

Application Number: 22/0306/FULL

Date Received: 30.09.2022

Applicant: Bargoed Golf Club

Description and Location of Development: Erect fencing on the golf course
- Bargoed Golf Club Heolddu Uchaf Farm Access Bargoed CF81 9GF

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is within the Bargoed Golf Club.

Site description: The site is currently used as a golf club. The location in which the application is focussed is toward the eastern boundary of the golf course, where the 8th Green is located.

Development: The proposed development is for the erection of safety fencing to help control wayward golf balls from entering the residential properties adjacent to the 8th Green. The properties are along the street named Fairways. The fencing would extend 60 metres in a southerly direction, where it then turns almost 90 degrees and heads a further 30 metres in a westerly direction. The location of the fence runs parallel with the rear boundaries of the properties along Fairways.

Dimensions: There would be a total of 90 metres of fencing, at 6 metres in height.

Materials: The fence would be a metal structure with black netting.

Ancillary development, e.g. parking: None.

PLANNING HISTORY 2010 TO PRESENT None.

POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Site Allocation: The site is located outside of settlement limits.

Policies: SP1 (Development Strategy - Development in the Heads of the Valleys Regeneration Area (HOVRA)), SP5 (Settlement Boundaries), SP6 (Place Making), SP10 (Conservation of Natural Heritage), CW2 (Amenity), CW3 (Design Considerations: Highways), CW4 (Natural Heritage Protection), CW15 (General Locational Constraints), CW20 (Locational Constraints - Conversion, Extension and

Replacement of Buildings in the Countryside) and advice contained within the Local Planning Authority's adopted Supplementary Planning Guidance LDP5: Car Parking Standards, LDP 6: Building Better Places to Live and LDP 10: Buildings in the Countryside.

NATIONAL POLICY Future Wales: The National Plan 2040 (February 2021), (Planning Policy Wales Edition 11 (February 2021) and Technical Advice Note 12: Design (March 2016).

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No.

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The application site is located within an area of low risk, informative advice will be provided and any issues would be dealt with as part of the building regulations approval process.

CONSULTATION

None.

ADVERTISEMENT

Extent of advertisement: The application was advertised by means of neighbour letters.

Response: 1 letter of support was received, as well as 39 letters of objection and a petition against the development with a total of 27 signatories.

Summary of observations: The content of the letters of objection can be summarised into the following points:

1. The fences elsewhere on the course whistle and rattle in the wind, this fence would be detrimental to the nearby residents.
2. The fence will negatively impact the value of nearby houses.
3. The fence will give the impression of being caged in.
4. The fence is not high enough to stop golf balls entering the nearby residential gardens.
5. Application form states that residents have been consulted, however this was two years ago and not for this proposal.
6. The fence will spoil my view.
7. We would rather the hole be redesigned or closed down.
8. The users of the golf course use foul language.

9. There are unsafe trees on the boundary of the golf course.

The content of the letter of support can be summarised into the following:

1. The netting will increase safety, by stopping golf balls entering the gardens of Fairways.

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?

None.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Based on current evidence, the proposal is unlikely to have a significant impact on biodiversity. However, Policy 9 of Future Wales - The National Plan 2040 states that action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature based approaches to site planning and the design of the built environment. In that regard biodiversity enhancements will be sought as part of this development.

Is this development Community Infrastructure Levy liable? No.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The application seeks permission for the construction of a ball stop fence adjacent to the site boundary of Bargoed Golf Club. The main points to consider in the determination of this application are whether the proposal is acceptable from a design perspective, and whether the proposal would have an unacceptable impact on the amenity of neighbouring land and buildings.

Criterion B of Policy SP6 of the Local Development Plan (LDP) states that developments should have regard for the context of the built environment and should exhibit a high standard of design that reinforces attractive qualities of local distinctiveness. In terms of the design, the proposed fence is typical of a sporting facility such as a golf course, and as such does not look out of place in this setting. Moreover, given the nature of the fencing proposed with its open mesh style and slim profile supporting posts at regular intervals, it has a permeable appearance that will assimilate into the background from most views. Therefore, the proposed development would not result in a development out of character with the surrounding area, and as such complies with Policy SP6.

