



Report to West Area Planning Committee

Application Number:	24/05056/FUL
Proposal:	Erection of 2 x 10m high net fences (45m long and 15m long).
Site Location:	Whiteleaf Golf Club Golf Club Lane Whiteleaf HP27 0LY
Applicant:	Whiteleaf Golf Club
Case Officer:	Ian Zabala-Beck
Ward(s) affected:	The Risboroughs
Parish-Town Council:	Princes Risborough Town Council
Date valid application received:	12th February 2024
Statutory determination date:	8th April 2024
Recommendation	Application Permitted

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 This application seeks permission for the Erection of 2 x 10m high net fences (45m long and 15m long).
- 1.2 This proposal represents appropriate development and will have no adverse effect upon the open character or function of the local landscape.
- 1.3 This proposal will have no adverse effect upon scenic beauty of the Chilterns AONB (The Chilterns National Landscaped) or the visual character of the surrounding area.
- 1.4 Cllr's Gary Hall, Matthew Walsh and Alan Turner has called in this application for consideration by committee.
- 1.5 This proposal complies with the policies of the Development Plan and is therefore recommended for approval.

2.0 Description of Proposed Development

- 2.1 Whiteleaf Golf Course is an existing private golf course, situated in the Whiteleaf area, between Golf Club Drive, Upper Icknield Way and Cadsden Road.
- 2.2 The existing course is situated in the Green Belt and the Chilterns National Landscape (formally the Chilterns Area of Outstanding Natural Beauty).

- 2.3 The application relates to 2 x 10m high self-standing nets (45m wide and 15m high) located near to a western boundary adjacent to dwellings, namely The Spinney and Strawberry Field.
- 2.4 The application has been subject to delays due to several consultations with the Arboricultural Officer and Ecology Officer. Separate works to trees that have existing nets (due to be replaced by those proposed here were being carried out in accordance with a TPO application that has now been determined. Therefore, no objections are now raised with these officers.
- 2.5 The application is accompanied by:
- a) Preliminary Roost Assessments
 - b) Planning Design and Access Statement
 - c) Bat Emergence Survey Report
 - d) Ecology and Tree Checklist
 - e) Support statement
- 2.6 In consultation with the Ecology Officer amended plans were submitted to alter the positions of the nets and to raise them slightly off the ground to allow small mammals to pass under it. An extension of time was agreed.

3.0 Relevant Planning History

3.1 Relevant planning history for the site:

Reference	Development	Decision	Decision Date
02/06082/FUL	Demolition of existing substandard greenkeepers machinery store and construction of new replacement building & raising height of existing blockwork bays & erecting a roof over to form open-fronted tractor bay & store	PER	26 June 2002
08/09040/CONSA	RECONSTRUCTION OF LOW VOLTAGE OVERHEAD LINES	NOBJ	1 August 1988
08/05952/FUL	Reduction of replacement security netting from a height of 9.14m maximum to 7.8m alongside 1st Fairway and practice ground area (with one pole being 8.4m by practice area).	REF	14 August 2008
09/06483/FUL	Removal of existing temporary fence and replacement with new 10 metre high fence supported by 6 posts. Frontage overlooking	REF	6 November 2009

	practice/7th Fairway 35metres and return frontage alongside 1st Fairway 20 metres length.		
10/06178/FUL	Removal of existing temporary fence and replacement with new 10 metre high fence supported by 4 black painted metal posts. Frontage overlooking practice area /7th Fairway 30metres and return frontage alongside 1st Fairway 12.5 metres.	PER	21 July 2010
11/06315/ADV	Display of non-illuminated directional signage	PER	15 August 2011
11/06727/MINAMD	Proposed non-material amendment to permission for removal of existing temporary fence and replacement with new 10 metre high fence supported by 4 black painted metal posts. Frontage overlooking practice area /7th Fairway 30metres and return frontage alongside 1st Fairway 12.5 metres granted under pp 10/06178/FUL.	PER	17 August 2011
20/05664/FUL	Replacement of existing damaged protective netting & posts adjacent to Cadsden Road	PER	24 June 2020
24/05040/TPO	Remove as dead x 1 Ash (T1), crown lift by removing three large lower limbs as overhanging golf course x 1 Ash (T2), crown lift as overhanging golf course by removing two lower large lower limbs x 2 Lime (T3 & T4) and crown lift up to 12 metres as overhanging golf course to allowing a 10.0 metre ground clearance x 1 Pine (T5)	SPTPCZ	30 April 2024

4.0 Policy Considerations and Evaluation

Principle and Location of Development

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development), CP3 (Settlement Strategy), CP4 (Delivering Homes), DM33 (Managing Carbon Emissions, Transport and Energy Generation), DM42 (Managing Development in the Green Belt).

DSA: DM1 (Presumption in favour of sustainable development), DM6 (Mixed-use development)

- 4.1 The application site is within the Green Belt. In accordance with the NPPF and Policy DM42 of the Wycombe District Local Plan, development in the Green Belt is inappropriate. However, Paragraph 154 of the NPPF states that exceptions to this includes “the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purpose of including land within it.”
- 4.2 The proposed net will replace an old, dilapidated net, of a similar height and length affixed to trees.
- 4.3 The proposed new nets and posts are required to safeguard Strawberry Field and The Spinney, residential sites fronting onto the Upper Icknield Way from wayward golf balls from the 4th tee. Golf fulfils the requirement for this to be in association with an outdoor sport. There is need for protection and therefore some form of barrier is required. Netting is the least invasive form of barrier, and the location, height and length of the netting is considered to be the minimal required to perform the task. This proposal It is therefore considered to be appropriate development in the Green Belt, and is acceptable, in principle.

Transport matters and parking

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

DSA: DM2 (Transport requirements of development sites)

- 4.4 This proposal will increase the safety of nearby residents and will have no adverse effect upon highway safety.

Raising the quality of place making and design

Wycombe District Local Plan (August 2019): CP9 (Sense of place), DM30 (The Chilterns Area of Outstanding Natural Beauty), DM34 (Delivering Green Infrastructure and Biodiversity in Development), DM35 (Placemaking and Design Quality)

DSA: DM11 (Green networks and infrastructure), DM16 (Open space in new development)

- 4.5 The application site is situated within the Chilterns National Landscape (formally AONB), where new development is expected to be of the highest quality and design. The proposed replacement netting is of a similar design to the existing. However, it is now proposed to use black and dark grey freestanding netting, set away from the trees, in place of the former tree fixed netting.
- 4.6 The proposed change to the materials used will have no adverse effect upon the scenic beauty of the surrounding National Landscape (AONB). The proposed fence line will be positioned between 3.7m and 10 metres from the edge of the boundary line with Strawberry fields and will be partially screened by existing vegetation/trees. It is

considered that the replacement fence will not represent a prominent feature in the locality.

- 4.7 The netting will replace existing nets. The impact in views will be similar to that which currently exists. Any perceived harm due to the posts has to be weighed against the current harm to the trees to which the nets are currently attached and the harm to wildlife that use those trees.
- 4.8 No trees or vegetation will be removed by this proposal and therefore the only impact on biodiversity or green infrastructure will be the positive impact due to the removal of the existing netting.

Amenity of existing and future residents

Wycombe District Local Plan (August 2019): DM35 (Placemaking and Design Quality), DM40 (Internal space standards)
Housing intensification SPD

- 4.9 This proposal will have no adverse effect upon the amenities of adjacent residents.

Flooding and drainage

Wycombe District Local Plan (August 2019): DM39 (Managing Flood Risk and Sustainable Drainage Systems)

- 4.10 The application site is not situated in a flood risk zone 2 or 3 and will not increase the risk of flooding in the locality.

Ecology

Wycombe District Local Plan (August 2019): DM34 (Delivering Green Infrastructure and Biodiversity in Development)

DSA: DM13 (Conservation and enhancement of sites, habitats and species of biodiversity and geodiversity importance), DM14 (Biodiversity in development)

- 4.11 This application has been subject to consultation with the Council's Ecology officer. Additional information was requested and provided, the information related to bats and emergence surveys. The ecology officer concluded that they had no objections subject to a condition to secure the recommendations within the Bat Emergence Survey report.
- 4.12 This proposal will have no adverse effect upon the ecology of the application site or the locality.

5.0 Weighing and balancing of issues / Overall Assessment

- 5.1 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 5.2 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:
- a. Provision of the development plan insofar as they are material,

- b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
 - c. Any other material considerations
- 5.3 As set out above it is considered that the proposed development would accord with the development plan policies.

6.0 Working with the applicant / agent

- 6.1 In accordance with paragraph 39 of the NPPF the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.
- 6.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applicant/agents of any issues that may arise in the processing of their application.
- 6.3 In this instance
- the applicant/agent was updated of any issues after the initial site assessment,
 - the applicant/ agent responded by submitting amended plans and additional surveys, which were found to be acceptable, and permission was granted.
 - The applicant was provided the opportunity to submit amendments to the scheme/address issues.
 - The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

7.0 Recommendation

7.1 Application Permitted subject to the following conditions and informative

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).
- 2 The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers P1, P4, P5, P6 Rev 1, P7 Rev 2; unless the Local Planning Authority otherwise first agrees in writing.
Reason: In the interest of proper planning and to ensure a satisfactory development of the site.
- 3 Within two months of the new netting having been erected any existing netting on the adjacent trees shall be taken down and removed from the site.
Reason: To ensure a satisfactory form of development, in the interests of visual amenity and biodiversity.
- 4 The materials to be used for the external surfaces, shall be of the same colour, type and texture as those indicated on the submitted application form and approved plans, unless the Local Planning Authority otherwise first agrees in writing.
Reason: To secure a satisfactory external appearance.

- 5 The development shall be implemented in accordance with the agreed mitigation, compensation and enhancement set out within the Bat Survey Report. The condition will be considered discharged following; the submission to and approval of a written statement from the ecologist acting for the developer testifying to the recommendations having been implemented correctly this must be submitted within two months of the development having taken place.
Reason: To ensure that protected species are favourably maintained and opportunities for ecological enhancements are taken.

Informative

In accordance with paragraph 39 of the NPPF2 Buckinghamshire Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments. Buckinghamshire Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.

In this instance

- the applicant/agent was updated of any issues after the initial site assessment,
- the applicant/ agent responded by submitting amended plans and additional surveys, which were found to be acceptable, and permission was granted.
- The applicant was provided the opportunity to submit amendments to the scheme/address issues.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Cllr Gary Hall – If officers are minded to approve please bring before the planning committee for determination.

Cllr Matthew Walsh - The proposed installation of a 10m high fence in the proposed location would be completely inappropriate for the setting. It would be visible in many locations and detrimental to the adjoining properties.

The installation of this fence is not necessary with the existing trees and associated netting.

If officers are minded to support this application I would request that it is called into committee for determination.

Cllr Alan Turner - I object to this application for several reasons.

Firstly, the erection of a 10m high net fence in the proposed location would be inappropriate development in the green belt and an unacceptable eyesore, as it would be clearly visible from numerous surrounding viewpoints.

Neither would it serve any practical purpose as the existing trees in this location are approx. 18m in height and already lined with (unobtrusive) green netting of 10m in height.

Should officers seek approval for this application I request that it be called in to committee for Determination.

Parish/Town Council Comments

Princes Risborough Town Council: no comments received.

Consultation Responses

Ecology Officer: 20/02/2024

Holding Objection – Further Information Required:

- Ground-Level Tree Assessment for bats;
- Further details regarding the net fencing proposed, such as composition, brand etc.; and
- Amendments to the proposed fencing to include an appropriate gap between the base of the fence and the ground to allow the safe passage of mammals.

These are required prior to determination of the application.

Ecology Officer: 20/06/2024

Holding Objection – Further Information Required:

- Final version of the PRA
- Further Bat Surveys and Report

These are required prior to determination of the application.

Ecology Officer: 10/10/2024

No objection subject to condition to secure the recommendations within the Bat emergence survey report.

Arboricultural Officer:

03/04/24 - Cannot support in its current form.

The trees subject to the application are protected by a TPO. The planned work if approved would override the decision which is to be made on works to these trees in a separate TPO application. The wounds involved to allow the build, could be entry points for pathogens leading to decay.

02/12/24 - update with Arbs - no objection now that TPO works has been actioned. Proposed nets do not touch trees as self-standing.

