

## Report of the Head of Planning & Enforcement Services

**Address** UXBRIDGE GOLF COURSE THE DRIVE ICKENHAM

**Development:** Remodelling works to Golf Course, consisting of re-contouring of existing land form using imported inert soils, together with extensive landscaping and associated drainage. (Appendices to the Construction Management Plan and the addendum to the Ecological Impact Assessment, Biodiversity Mitigation, Management and Monitoring Plan and the Water Management Plan.)

**LBH Ref Nos:** 4601/APP/2010/1103

**Drawing Nos:** 500.01 Rev B Existing Site Survey  
500.02a Rev D Proposed Grading Plan - North  
500.02b Rev D Proposed Grading Plan - South  
500.03 Rev B Landscape Plan  
500.04a Rev C Cross Sections - North  
500.04b Rev E Cross Sections - South  
500.14 Rev A - Tree Impact  
500.07 Rev - B Drainage  
500.11 Rev B - Elevation Change Plan  
500.10 Rev B - Boundary Plan  
Project Description (Version 3)  
Design and Access Statement (Version 3)  
Impact Statement (Version 3)  
Flood Risk Assessment (Version 3)  
Ecological Impact Assessment (April 2010)  
Arboricultural Impact Assessment (March 2010)  
Potential Impact on Mature Oak Trees Statement (Version 2)  
Biodiversity Mitigation, Management and Monitoring Plan (April 2010)  
Water Management Plan (April 2010)  
500.05 Rev.A - Tree Survey  
500.09 - Viewpoints  
Addendum to the Ecological Impact Assessment, Biodiversity Mitigation, Management and Monitoring Plan and the Water Management Plan dated 10/6/2010.  
Supporting Statement  
Construction Environmental Management Plan (Issue 5 - July 2010)  
500.08 Rev D - Contractors' works Plan

<b>Date Plans Received:</b>	26/04/2010	<b>Date(s) of Amendment(s):</b>	21/05/0010
<b>Date Application Valid:</b>	21/05/2010		11/06/0010
			21/07/2010
			22/07/2010

### 1. SUMMARY

Planning permission is sought for the remodelling and overhaul of the southern component of the existing golf course and a small section of the northern component of the course through the importation of recycled soil and other recycled inert materials, land-forming, installation of new drainage, planting and subsequent management (with the inclusion of holes outside of the planning application boundary) as an 18 hole golf course.

The key elements of the proposal involves the importation of 134,942m<sup>3</sup> of inert construction material and soil for landscaping and re-contouring purposes, using the existing access off the A40 slip road, for deliveries of the material. It is proposed to remodel the course on a phased basis, extending over an estimated maximum 44 week period. The proposal involves no new buildings but is essentially the creation of a new landscape. This will involve the removal of selected trees and much of the grassland, the importation of inert soil, the creation of new land-form, installation of new drainage, new planting, habitat creation and subsequent management as an 18 hole golf course. The landscape objectives include the retention of individual specimen trees (notably the Oaks), semi-natural woodland, ditches, valley bottom wetland features and footpaths.

The imported material is defined as waste material for planning and environmental purposes and the application has therefore been referred to the Mayor.

43 individual letters of objection and 3 petitions have been received, objecting to the planning application. In addition, objections have been received from Ickenham Residents' Association and The Association of Residents' of The Drive. The principle areas of concern relate to the volume of in-fill, impact on local residents from a potential 150 HGV movements per day on local roads over a period of up to 44 weeks, impact on the Green Belt and landscape character, impact on local ecology and Nature Reserves, disruption to the golf course, concern over the removal of so many mature trees and disruption to the public rights of way.

In addition one letter and a petition supporting the principle of the proposals to improve and restore Uxbridge Golf Course have been received.

The general principle of the development is considered acceptable, as the proposal is for the remodelling and improvements to the existing Golf Course, an appropriate Green Belt use. It is considered that the proposal complies in general with the key theme contained within PPG2, Saved UDP and London Plan Green Belt Policies, by keeping the land permanently open.

In terms of the impact on the Green Belt, the proposed changes to the landform will not result in any new high points, or ridges which would break the skyline, as all newly raised levels will be accommodated generally within the existing range of contours. While significant areas of trees will be removed to accommodate the new landform, the specimen trees and areas of woodland with the greatest visual landscape and ecological value will be retained. Generally, it is considered that the visual impacts of the proposal are unlikely to be of significant detriment to the character of this part of the Green belt and Colne Valley Regional Park.

The application has demonstrated that the proposed development could be completed without detriment to the recognised ecological value of this area, including the adjacent Nature Conservation Sites of Metropolitan or Borough Grade I and II Importance, within which there are designated Nature Reserves and a Site of Special Scientific Interest (Frays Farm Meadows). The application has also overcome concerns raised to the previous application with respect to the impact of the development on the hydrology and water quality in these nature conservation sites and the potential impact on populations of water voles and badgers.

All construction traffic will access and exit the site via the existing A40 slip road, the access used for the recent gas pipeline works, the use of which has been approved in principle by Transport for London. The previous northern access off Skip Lane (via Harvil Road) will not now be required. It is therefore considered unlikely that the proposals

would lead to conditions detrimental to road safety or to traffic congestion on the local road network.

## **2. RECOMMENDATION**

**1. The Council enter into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and all appropriate legislation to secure:**

**(i) Improvements to the public footpath**

**(a) Photographs of the path to be taken before and after construction to record any damage to the route.**

**(b) No blockages, diversion, closure on the path during construction, if needed by Legal Order**

**(c) After completion (or during) any damage to the path be made good**

**(d) Any future enhancements bordering the footpath must be managed to avoid area becoming overgrown and without management.**

**(e) Measures to ensure a safe crossing of the existing public footpath which runs across the site Path to be made as safe as possible during construction, fence etc.**

**(f) Re-surfacing of the route with hogging or a type 2 surface and drainage improvements leading to the Grand Union Canal as part of improvements**

**(ii) A land restoration bond (The exact sum to be confirmed at the meeting)**

**(iii) Implementation of an Environmental Construction Management Plan to include:**

**(a) Details of the soil quality of the imported material (Soil Import Values)**

**(b) Quality protocol as follows;**

**Pre-Authorisation**

**The Characterisation of the material will be carried out prior to the delivery to site to include but not be limited to the following;**

**\* Source and origin of the import material with associated evidence such as Site Investigation reports, Soil Analysis/Testing Certificates, previous site history etc. will be obtained and verified that it is suitable for use**

**\* The process producing the imported material e.g. bulk excavation and location of soils relevant to existing reports.**

**\* The Composition of the import material**

**\* Volume and dates the material is expected from the Producer/Donor site.**

**\* Visit(s) to the Producer/Donor site to inspect material as required to assess the appearance of the import material (including its smell, colour, consistency and physical form).**

**\* Confirmation of the Waste Carrier and the Waste Carrier licence details**

**\* Verification that source material meets agreed Soil Import Values**

**\* Details on the agreed delivery routes, delivery times.**

**Post-Delivery**

**\* All loads to arrive sheeted.**

**\* Each load to produce a fully completed and signed waste carriers note with pre-authorisation reference clearly marked.**

**\* Individual check of each load of import material to confirm its Characteristics (including its smell, colour, consistency and physical form) will be carried out at;**

**1. Point of entry;**

**2. On discharging of load**

**3. During the spread and levelling process.**

- \* Carry out representative chemical soil test at the rate of 1 per 500m<sup>3</sup>
- \* Visit(s) to the producer site as necessary, during the delivery period
- \* A daily log will to be kept of each source of material received (by pre-authorisation reference) and cumulative volume received.
- \* The location of where each material has been placed will be logged using a handheld GPS device. The above details will be held on site and on a database for monthly reporting and archiving purposes.
- \* A final Verification Report will be produced which will be available to the Environment Agency and the Council

(c) Details of independent monitoring during the period of importation of material to ensure quantity/type is requisite to that as approved.

(d) A monthly summary submission of soil source and import information will be made to the Council during the monitoring period.

(e) Testing certificates and source site investigations to be submitted as soon as possible to the Council

(f) The monthly submission shall include the source site details including ground investigations and excavated soil testing, all laboratory testing certificates for soil imports, site inspection comments by the environmental consultant or other suitably experienced person, details of any soils removed, and the locations of soil deposition on site that month. The dates of all testing and inspections shall be clearly recorded.

(g) The final soil verification report referred to in the CEMP shall be submitted to the LPA at the end of the work.

(h) Monitoring and management of import volumes which shall include as built surveys (based on Ordnance Survey datum) to be carried out monthly. The monthly as built surveys will be compared with the agreed Planning levels to enable any discrepancies to be highlighted and corrected. This will be made available to the LBH on a monthly basis

(i) Site Operations, including adherence to considerate constructors' scheme, health and safety legislation and approved working hours

(j) Storage of plant and materials, including a detailed Method Statement clearly identifying correct stripping, soil handling, storage, placement and programming requirements to avoid over compaction and moving the material in unsuitable weather conditions

(k) Traffic Management

(l) Access and routes

(m) Lorry movements

(n) Environmental control measures to control noise, dust, smoke and particulates

(iv) Provision for London Wildlife Trust, their graziers and Natural England to enjoy continued access to the SSSI via the application site, and in the case of the Trust and graziers or contractors carrying out work on their behalf .

2. That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in the preparation of the Section 106 Agreement and any abortive work as a result of the agreement not being completed.

3. If the above Section 106 Agreement has not been finalised within 6 months, then the application is to be referred back to the Planning Committee for determination at the discretion of the Director of Planning & Community Services.

4. That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.

5. That Committee resolve that an Order be made under S257 of the Town and Country Planning Act (as amended) authorising that part of the registered footpath be temporarily stopped up between points 5 metres on either side of the proposed temporary haul road.

6. That subject to the above, the application be deferred for determination by the Director of Planning, Environment and Community Services under delegated powers, subject to the completion of legal agreements under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.

7. That if the application is approved, the following conditions be attached:-

**1 T8 Time Limit - full planning application 3 years**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**REASON**

To comply with Section 91 of the Town and Country Planning Act 1990.

**2 OM1 Development in accordance with Approved Plans**

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

**REASON**

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**3 OM2 Levels**

The development shall be carried out strictly in accordance with the proposed ground levels shown on drawing nos. 500.02a Rev. D, 500.02b Rev. D, 500.04a Rev. C, 500.04b Rev. E.

**REASON**

In order to comply with the terms of the application and to ensure that the development does not injure the open character and visual amenity of the Green Belt, in accordance with Policy OL1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**4 TL1 Existing Trees - Survey**

Prior to any work commencing on site, an accurate survey plan at a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The plan must show:-

- (i) Species, position, height, condition, vigour, age-class, branch spread and stem diameter of all existing trees, shrubs and hedges on and immediately adjoining the site.
- (ii) A clear indication of trees, hedges and shrubs to be retained and removed.
- (iii) Existing and proposed site levels.
- (iv) Routes of any existing or proposed underground works and overhead lines including

their manner of construction.

(v) Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees and other vegetation to be retained during construction work.

#### REASON

To enable the Local Planning Authority to assess the amenity value of existing trees, hedges and shrubs and the impact of the proposed development on them and to ensure that the development conforms with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **5 TL2 Trees to be retained**

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

#### REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

#### **6 TL3 Protection of trees during site clearance and development**

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and.

5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

#### REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **7 TL5 Landscaping Scheme - (full apps where details are reserved)**

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- (a) details of planting
- (b) Details of topsoil storage/stockpiling and handling
- (c) Details of the spreading of an even layer of sub soil and top soil over the fill material, specifying the depth and method of placement
- (d) the ripping of any layers of final cover to ensure adequate drainage and aeration
- (e) finished levels
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **8 TL6 Landscaping Scheme - implementation**

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development .

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**9 TL7 Maintenance of Landscaped Areas**

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

REASON

To ensure that the approved landscaping is properly maintained in accordance with policy BE38 of the Hillingdon Unitary Development Plan (September 2007).

**10 NONSC Non Standard Condition**

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) K0148 Rep 3 Rev 0 and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the 1 in 100 year plus climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

REASON

To prevent the increased risk of flooding to third parties, to the site itself, to improve water quality and to enhance biodiversity, in compliance with Policies OE7 and OE8 of the Hillingdon Unitary development Plan Saved Policies (September 2007) and Policy 4A.17 of the London Plan (February 2008).

**11 NONSC Non Standard Condition**

The materials to be deposited as landfill shall be limited to inert waste as defined in the Landfill (England and Wales) Regulations 2002 and Soil Import Values to be agreed by the Local Planning Authority. The inspection of the imported soils will be carried out in accordance with the Quality Protocol detailed CEMP, the agreed Soil Import Values Report and relevant Statutory Legislation.

REASON

In accordance with the policies of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**12 NONSC Non Standard Condition**

A construction programme in accordance with the approved method statement.

The method statement shall specify the following:

- a) details of the order of construction works and associated work including the sequence and phasing of the earthworks. The details should include a prior estimate of the amount of imported infill material. The amount of infill material shall not exceed the prior estimate without the prior approval of the Local Planning Authority
- b) providing information to all operators of the preferred route
- c) the restoration of hard standings and internal haul roads, other than that approved by this permission
- d) the removal of temporary plant, buildings, structures and machinery



- e) drainage of the land
- f) the final levels
- g) measures to protect and enhance the existing nature conservation interest of the site
- h) the provision of fencing to protect retained trees and hedgerow
- i) the layout of storage areas and temporary site buildings/works compounds
- j) monthly as built surveys will be compared with the agreed Planning levels to enable any discrepancies to be highlighted and corrected. This will be made available to the LBH on a monthly basis.

**13 NONSC Non Standard Condition**

A buffer zone shall be maintained between the proposed land fill and retained woodland and adjacent Nature Reserve.

**REASON**

In order to protect the ecological value of the adjoining sites in compliance with Policies EC1 and EC3 of the Unitary Development Plan Saved Policies (September 2007), London Plan Policy 3D.14 and PPS9 (Biodiversity and Geological Conservation).

**14 NONSC Non Standard Condition**

Any temporary stockpiles of imported landfill materials shall not exceed 5 metres in height and top soil shall not exceed 3 metres in height.

**REASON**

In order to ensure the proposal does not impact on the visual amenities of the surrounding area in compliance with policies BE13, OL1 and OL2 of the Unitary Development Plan Saved Policies (September 2007).

**15 NONSC Non Standard Condition**

The temporary haul road and temporary top soil storage shall be removed at the end of the construction period and the land restored in accordance with the approved landscaping scheme.

**REASON**

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**16 NONSC Non Standard Condition**

Prior to commencement of the development hereby approved, a comprehensive baseline water quality survey, to establish current conditions and fully inform the subsequent water quality monitoring regime and feedback mechanisms shall be submitted to and be approved by the Local Planning Authority.

**REASON**

To ensure that possible impacts on the adjoining SSSI can be responded to effectively, to improve water quality and to enhance biodiversity, in compliance with Policies EC1, EC5, OE7 and OE8 of the Hillingdon Unitary development Plan Saved Policies (September 2007) and Policy 4A.17 of the London Plan (February 2008).

**17 NONSC Non Standard Condition**

The exact location and design of water control features shall be submitted to and approved by the Local Planning Authority prior to commencement of the development hereby approved. The scheme shall be carried out in accordance with the approved

details, the Water Management Plan (March 2010) and the Addendum dated.

**REASON**

To prevent the increased risk of flooding to third parties, to improve water quality and to enhance biodiversity, in compliance with Policies EC1, EC5, OE7 and OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.17 of the London Plan (February 2008).

**18 NONSC Non Standard Condition**

Prior to the commencement of any works on site the breakdown of delivery lorry movements during the day including the provision of information relating to the full delivery and exit routes and the means of restricting the delivery vehicles exiting the site during any 30 minutes interval of the traffic sensitivity hours to no more than 3, shall be submitted to and approved in writing by the local planning authority and such scheme as is approved shall be implemented.

**REASON**

In order to ensure that the proposal does not impact unduly on traffic flows and highway safety in compliance with policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**19 NONSC Non Standard Condition**

All import and earthworks activities shall only take place between the hours of 07.30 - 18.30 (No Deliveries after 16.30) Monday-Friday and at no time on, Saturdays, Sundays or Bank/public Holidays.

**REASON**

To safeguard the amenity of surrounding areas in compliance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**20 NONSC Non Standard Condition**

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

**REASON**

To protect the groundwater below the site and the adjacent water courses from pollution in compliance with Policy EC3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**21 NONSC Non Standard Condition**

No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. All imported soils shall be inspected and tested for chemical contamination and the results of this testing shall be submitted to and approved by the Local Planning Authority.

**REASON**

To ensure that the users of the golf course development are not subject to any risks from soil contamination in accordance with policy OE11 of the Hillingdon Unitary Development Plan.

## INFORMATIVES

### 1

If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. The Duty of Care regulations for dealing with waste materials are applicable for any off-site movements of wastes. The developer as waste producer therefore has a duty of care to ensure all materials removed go to an appropriate licensed disposal site and all relevant documentation is completed and kept in line with regulations.

If any waste is to be used on site, the applicant will be required to obtain the appropriate exemption or authorisation from us. We are unable to specify what exactly would be required if anything, due to the limited amount of information provided. If the applicant wishes more specific advice they will need to contact the Environment Management Team at our Hatfield office on 08708 506506 or look at available guidance on our website:

<http://www.environment-agency.gov.uk/subjects/waste>.

### 2

If any waste is to be used on site, the applicant will be required to obtain the appropriate exemption or authorisation from The Environment Agency. If the applicant wishes more specific advice they will need to contact the Environment Management Team on 08708 506506 or look at available guidance on the website.

### 3 I1 **Building to Approved Drawing**

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

### 4 I11 **The Construction (Design and Management) Regulations 1994**

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The regulations require clients (ie. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (telephone 020 7556 2100).

### 5 I15 **Control of Environmental Nuisance from Construction Work**

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

**6**            I16                    **Directional Signage**

You are advised that any directional signage on the highway is unlawful. Prior consent from the Council's Street Management Section is required if the developer wishes to erect directional signage on any highway under the control of the Council.

**7**            I20                    **Land Drainage**

You are advised that, pursuant to the Land Drainage Act 1976, details of any works affecting the beds, banks and flow of the river, including details of any outfall structures discharging into the watercourse, should be submitted to the Environment Agency, Planning Liaison Officer, Thames Region, Howard House, 10/11 Albert Embankment, London SE1 7TG.

**8**            I43                    **Keeping Highways and Pavements free from mud etc**

You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act 1980.

**9**            I52                    **Compulsory Informative (1)**

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

**10**          I53                    **Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
EC1	Protection of sites of special scientific interest, nature conservation importance and nature reserves
EC2	Nature conservation considerations and ecological assessments
EC3	Potential effects of development on sites of nature conservation

	importance
EC5	Retention of ecological features and creation of new habitats
MIN20	Proposals involving landfilling, re-working or disturbance of old landfill sites - gas control and monitoring requirements
MIN21	Impact of development proposals involving landfilling on the local hydrogeological regime - requirement for monitoring and mitigation measures
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL2	Green Belt -landscaping improvements
OL5	Development proposals adjacent to the Green Belt
OL9	Areas of Environmental Opportunity - condition and use of open land
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
R4	Proposals that would involve the loss of recreational open space
R5	Proposals that involve the loss of sports, leisure, community, religious, cultural or entertainment facilities
POBS	Planning Obligations Supplementary Planning Document, July 2008

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

Uxbridge Golf Course is located on approximately 92.5 acres (37.5 hectares) of land to the north of the A40 Western Avenue and to the west of Ickenham. The planning application area encompasses 59 acres (23.9 hectares) of the golf course, which is situated entirely within the Green Belt.

The course occupies land on a north-south axis, which slopes downhill from the east to the west at an average slope about 1 in 15. There is a smaller narrow section of the site to the south which falls to the west, but more steeply by about 20m at a slope of approximately 1 in 6. The eastern ridge also slopes approximately 62.0 metres AOD in the north to 52.0 metres AOD in the south, while the western boundary slopes downwards from approximately 34.0 metres AOD in the north and 32.0 metres AOD in the south.

Within the site there are smaller scale changes of topography associated with the golf course. Along with the golf features (greens, tees, bunkers etc) the majority of the site consists of tightly mown grassland for the golf course, interspersed with occasional woodland blocks and linear Poplar planting, particularly at the northern end of the course. Individual mature Oaks or small groups of mature Oaks are also in evidence.

The northern part of the course is very linear and regular in form as a result of the straight, open drainage channels that run parallel to and across fairways, and the lines of

non-native Poplars. The areas between these fairways lack any under-storey vegetation and contrast somewhat with the old oak trees that mark the alignment of former hedgerows.

At present six of the eighteen holes are closed because of major pipeline works across the southern section of the course.

There are no ponds or lake features on the site. The ditches to the West of the site are running with water much of the year. Beyond the site to the west, the landscape is very much associated with damp waterlogged wetland (both in the open fields and woodland). The proposed development lies outside the flood plain of the River Colne to the west, as designated by the Environment Agency Map.

There is a public footpath which crosses the site from East to West at the Northern end of the site.

The boundaries of the course consist of more mature woodland (mainly to the West and central zone), hedgerow and open fields (mainly to the East and South West), although the boundary to the south east of the site is occupied by residential properties in The Drive. The A40 runs along the southern boundary of the site.

The west boundary meets the floodplain of the Colne Valley and the River Frays, with the Grand Union Canal lying further to the west. The floodplain is characterised by reservoirs (flooded gravel pits) to the north-west and woodland/scrub with areas of semi-natural grassland and wetlands in the south-west. There is a waste management site on elevated land on the northern boundary which is part-screened by a wooded slope.

The floodplain to the west is a Nature Conservation Site of Metropolitan or Borough Grade I Importance, within which there are designated Nature Reserves and a Site of Special Scientific Interest (Frays Farm Meadows). Approximately half way up the eastern boundary there is a Nature Conservation Site of Borough Grade II or Local Importance.

### **3.2 Proposed Scheme**

Planning permission is sought for the remodelling and overhaul of the course. The applicants have submitted that the works are required in order to produce a golf course that will be much improved, challenging and a well maintained public amenity for the Borough, resulting in a course of choice for all standards of golfers and will address the issues of drainage, course quality and environment, safety and course routing.

The key elements of the proposals are:

- The importation of 134,942m<sup>3</sup> cubic metres of clean, inert construction material and soil for landscaping and re-contouring purposes to meet the proposed levels. All sub-soils for the remodelling of the course will be imported to the site. Imported soils will consist of excavated, uncontaminated earth spoils and soils.

The applicants submit that the volume of fill material required is necessary for the development proposed and constitutes a waste recovery operation. The existing topsoil will be stockpiled on site, improved and reintroduced on completion of the sub-soil ground modelling. It is intended to have a minimum of 150mm of topsoil on the fairways, green surrounds, tee banks, semi-rough and shrub planting zones. A maximum of 50mm will be present in the out of play grassland/wildflower zones. Additional importation of specialist root zone materials will be required for the fine turf areas, namely golf greens. Similarly, a

proportion of gravels will be imported for use with any sub-surface pipe drainage network that is proposed.

Laying out of the golf course including construction of tees, greens, bunkers etc.;

Remodelling is proposed on the holes in the southern section of the course so that they are of the same style and quality to those on the remainder of the course on completion of the project. The applicants submit that the remodelling proposals are fundamental in addressing the realignment of holes 8 and 9 (proposed layout) and of key importance in the overall strategy to upgrade and refresh the entire facility.

The proposal also involves landscaping works, including seeding and planting the course, engineering of a course drainage and irrigation system and habitat enhancement, particularly in the buffer areas adjacent to nature conservation features.

There are no new buildings, roads, parking and paths proposed as part of this design, apart from the temporary construction haul routes and the existing temporary construction access. Buggy paths will not be installed along fairways but localised to tees and greens where necessary to ensure the buggies remain to designated areas that are made safe for access and egress.

#### · Site Access and Haul Routes

The proposal will no longer involve the creation of a new temporary site access, off Skip Lane to be used to access the northern section of the course. The existing access on the A40 slip road up to Swakeleys roundabout (until recently employed by National Grid construction traffic) will be used for the works for the course. The haul road will follow the route of the existing Gas Pipeline site haul road and golf course maintenance route through the western side of the central woodland block.

#### · Phasing

Whilst the relationship between the weight of material an 8 wheel tipper lorry can carry and the volume of material required in its placed state is complex, it is dependent on a number of variable factors including particle density, moisture content and air voids (level of compaction). Using a conservative estimate of 9m<sup>3</sup> it is anticipated that the importation operation would not take any longer than a maximum of 44 weeks and it is anticipated that the full 18 holes will be reopened in April 2012.

The application is supported by a number of reports that assess the impact of the proposal. A summary and some key conclusions from these reports are provided below:

#### Project Description

This document includes a description of the site, an explanation of the rationale behind the proposed upgrade of the facilities, details of the proposed remodelling work, landscape design and construction details. Also included are appendices outlining issues surrounding the use of imported soils in the remodelling of golf courses (appendix 1), biodiversity enhancements resulting from the development (appendix 2) and a company profile for the applicants (appendix 3).

#### Impact Statement

The Impact Statement report describes the effects on the land and considers that, while the course will have a more undulating landform, the basic topographical landform, sloping from east to west, will remain.

#### Visual Appraisal

The report describes the proposed re-modelling and considers the visual effects from 17 viewpoints around the site.

#### Flood Risk Assessment

The report concludes that the flood risk to the site and surrounding area will not be increased by the development. The proposed development is therefore in accordance with PPS 25.

#### Ecological Impact Assessment March 2010

The report suggests that these will be subtle changes and not impact on the SSSI interest features. The report also states that there is scope for designing in buffering areas and incorporating sediment management measures. This document includes an ecological survey and desk study work, valuation, consideration of mitigation and enhancement and impact assessment for the entire golf course.

#### A Biodiversity Mitigation, Management and Monitoring Plan (BMMMP)

This BMMMP seeks to provide details of the proposed mitigation and habitat enhancement measures and also covers the subsequent management and monitoring for biodiversity that will be undertaken and integrated into operation of the golf course. Information contained within this document includes:

- The recorded ecological baseline;
- Profiles for species and habitats that form the focus of the plan;
- Key objectives for each target habitat and species;
- Full details of the biodiversity mitigation measures to be implemented in advance of and during construction;
- Full details of the initial habitat enhancement/ creation measures to be implemented by Greenspace Environmental during the initial construction phase;
- Detailed management measures and procedures required to achieve these objectives over a 10 year programme;
- Monitoring protocols; and
- A programme/timetable for undertaking this work.

#### Water Management Plan March 2010

This document provides information relating to the proposed management of the relationship between water originating within Uxbridge Golf Course and the adjoining Nature Conservation sites (SSSI and LNR). It is intended that this Water Management Plan will be delivered through the planning application, together with an ongoing commitment from the golf course operators to continue the prescribed management regime, in association with future direction by the Environment Agency, Natural England, the London Wildlife Trust (which manages the SSSI/LNR on a day to day basis) and Hillingdon Borough Council (which owns the SSSI/LNR and the golf course). This ongoing safeguarding of the SSSI from unauthorised golf course management activities is also required to avoid prosecution under the Wildlife and Countryside Act 1981 (as amended) and to comply with the requirements of the NERC Act 2006. The scope of the Water Management Plan covers:

- management of the runoff of water within the golf course;
- flow pathways and connectivity to the SSSI and LNR (and the Frays River); and
- water quality issues.

Addendum to the Ecological Impact Assessment, Biodiversity Mitigation, Management and Monitoring Plan and the Water Management Plan, dated 10th June 2010.



The Addendum includes the following:

- An additional flow control sluice will be provided at a new location, in addition to those sluices already specified in the Water Management Plan.
- A baseline water quality survey will be completed in advance of the construction work commencing.
- An as built topographic survey of the drainage features will be completed to ensure that the final levels of these features are constructed as required.
- An individual who has relevant experience will complete the water quality baseline survey.
- The construction phase water quality monitoring will be carried out to the same general procedures and standards as that described for the baseline survey.
- The operational phase water quality monitoring will be carried out to the same general procedures and standards as that described for the baseline survey, interpretation and reporting.
- Confirmation that access to Frays Farm Meadows SSSI and associated nature reserve will be maintained for representatives of the London Wildlife Trust, Environment Agency and Natural England, and their graziers, at all times during both the construction phase and the future operation of the golf course.

#### Arboricultural Implications Assessment

The report's objectives are to inspect significant trees on and close by to the site and to provide advice on the successful retention and incorporation of trees of amenity value. Root protection zones are specified and indicative tree protection measures provided. The implications assessment is detailed in section 4 and temporary tree protection measures are described in section 5. The report concludes (section 6) that tree surgery and selected removal should take place prior to the erection of the protective fencing and prior to the commencement of development.

#### Design and Access Statement

This document details the steps taken to arrive at the proposed design, showing the consideration given to the site context, the consultation processes used and the key design parameters determined as a result of this process.

#### Construction Environmental Management Plan (CEMP)

This document details the processes and controls that will be used to manage the construction activities and the sequence and timing of operations. Contractors will be required to adhere to the CEMP at all times with regard to health and safety, the control of surface water runoff, the control of nuisance caused by dust or dirt and the application of procedures to ensure that only approved material is deposited on site, to the satisfaction of the LPA and the Environment Agency.

#### · Potential Impact on Mature Oak Trees

The report highlights the issues involved regarding the impact of the build up in levels on the existing mature Oaks. The report covers the existing hydrological conditions, the potential for the water table and soil moisture conditions to change, the likely impact this may have on the trees and measures that can be undertaken to identify and combat at an early stage any stress affecting particular trees.

The current proposal involves a change in the design from the previous scheme which was refused in May 2010. The main changes to the previous scheme are:

- Withdrawal of the northern access and the use of Skip Lane for this purpose;
- Withdrawal of the proposal to remodel holes at the northern end of the site; with the only

remodelling to the north of the central woodland block being on holes 14, 15 and the lower part of hole 16 (existing hole numbers);

- A reduction in the scale of proposed works on the holes to be remodelled;
- the volume to be filled has been reduced from 375,000 cubic metres to 134,942 cubic metres;
- Reduction in the timescale of the project.

The levels have been adjusted with a view to addressing concerns that the proposed landform of the previous application was excessive in its build up, with some extreme high points and steep gradients. The reduction in the importation volume was also reviewed to take account of the impact on the length and intensity of the construction process, thereby reducing the impact along Harvil Road.

The application red-line boundary has been revised to reflect the reduction in the overall application area, from 28 hectares to 23.9 hectares, but with the inclusion of small additional areas, to reflect the need for construction access over adjoining land to the north and south of the site.

Proposed levels and slope angles have been reduced generally, but the area affected by soil importation has also been reduced, principally to leave the higher parts of the course unchanged.

There is now no proposal to remodel any of the 8th or 18th fairways or the bulk of the 1st and 7th holes and there will be no importation to the 6th hole to the south of the public footpath.

Discounting the holes that would have required reinstatement works in any case, (as a result of the new pipeline), only the holes that have major drainage issues and the poorest holes on the existing course in terms of layout and general environment i.e. those at the northern end of the site will now be subject to major works.

Whilst the upper holes will not now be remodelled, their greens and tees will still be upgraded to provide better quality surfaces, in keeping with the new golf holes.

Additional plans have been included in this application to further clarify the extent of the proposed earthworks:

An Elevations Changes plan (500.11 Rev A) shows a colour coded plan of the relative heights of the proposed earthworks across the course.

A Steeper Gradients Plan (500.12 Rev B) indicates where proposed slopes in golfing areas exceed 1 in 4.

The landscape plan (500.03 Rev A) has been amended to include final contour levels so that the proposed planting can be assessed in relation to the final ground form. The plan has also been amended to reflect that there are groups of trees that are no longer being removed following alterations to the grading detail.