Policy CW2 of the Local Development Plan (LDP) considers amenity and in that regard development proposals should not have any unacceptable impacts on the amenity of adjacent properties or land, as well as being compatible with the surrounding land uses. The use of the land as a golf course pre-dates the existence of the development known as Fairways. With regard to the visual impact of the fencing and the supporting columns, it is accepted that these will change the outlook to the rear of the properties at Fairways. However it has to be accepted that this is an established sporting facility at the edge of the settlement of Bargoed, and as such structures such as this are not uncommon in this area. In addition to this and having regard for the design characteristics noted above, the fence is not considered to block light reaching the properties along Fairways, nor would it have an overbearing impact, and it would not result in a loss of privacy. The fence, at the closest point to a property along Fairways, is at least 8 metres from the rear boundary of the adjacent properties. As such, the potential impact from the fence is considered to be negligible.

Furthermore, the visual amenity of the area is considered to be maintained due to the slim profile supports and use of black netting, and the fact the fencing from within the site would be viewed with residential properties in the background. The fence viewed from outside the site would be limited to the rear of a section of properties along Fairways, and as such is not considered to result in a detrimental visual impact. As such, it is considered that the visual impact of the development is considered to comply with Policy CW2.

Policy CW20 of the Local Development Plan (LDP) seeks to ensure that development outside of the settlement boundaries is acceptable to the context of the site and the surroundings. CW20(A) notes, 'The proposed use, scale, form, siting, design and materials are suitable within its context.' In this instance, it is considered that the proposed fence is of a scale, use and design that is entirely appropriate for its setting and intended use. As such, the proposal complies with criterion A of Policy CW20.

In conclusion it is considered that there would be no undue detrimental impact on the amenity or privacy of neighbouring landowners, the proposals would not be overbearing or have an unacceptable impact on the visual outlook of those properties. Moreover, the benefits the fence provides in terms of preventing golf balls from entering the gardens of the adjacent dwellings would, in balance, overcome any minimal negative impacts of the proposal. It is therefore considered that the proposal does not conflict with the objectives of Policies SP6 (Place Making), CW2 (Amenity) and CW20 (Locational Constraints - Conversion, Extension and Replacement of Buildings in the Countryside) of Caerphilly County Borough Local Development Plan up to 2021 adopted November 2010 (LDP) and accordingly it is recommended that planning permission is granted subject to conditions.

Comments from Consultees: No objections.

Comments from public: The following responses are offered in relation to the concerns raised:

1. The fences elsewhere on the course whistle and rattle in the wind, this fence would be detrimental to the nearby residents - Whilst other fences may rattle, there is no evidence to suggest the proposed fence would also rattle, subject to adequate maintenance. Such maintenance would be a matter for the Golf Club.
2. The fence will negatively impact the value of nearby houses - This is not a material planning consideration.
3. The fence will give the impression of being caged in - As assessed in the above report, it is not considered that the fence would result in an overbearing impact.
4. The fence is not high enough to stop golf balls entering the nearby residential gardens - The Local Planning Authority assesses the applications put before it, it is the responsibility of the applicant to ensure the development is fit for their purpose.
5. Application form states that residents have been consulted, however this was two years ago and not for this proposal - Whilst this may be the case, the substance of the application has been assessed above and any impact on nearby residents has been taken into account.
6. The fence will spoil my view - This is not a material planning consideration.
7. We would rather the hole be redesigned or closed down - The Local Planning Authority assesses the applications put before it and will determine applications on that basis.
8. The users of the golf course use foul language - The Local Planning Authority cannot control the behaviour of the users of the golf course.
9. There are unsafe trees on the boundary of the golf course - Any trees on site are the responsibility of the site owner and any issues relating to this matter should be addressed with them.

Other material considerations: The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

Future Wales - The National Plan 2040 was published on 24 February 2021 and forms part of the statutory development plan for the county borough. In addition to this Planning Policy Wales (PPW) has been amended to take account of Future Wales and PPW Edition 11 has also been published on 24th February 2021. In reaching the conclusion below full account has been taken of both Future Wales and PPW Edition 11

and where they are particularly pertinent to the consideration of the proposals they have been considered as part of the officer's report. It is considered that the recommendation(s) in respect of the proposals is (are) in conformity with both Future Wales and PPW Edition 11.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development shall be carried out in accordance with the following approved plans and documents:
Dwg no. Amended Site Location Plan received on 30.09.2022;
Dwg no. Amended Site Area Plan received on 30.09.2022; and
Dwg no. Proposed Fence received on 13.05.2022.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Notwithstanding the submitted plans, full details of the proposed fence shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The development shall be carried out in accordance with the agreed details.
REASON: For the avoidance of doubt as to the extent of the permission hereby granted.

Advisory Note(s)

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority.