The Inspector first considered the appropriateness of the proposal in the Green Belt, and whether any very special circumstances were sufficient to overcome any presumption against the development. Impact on the character and appearance of the surroundings formed a second issue.

A previous dismissed appeal at the site had established principles of what facilities and what size could be regarded as essential. The current proposal was, however, different in size and design.

Refreshment facilities were proposed with a kitchen and kitchen store. It was argued that players could be out on the course for five hours and such facilities were justified. The Inspector agreed that basic facilities for refreshments were essential in these circumstances for the playing of golf at this course.

The clubhouse would be the smallest of its kind in the area, with an internal floor area of 651m². When covered walkways were included, the area extended to 739m². Although the overall size of the proposal was smaller than that earlier dismissed on appeal, the Inspector concluded that the scheme presently before him contained more floorspace than would be essential.

Looking at previous applications for a clubhouse at the site, the Inspector noted that some toilets had doubled in size, and changing rooms were 12m² larger under this appeal. The building had been designed for 'peak' use with space for 75 persons in the bar/snack area, allowing for demand during competition days. The Inspector, like one of his predecessors, accepted that this was reasonable and would fall within essential limited social accommodation. However, the bar area would be within the tallest building of the proposal. The Inspector sided with the LPA that a 9m-high building would not be essential for this use.

Limited administration space was also considered essential in terms of Green Belt policy, but not to the

extent proposed by the appellants. Space for a receptionist and up to three golf assistants downstairs, with three to four managers upstairs, did not satisfy 'essential', particularly as the accountant and manager currently worked from home. Allowing 15m² of floor space to each member of staff, each manager with their own separate office, furthered the Inspector's view that it was not essential for so many staff to be accommodated on site. The administration facilities would not, he felt, be 'limited' and were therefore not essential.

A separate meeting room would be convenient but not essential. Storing outdoor furniture, buffet tables and Christmas decorations in the roof space was considered problematic and not essential.

The Inspector commented that 'larger areas may increase the attractiveness of the scheme and be more convenient for its users, but the test for appropriateness in the Green Belt is stricter'. The individual facilities proposed could be essential in principle, but they would be larger than needed, and therefore constituted inappropriate development in the Green Belt. The proposed building would be larger than would be necessary to contain essential levels of these facilities.

The arguments to justify provision of food and drink at the clubhouse, even when considered as supplementary revenue to green fees, did not amount to a very special circumstance to outweigh harm. The Inspector did acknowledge that the proposed design would be attractive. However, a smaller design could follow the

same design concepts. No very special circumstances were advanced that were sufficient to justify inappropriate development in the Green Belt.

Other concerns – such as the reservations of local residents about the colour of golf buggies on the course – were alluded to by the Inspector, who finally dismissed the appeal.



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Further reading

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London: TCPA; 2002

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Websites

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www.cpre.co.uk

Country Land and Business Association
www.cla.org.uk

Royal Town Planning Institute
www.rtpi.org.uk

Sport England
www.sportengland.org

Town and Country Planning Association
www.tcpa.org.uk

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- Issue 10: *Sport and Regeneration*
- Issue 11: *Commercial Sports Provision*
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