The Tree Impact Plan (500.14) also indicates the reduced requirement for clearance.

The Contractors Works Plan (500.08 Rev B) has been amended to reflect the grading changes.

The Existing Site Plan (500.01 Rev A) has been amended to show the correct hole numbering and any incorrect plans or references within the application documents revised accordingly.

### **3.3 Relevant Planning History**

4601/APP/2009/1487 Uxbridge Golf Course The Drive Ickenham

Remodelling works to Golf Course, consisting of re-contouring of existing land form using imported inert soils, together with extensive landscaping and associated drainage.

**Decision:** 08-09-2009 Withdrawn

4601/APP/2009/2622 Uxbridge Golf Club The Drive Ickenham

Remodelling works to improve the quality and condition of Uxbridge Golf Course, consisting of reshaping works using imported inert soils and extensive landscaping to enhance visual and ecological amenity.

**Decision:** 01-04-2010 Refused

### **Comment on Relevant Planning History**

Proposals for extensive remodelling works to upgrade Uxbridge Golf Course were initially submitted in July 2009 (4601/APP/2009/1487). This application was withdrawn in September 2009.

Application 4601/APP/2009/2622 attempted to address the concerns of the local residents, officers and statutory and non statutory consultees on the withdrawn scheme. The significant changes and additions from the previous application were:

- A reduction in the volume of proposed imported soil from 580,000 cubic metres to 375,665 cubic metres, to address concerns that the proposed landform of the previous application was excessive in its build up with some extreme high points and steep gradients.
- An associated reduction in the length and intensity of the construction operation.
- The removal of proposed soil importation on much of proposed fairways 1, 4, 5 and 6, with significant lowering of levels on proposed fairways 18 and 10.
- A drop in mound height in the area around the 18th tee and the mounding between proposed fairways 14 and 7.
- A general lessening of angles on banks that are in-play and also a reduction in slope angles in the vicinity of the root protection areas of trees, together with increases in the distances between slope bases and trees (applying the guidance of BS 5837).
- The inclusion of additional plans to clarify the extent of the proposed earthworks: an Elevations Changes plan showing a colour-coded plan of the relative heights of the proposed earthworks across the course and a Steeper Gradients plan indicating where proposed slopes exceed an angle of 1 in 4.
- Provision of a Tree Impact report to demonstrate lack of adverse impact on mature oak trees.

The North Planning Committee at a special meeting held on 10 March 2010, resolved:

1. That the application be referred to the Mayor under Article 5 of the Town and Country Planning (Mayor of London) Order 2008.
2. That subject to the Mayor not directing the Council under Article 6 of the Town and Country Planning (Mayor of London) Order 2008 to refuse the application, or directing under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application, that delegated powers be given to the Head of Planning and Enforcement to refuse the application for the following reasons:

1. The application has failed to include details of the route/s of delivery lorries and a

breakdown of delivery lorry movements during the day, particularly during the traffic sensitive peak hours. The application has also failed to include satisfactory information in relation to road safety at the junction of Harvil Road and Skip Lane, at the access point off Skip Lane, and details of the northern access point, including levels and gradients. In the absence of this information, it is likely that the proposals would lead to conditions detrimental to road safety and lead to traffic congestion contrary to Policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

2. The submitted plans and documentation, including the submitted ecological assessment, has failed to demonstrate that the proposed development could be completed without detriment to the recognised ecological value of this area, including the adjacent Nature Conservation Sites of Metropolitan or Borough Grade I and II Importance, within which there are designated Nature Reserves and a Site of Special Scientific Interest (Frays Farm Meadows). The proposal is therefore contrary to Policies EC1 and EC3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and policy 3D.14 of the London Plan and the provisions of PPS9 (Biodiversity and Geological Conservation).

3. The submitted plans and documentation do not clearly illustrate the route of the proposed northern haul road or provide details of the proposed access at the northern boundary of the Golf Course or provide sufficient information regarding the impact of these works on existing vegetation, including trees and woodland. The proposal is therefore contrary to Policies BE26 and BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4. The applicant has failed to provide contributions towards the improvements to facilities as a consequence of demands created by the proposed development (in respect of a contribution towards the management and maintenance of the adjacent Nature Reserves and improvements to the public footpath (boardwalks)). The scheme therefore conflicts with Policy R17 of the Hillingdon Unitary Development Plan Saved Policies September 2007, and the adopted Supplementary Planning Document 'Planning Obligations.'

5. The applicant has not demonstrated how the proposal would accommodate adequate provision for accessibility and inclusion for people with disabilities and the less able within the golf course redesign. As such, the development would fail to create an inclusive environment or incorporate the principles of inclusive design, contrary to Policy R16 of the Hillingdon Unitary Development Plan Saved Policies 2007, Policies 4B.1 and 4B.5 of the London Plan (February 2008) and the design principles contained within the adopted Hillingdon Design and Access Statements (HDAS): Accessible Hillingdon.

The following Informative was also agreed:

The applicants' attention is drawn to concerns raised through the consultation process (from golfers and golf amenity groups) regarding potential health and safety issues, whereby the new layout will cause golf balls to be hit closer to pedestrian pathways through the golf course.

#### **4. Planning Policies and Standards**

London Plan Policies: 3D.9 - Green Belt; 3D.14 - Biodiversity and nature conservation;

4B.1, 4B.2 Urban Design and Access; 4A.3 - Sustainable Design and Construction.  
 The Mayor's Biodiversity Strategy.  
 Municipal Waste Management Strategy; Accessible London: Achieving an inclusive Environment SPG  
 Planning and Access for Disabled People -A good Practice Guide (ODPM)  
 The Mayor's Transport Strategy  
 PPS1: Delivering Sustainable Development February 2004  
 PPG2: Green Belts January 1995  
 PPS7: Sustainable Development in Rural Areas July 2004  
 PPS9: Biodiversity and Geological Conservation September 2005  
 PPS10: Planning for Sustainable Waste Management September 2005  
 PPG13: Transport March 2001  
 PPG16: Archaeology and Planning November 1990  
 PPG17: Open Space, Sport and Recreation September 2001  
 PPG24: Noise  
 PPS25: Development and Flood Risk July 2007

### **UDP / LDF Designation and London Plan**

The following UDP Policies are considered relevant to the application:-

#### Part 1 Policies:

- |        |  |
|--------|--|
| PT1.1  | To maintain the Green Belt for uses which preserve or enhance the open nature of the area.   |
| PT1.12 | To avoid any unacceptable risk of flooding to new development in areas already liable to flood, or increased severity of flooding elsewhere.   |
| PT1.3  | To seek greater public access to the countryside for informal leisure activities.  |
| PT1.39 | To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.   |
| PT1.5  | To carry out and promote countryside management projects to improve the environment and nature conservation value of countryside and open land, particularly in areas which are degraded or derelict and important corridors along roads and watercourses.                                 |
| PT1.6  | To safeguard the nature conservation value of Sites of Special Scientific Interest, Sites of Metropolitan Importance for Nature Conservation, designated local nature reserves or other nature reserves, or sites proposed by English Nature or the Local Authority for such designations. |

#### Part 2 Policies:

- |      |   |
|------|---|
| AM2  | Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity |
| AM7  | Consideration of traffic generated by proposed developments.  |
| BE38 | Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.     |
| EC1  | Protection of sites of special scientific interest, nature conservation importance and nature reserves                        |
| EC2  | Nature conservation considerations and ecological assessments   |
| EC3  | Potential effects of development on sites of nature conservation importance   |

EC5	Retention of ecological features and creation of new habitats
MIN20	Proposals involving landfilling, re-working or disturbance of old landfill sites - gas control and monitoring requirements
MIN21	Impact of development proposals involving landfilling on the local hydrogeological regime - requirement for monitoring and mitigation measures
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL2	Green Belt -landscaping improvements
OL5	Development proposals adjacent to the Green Belt
OL9	Areas of Environmental Opportunity - condition and use of open land
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
R4	Proposals that would involve the loss of recreational open space
R5	Proposals that involve the loss of sports, leisure, community, religious, cultural or entertainment facilities
POBS	Planning Obligations Supplementary Planning Document, July 2008

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **11th June 2010**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

The Notice of Proposed Development was advertised as major development under Article 8 of the Town and Country Planning (General Development Procedure) Order 1995 and 172 neighbours and local amenity groups were consulted in the surrounding area. Site Notices were posted at the entrance to the Golf Course and at the public footpath which bisects the course.