Representations

2 x comments have been received objecting to the proposal:

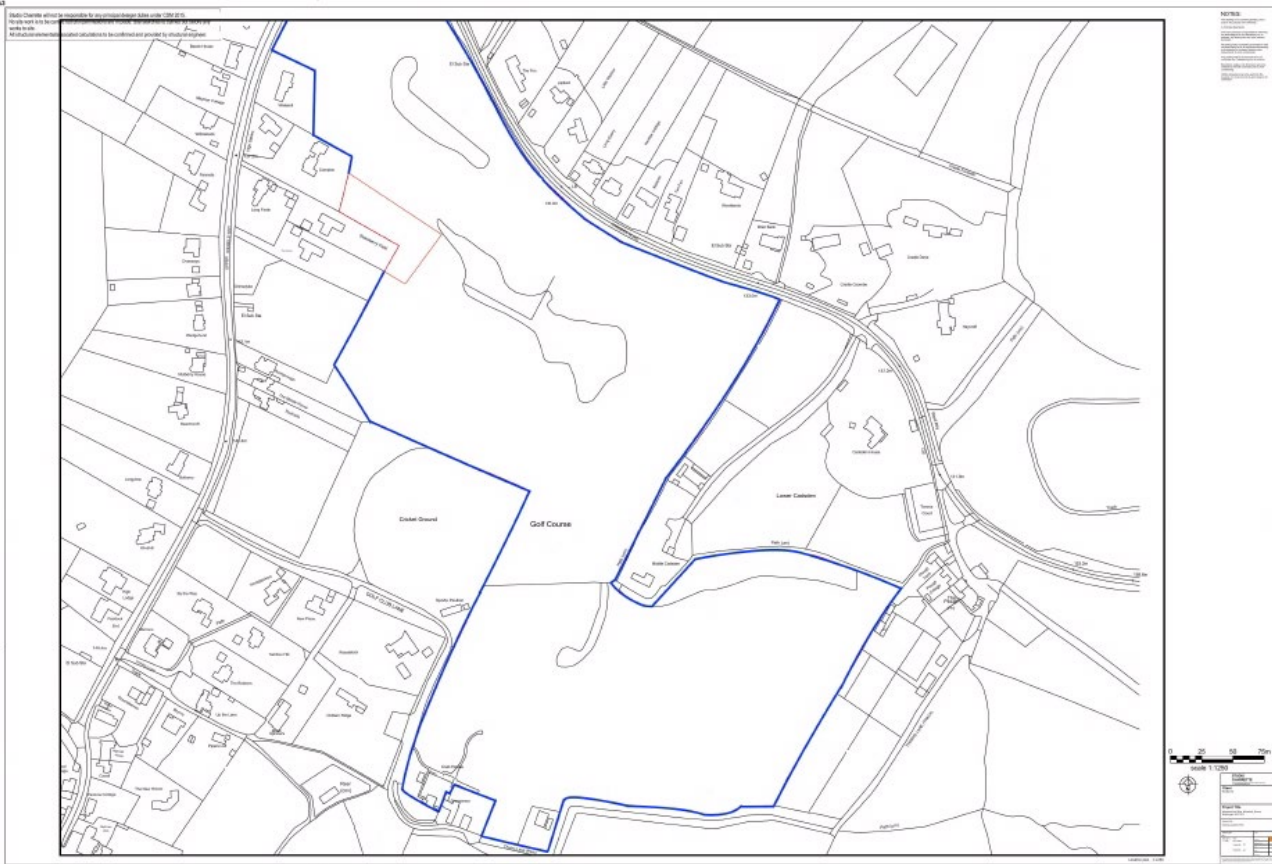
Summarise comments

- Blot on National Landscape.
- Clearly visible from Cadsden Road and neighbouring dwellings.
- Direct vision from rear of our property.
- Direct contravention of the conditions applied to the original planning permission and TPO for the site.

10) The subsequent, amended application 18/08264/FUL* was also approved (letter dated 20 March 2020 from Penelope Tollitt) with several distinct conditions (11 to 15) attached (and a tree preservation order (TPO 56/2019 dated 12 November 2019) was applied which provided " to ensure that the proposed development does not adversely affect the privacy and visual amenities at present enjoyed by the occupiers of neighbouring properties, and to ensure a satisfactory environment within the development."