On letter giving conditional support and 43 individual letters of objection (14 letters and 29 internet responses), together with 3 petitions bearing 20, 20 and 41 signatures respectively, were received, objecting to the planning application. In addition, objections were received from Ickenham Residents' Association and The Drive Residents' Association. The principle areas of concern are:

1. No objection to a reasonable use of landfill for reinstatement of the southern holes or to improve drainage at the lower levels of the course, but it has been noted that flooding is not an issue that needs to be overcome on the golf course.
2. Underestimation of the number of loads required to deliver the packed volume of landfill by using a volume of 10m<sup>3</sup> per truckload instead of the industry standard of 9m<sup>3</sup>.
3. Does it adhere to the councils Environmental Plan: Green Belt: impact upon the visual quality;

- effect upon the wildlife, local ecology, and Nature Reserves; removal of so many mature trees.
4. The proposals would change the character of the landscape forever.
  5. Inadequate measures to monitor the volume of infill and controls of excessive dumping.
  6. Inadequate consultation with local residents and insufficient detail of the proposal made public.
  7. Impact on local residents from a potential 98000 HGV movements on local roads over a period of 100 weeks, i.e. Congestion.
  8. The application is for commercial gain, the motive appearing to be profit at the expense of the local community.
  9. The current golf course uses the natural contours of the land to create a challenging yet playable course entirely in sympathy with its natural surroundings, whilst the proposed design of the golf course will make it dangerous for players.
  10. Disruption to the golf course, especially in regards to the timescale and there being no improvement to the golf course.
  11. Concern that residents and golfers would have to tolerate an industrial moonscape and a visual monstrosity during the construction period.
  12. Insufficient detail of this important proposal has been made public.
  13. Council to ensure ratepayers' interests are protected.
  14. Public rights of way should be protected.
  15. Any temporary closure of public rights of way should only be for the duration of the project.
  16. The definition of "inert soils" needs to be clarified, and the content and history of the waste to be established, potentially by obtaining UKAS Accredited laboratory certificates for each load.
  17. Concerns about retaining access to the course for the members of Harefield Place Golf Club.
  18. The Golf Course will be out of use for an extended period of time.
  19. Measures should be put in place to ensure that the landscaping is completed within 2 years
  20. 9 holes should remain playable at all times.
  21. Timescale is not given, and there should be proof that the applicant can complete the project.

The following issues have been raised in support of the proposal:

22. No longer have the threat of thousands of heavy vehicles thundering past our homes. Benefits to the community of a commercially successful, playable and attractive golf course, which has not been the case for many years.
23. It would bring in income for the Borough and add value to the quality of life in Ickenham, not to mention the property values along The Drive and other adjacent roads.
24. LBH and Mack have a perfectly legitimate requirement to improve the Course and address the drainage issues to offer a better, year-round playing surface.
25. The Golf Course needs radical work in any number of areas.
26. The gradients on the 9th and 10th holes make it unplayable for all but the better golfer in summer, and the lack of drainage at the lower levels makes it an unpleasantly wet and muddy experience in winter.
27. The current application would achieve significant improvements and encourage more people to play there more often.
28. There are no funds available from the Borough coffers, so income from a reasonable amount of landfill is the only way to pay for improvements.
29. It will be difficult to restore the Course to its original condition before the pipeline works.
30. Unlikely that any reinstatement plan initiated by LBH would, or could, operate to a shorter time-scale than that proposed by this application.
31. A revitalised Uxbridge Golf Course would once again be attractive to people of all levels of golfing ability, and the Club would thus benefit. This would also be to the benefit of the wider community in the longer term.
32. If the application was to be approved and some additional relevant and practicable supervision and control mechanisms put in place to prevent any abuse of planning regulations, it would be the right solution.

The 41 signature petition supports the Ickenham Residents Association's objective of ensuring that the wishes of the people of Ickenham are heard and understood and asks the Committee to put stringent conditions in place for limits of completion dates, soil control and monitoring, plus access movements, should it be mindful to approve the application.

The first 20 signature petition (from members of Harefield Place Golf Club) supports objections by local residents, raises concerns regarding the dramatic reconstruction of the course, objects to the duration of the project and requires at least 9 holes kept open for the duration of the project. In addition the petitioners state that the design for the 9th-13th holes is totally unnecessary and on holes 14-16 there is excessive and unnecessary filling.

The second 20 signature petition (from local residents) requests that evidence be provided before any approval that sufficient finance is guaranteed, to ensure completion of the project, requires that appropriate safety measures be provided and notes that no guarantee has been given that the proposal can be completed within the stated timetable.

In addition a 20 signature petition has been received, supporting the principle of the proposals to improve and restore Uxbridge Golf Course, but raises concerns over the ability of the developer to achieve the objective of restoring the 18 hole golf course by early 2012. The petitioners therefore seek the following reassurance through planning conditions, to ensure that:

1. The total volume of landfill does not exceed 135,000 cubic metres;
2. The completion will not be jeopardised by shortage of suitably inert material;
3. The project plan includes contingencies to accommodate a shortage of landfill material;
4. The developer to deposit a bond of sufficient value to enable the Council to carry out restoration/remediation, in the event of the developer defaulting, or failing to complete the work in a reasonable time frame.

#### ICKENHAM RESIDENTS' ASSOCIATION

We are writing to object to the above planning application and set out our reasons below.

Background: Two previous related applications were made in 2009 for the redevelopment of Uxbridge Golf Course. The first was withdrawn and the second refused. They involved larger amounts on infill, c600,000m<sup>3</sup> and c380,000m<sup>3</sup> compared to the current proposal of 135,000 m<sup>3</sup>.

The applicant may have an expectation that, since the opportunity to benefit from the revenues of accepting up to 140,000m<sup>3</sup> infill to change certain parts of the course was advertised in the golf course management tender document issued by LBH in 2007, their application will be seen favourably. However, that does not weaken the requirement on LBH and the North Planning Committee to fully examine the proposal against current planning law and guidance.

The National Grid project to lay a new gas pipeline through the course was completed early last year. Since then nothing has been done to re-instate the municipal course and return its full amenity to the golf-playing public and to remove the eyesore of the neglected site to neighbours and passers-by. With the tacit agreement of LBH, National Grid transferred the responsibility of re-instatement to the golf course management company who are, via a special purpose company, also the applicants for this planning permission. LBH, as course landlords, have stated in correspondence to us that they felt unable to press for re-instatement whilst planning applications were being considered.

It is important that the requirement to re-instate is seen as a separate issue and then this application is considered on its own merits. At the same time it is even more important not to allow the proposals to jeopardise the early return of the full course to its users. This, we contend, IS a planning consideration, since the LPA is bound by UDP R5 not to deny the loss of land for sports



use and not to allow it to be used for the disposal of waste (albeit for a few years only) and we will address this point in some detail below.

### Change of Use

Both Communities and Local Government (CLG) and Defra consider that landscaping developments of the scale of the current examples involving importing over 100,000 tonnes of waste would not have been undertaken, if the material used to construct the landscaping were not waste. Therefore, given the quantity of waste being used such developments are unlikely to constitute recovery operations, but are more likely to be waste disposal operations. Department of Local Government and Communities, letter to Chief Planning Officers Jan 2009.

The volume of compacted soil required for the proposal is 135,000m<sup>3</sup> which is much greater than 100,000 tonnes (compacted inert soil weighs in the order of 1.5 tonnes per cubic meter depending on type) and certainly the amount cannot be justified in terms of course improvement. Some may therefore take the view that the primary objective for this proposal is landfill in order to generate revenue.

Moreover, as we understand, under the resulting revised waste exemption rules which came into force in April 2010, no licence exemption would be allowed for this proposed infill and therefore a waste disposal permit will be required, even for inert soils. That being the case it is arguable that the use of parts of the land will change from being a golf course to waste disposal operations. No permission has been sought for this change of use and therefore the planning application is arguably invalid.

### Affect on the Landscape

The golf course is situated within the Green Belt and on the boundary of the Colne Valley Park, recognised within the UDP at OL10. LBH has committed to support the aims of the Colne Valley Park to safeguard existing areas of countryside from inappropriate development and maintain and enhance the landscape. The proposed remodelling will dramatically alter the visual aspect of the course to visitors and residents, both temporarily during the works, and permanently following the remodelling.

The current course has used the natural contours of the land to provide an undulating course with its terraces and mature trees, sloping down to the wetlands which adjoin the wild life sanctuaries in the Colne Valley Park. In the proposals holes 14 and 15 will be raised by two metres resulting in a steep embankment next to the wetlands. Although some raising of the level of these two holes would be of value to improve drainage, a maximum of one metre would be more than adequate. Two metres will degrade the use of natural contours and appear contrived. The only purpose we can see for such an increase is for the extra financial gain from the deposit of waste material. Similarly, the changes to hole 16 do nothing to improve the course and will also degrade the use of natural contours.

As to the changes to the south side of the course, the applicants claim that changes are required to improve drainage because of the pipeline works. We have not seen any evidence that this is indeed necessary, but, even if it were, the amount of landfill required is far less than stated. Harefield Place Golf Club have estimated that all the works could be completed with only 50,000m<sup>3</sup>.

The proposal is therefore contrary to OL10 as it does not maintain or enhance the scenic value of the landscape in the long term, and in the short term, that is the duration of the project, it will degrade the scenic value even more drastically with the earthworks involved. It is also contrary to policy OL7 which requires that golf course development should improve the landscape.

### Loss of Amenity

During the proposed remodelling works, the applicants propose to keep at least nine holes open at all times. However, the project plan is so limited in detail, that it is impossible to determine if this is feasible at all, even if health and safety standards could be maintained. Moreover, the quality of the playing experience would be so badly degraded through the proximity of the adjacent earthworks and the shortness of the course, that it would be tantamount to closing the course completely.

According to the project plan, which shows very little detail and has no explanatory narrative, the course would be effectively closed until May 2011. However it is very likely to take much longer for the following five reasons:

1. There is no contingency built in.
2. It assumes starting works in July 2010 before planning permission has been granted (we understand that this application is expected to go before the North Planning Committee on 5 August). Also, unless it has already been granted, the applicant will have to apply for a waste disposal permit or at the very least an exemption. We do not believe under the new rules an exemption would be allowed and even if it was, it would take about 7 weeks. If a permit is required, that could take three months to obtain.
3. It assumes that they will be able to find an average of 75 loads a day of suitable waste from the beginning of August 2010 to the end of May 2011. Our sources suggest this is very unlikely. Even if an average of 75 loads per day could be sourced, that would imply a good proportion of days with greater than 75. We understand that due to access restrictions on the course, only a single track haul road, it would be very difficult to achieve this.
4. The plan shows all the course construction work completed on the same day as the infill operations end. This is not feasible. Some course construction will definitely be required after the end of infill operations.
5. The plan shows seeding starting 1 June 2011. Even if this was possible, it is the wrong time of year to attempt seeding and would likely result in poor or patchy growth with re-seeding required in the autumn. The correct times to sow are spring or autumn, NOT summer.

Moreover the applicant has specifically ruled out time limits on the project set as conditions. Since the course would be out of use for an indeterminate length of time, it is contrary to R5 of the UDP.

However, there are opportunities to achieve a reasonable timeplan with a flexible approach should sufficient waste not be available, which would still result in the re-instatement of the pipeline-affected holes and improvements to the drainage of holes 14 and 15. These have been developed by local residents in consultation with the Golf Club and involve starting re-instatement works on the southern holes immediately and simultaneously infilling on holes 14 and 15.

### Major errors in key information

The project plan and resulting timescale for the works is a key element of the plan. It was not available when the application was first lodged, and when some weeks later it was posted, it was very short on detail for a major project of this nature. As we have shown above there are errors in the plan and implicit assumptions which are not borne out in fact. Thus a key part of the proposal is flawed and should not be accepted as is.

### Traffic

The use of the A40 entrance only for waste-bearing lorries would allay previous concerns about traffic on residential roads. However, the on-site haul roads are close to The Drive and residents on that road will be affected. They will be keen to see works completed as soon as possible, but at the same time overuse of the single track haul road will be a significant nuisance, in terms of noise, dust and air pollution. Overuse would also risk the further nuisance of lorries parked with engines running in the entrance waiting to use the haul road, and queues forming on the A40 slip road if the parking area were full. The application suggests that lorry traffic movements will cease at 4pm to take account of the evening rush hour. However, this fails to realise that traffic congestion at this location can occur at any point during the day. Therefore a maximum number of lorries using the

haul road should be set as a condition should the proposal be approved. If, combined with a time limit condition, this implies a lower maximum amount of infill to be imported, then plans should be changed accordingly. The increased traffic generated by this proposal is therefore one reason for asking for this application to be refused, as it is contrary to policies OE1 and AM7 of the UDP.

#### Noise and Dust

Any infill or landfill project will by its very nature generate noise and dust. The prevailing wind from the golf course is South West. The contouring of the land means that wind funnels up and over the course and across into the residential areas of Ickenham. There is little evidence of adequate mitigation measures to alleviate this problem, and it is therefore contrary to policy MIN22 of the UDP.

#### Conditions

If, despite the many fundamental objections to this proposal, this application is recommended for approval, we would ask that consideration be given to conditions covering the following issues:

1. The maximum amount of infill limited to 50,000 cubic metres.
2. The project plan to be changed so that the southern section of the course is re-instated as a matter of urgency, with completion ready for seeding by November 2010.
3. Daily limits on the number of vehicles permitted to access the site.
4. Procedures to be put in place to ensure removal of mud / dust from roads and footpaths at the site access point and immediate access roads.
5. Regular damping down of the infill material to limit the risk of dust carrying into the village.
6. Strict time limits on the hours of working with regular breaks to give nearby residents some respite.
7. Regular monitoring of noise levels.
8. A time limit placed on the infill project to be completed by February 2011, with all areas ready for seeding by April 2011.
9. Independent contractors employed by the council to monitor the amount and quality of infill.
10. Consideration of safety issues associated with depositing large quantities of infill material on site, with use of bunding as appropriate.
11. Financial bonds to be sought to secure completion on time (full course opening April 2012) and to agreed quality standards.
12. A major review of progress to be held in December 2010 to assess the amount of waste already imported and the projections for the next three months before the deadline of February 2011 for cessation of landfill operations. If it is deemed by the Council that there will be a significant shortfall, then the applicants be required to submit a further planning application for revised re-contouring to allow for the shortfall by January 2011, for approval by the LPA under delegated authority. Such control might alleviate many of the residents concerns.

We enclose a signed petition to allow us the ability to address the North Planning Committee and look forward to hearing from you

#### THE ASSOCIATION OF THE RESIDENTS OF THE DRIVE

The Residents Association of the Drive represent the residents of the South Drive, Pine Trees Drive, Dukes Ride and the Georgians of which there are 82 members. The residents with gardens facing south-west and overlooking holes 9-13 of the golf course will be particularly affected by this application. Our initial reaction, however, would in principle be supportive towards the proposal for the remodelling the golf course but I need to draw your attention to a number of relevant points which will need consideration before any determination.

My first point refers to detail included in the Contract & Environmental Management Plan (section 5 Traffic Management). This section states that an average estimate of deliveries will be 75 per day (in and out of the golf course) over a 40 week period. In this context there must be a maximum number of loads in any day with no deliveries after 4.30pm. A level of 100 would seem

reasonable.

My second point refers again to the CEMP and the Gantt chart shown on page 40. This timetable will require a fundamental modification by prioritising the in-filling works to the South incorporating holes 9, 10, 11, 12 and 13. This will ensure that the long awaited reinstatement works are completed first. The infill works to the North will be the last element of the project and will only be completed after holes 9-13.