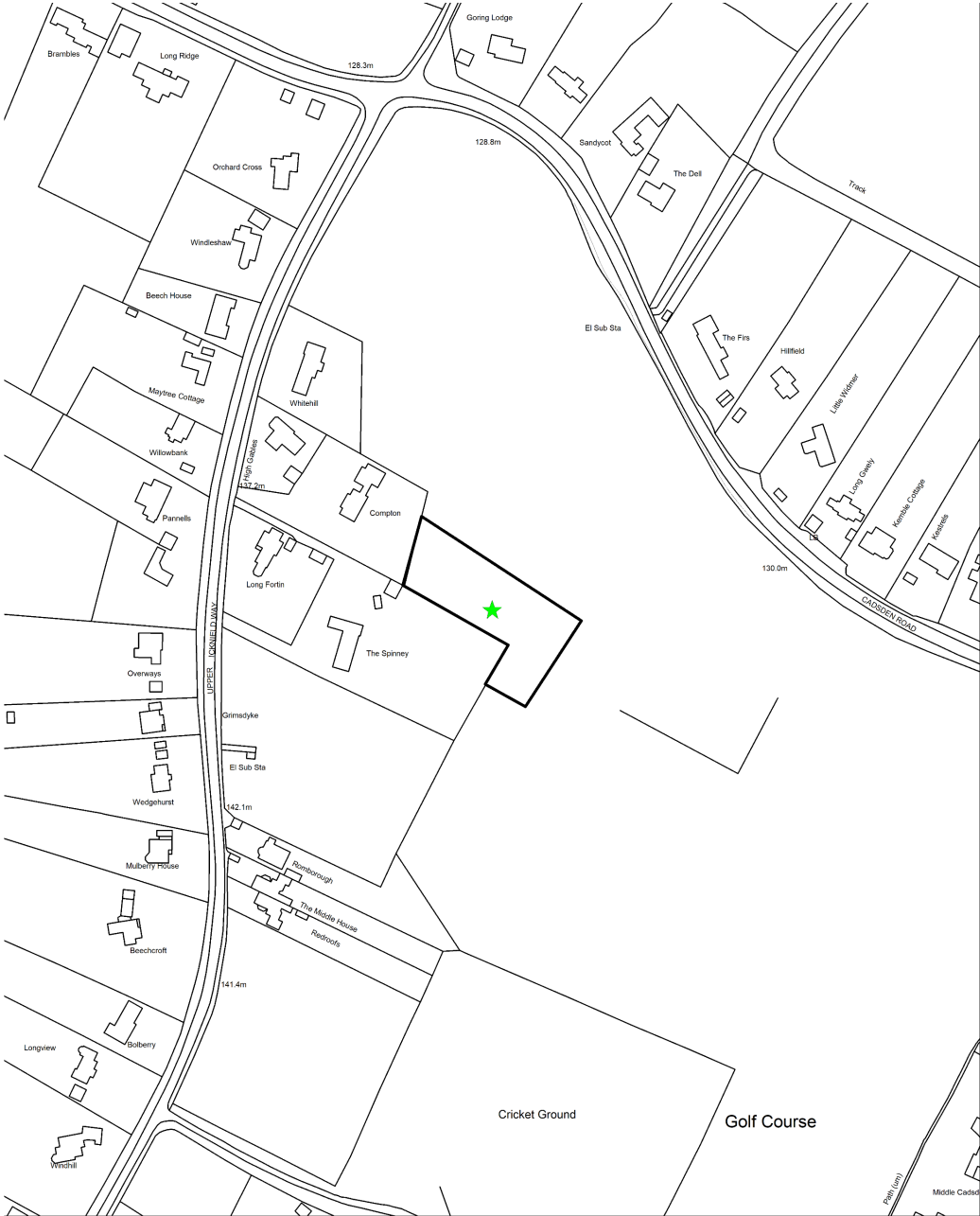
*18/08264/FUL – The Spinney - Demolition of existing two dwellings and garages and erection of 1 x 5 bed and 1 x 4 bed detached dwellings with detached double garages (alternative scheme to pp 17/05769/FUL)

APPENDIX B(i): Site Location Plan



APPENDIX B(ii): Site Location Plan

24/05056/FUL
Scale 1/2500



Planning Committee
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