My third point follows on from this and is with the need to draw a line on construction works after a particular date. The final construction date is stated on the aforementioned plan as 30th March 2011 and this must be the final date. Whatever level of land fill has been undertaken at this stage must be final and not lead to further delays on this project.

I believe the above points should be incorporated as additional terms and conditions of the above application prior to its determination on August 5th 2010.

#### MIDDLESEX COUNTY GOLF UNION

Once again, it is with disappointment and forboding that Middlesex County Golf Union learns about the planning application. The proposals being: remodelling works to the golf course consisting of recontouring of existing land foprmusing imported inert soils, together with extensive landscaping and associated drainage.

On belaf of the MCGU Executive Committee and those members of Uxbridge Golf Club, I can only reiterate the sentiments formally stated in our previous letters of appeal. Uxbridge Golf Club (Harefield Place Golf Club) is a member of the Middlesex Union and has been in existence since 1947, with 124 male members affiliated to the County Union and to the English Golf Union. Although a public golf club, Uxbridge Golf Club has been the breeding ground of players who have developed their game and progressed to represent the County and is also a great social benefit to those living nearby.

As recently as April 2010 an application of this kind was rejected, how revisions could have been so quickly addressed considering the severity of the winter weather is very suprising. The golf industry is struggling barely keeping its head above water financially. there is currently huge pressure on every golf club in maitaning memberships and green fee income, so when golf courses are remodelled it is essential that the work is carried out sensitively and sympathetically. This work will clearly take many months and the recovery even longer, thus depriving the members their facilities which have been affected by gas pipe laying. Middlesex County Golf Union would urge more careful deliberation of this work and the repocussions before it is undertaken as the future of Uxbridge Golf Club would seem uncertain.

#### HAREFIELD PLACE GOLF CLUB

We stronly object to the application which is once again fundamentally flawed. We strogly believe that the proposal will ruin a beautiful golf course with a massive effect on the landscape and the wildlife that we freely enjoy.

The proposed layout will create massive areas of banking, blocking out beautiful views and also a risk to golfers of all ages and disabilities and great dangers could occur where there are huge blind areas with golfers walking into stray golf balls. We stronly believe that the landform operation on the 14th, 15th and 16th holes is not required as all golf courses in the UK get waterlogged from time to time and this course has never been shut due to flooding, only due to snow. It was stated on the tender document that work was to be done alongside the pipeline reinstatement but this window of oportunity has now been missed by 18 months.

Holes 9-13, disrupted by the pipeline have been established for a long time and have never had a problem with drainage. The only hole that has changed is the 9th, which the Council undertook, at their expense 17 years ago and a plateau was created to alleviate a severe slope. This was obviously designed by a company and is sufficient in itself as they must have looked into the severity of the banking at the time. We feel the proposal will create a bank not only unwalkable to golfers but unmaintainable to staff and a serious health and safety issue for golfers retrieving golf balls. There will also be a loss of some lovely mature trees and the loss of a beautiful view.

The proposed 10th hole is going to create a steep banking which will ruin the natural contours of the existing hole, thus creating a need to raise the 11th hole, a quite wonderful existing par 3, one of the best in the country. The proposed new 12th green will be moved back and therefore will be very dangerous for golfers on both the 9th and 12th greens and players walking to the 10th tee, again a health and safety issue.

The proposed new 14th hole with a new pond could be put without landfill.

Regarding the proposed 15th hole, the proposed volume of landfill is unnecessarily large. The problem is not flooding but waterlogging after heavy rain. The proposed pond presents an unfair hazard for high handicap and inexperienced golfers, situated in the centre of the fairway approximately 140 metres out. Until the proposed shrubbery to the right is mature, it is totally insufficient to safeguard anyone using the practice ground as golfers tend to slice tee shots because of out of bounds on the left which will be more in play due to the new banking.

The proposed raising of the bottom 16th is unnecessary and any works required to the teeing area could be done under normal maintenance programme.

The continued submission of applications is merely causing delay to the reopening of a beautiful 18 hole golf course. Had the course been reinstated as originally intended, it would be operational by April 2010, as promised by National Grid. The earliest reopening is now said to be April 2012. We believe this to be totally unrealistic, not to mention unreasonable to the future of the club, due to the lack of availability of inert material under current circumstances.

Our club, a family orientated group has suffered greatly with a devastating loss of membership and facilities. National and County competitions cannot be held here until it is back to an 18 hole golf course. We have been unable to enter competitions based on home and away matches. We believe that immediate reinstatement of the course should be stipulated by the Council and landlords for the benefit of the club and local community. Mack trading have already been paid to carry out the reinstatement and they should be made to do this immediately.

#### HILLINGDON NATURAL HISTORY SOCIETY

Hillingdon Natural History Society, as managers of Harefield Place Nature Reserve which abuts the golf course on its western edge, has the following comments to make on the proposed re-landscaping of the golf course. We are pleased that the northern end of the course is being left 'as is' and are not objecting to the landscaping itself, although the course is well shaped already, only on the perceived consequences for Harefield Place Nature Reserve, which is part of Frays Valley Local Nature Reserve.

1. There is a population of Water Voles on the ditches both through and adjoining the golf course. These have been fully protected by law since April 2008. We are particularly concerned with the ditch which runs south along the western edge of the golf course adjacent to the track starting by the northern edge of the practice green and entering the LNR near hole 14 (see map below). This ditch is quite overgrown, but must not be disturbed. We are pleased that the practice green, presently a very nice, wet flowering meadow is being retained. We monitor this area regularly and

there are always signs of water vole activity. This species needs unpolluted water and lush vegetation. Compaction and movement of materials threatens its habitat and territories. The reed beds in the adjoining lake are particularly important.

2. We are concerned that there is not enough clearance between the ditch and lake edge and the proposed haul route, see Appendix A. The use of the track and turn round at the northern end would appear to prevent or severely restrict access to the north wood, as the main entrance is close to the turn round. Hillingdon Natural History Society are bound by their licence conditions to have permanent access to the reserve and this is the only access at weekends.

3. The application states that 'inert' topsoil will be imported. What procedures will be put in place to ensure that no minerals or alien plant seeds are imported? We have enough trouble at present with Himalayan Balsam and Japanese Knotweed on the reserve.

4. What procedures will be in place to ensure that no more material will be imported than that specified on the planning application? I note that from the second application 'Remodelling proposals, Appendix 1 - Construction Issues 3.1 (page 7)' that overfilling appears to be 'acceptable' and therefore likely to occur. Hillingdon Natural History Society do not consider this to be acceptable. It does not appear to be mentioned in this application.

5. Since we have not seen the Environmental Impact Assessment, we cannot comment on it. If the plans are approved, then the use of fertilisers on the course and the increased drainage will affect the soil quality in Denham Lock SSSI. In general no nature reserve should have any fertiliser added as this changes the plant communities encouraging species which thrive on nutrient rich soil. These vigorously compete with the rarer plants which are an essential part of the reason the SSSI exists.

6. The considerable increase in vehicular movements brings unintended pollutants such as fuel and oil which ultimately end up in the water courses, a complex series of ditches leading to the River Frays. These are outside the area outlined for development but which could suffer from the impact of such traffic. An average of 75 vehicular movements a day is calculated. Is this over the 7 day week or a 5 day working week? What is to prevent there being 375 movements on one day and none for the rest of the week?

7. How will fly tipping be prevented?

HAREFIELD TENANTS AND RESIDENTS ASSOCIATION - No response.

THE DRIVE (NORTH END) RESIDENTS ASSOCIATION - No response.

NORTH UXBRIDGE RESIDENTS ASSOCIATION - No response.

GREATER LONDON AUTHORITY (GLA)

The Mayor considers that the application complies with the London Plan, provided the conditions set out in paragraph 42 of the Stage 1 Report are agreed by the applicant and the Council.

Pursuant to Article 5 (2) of the Order the Mayor does not need to be consulted again, provided that these conditions are imposed. Your Council may therefore proceed to determine the application without further reference to the GLA, provided these conditions are imposed.

THE GLA Stage 1 REPORT (SUMMARY)

London Plan policies on green belt, waste management, biodiversity, design, access, transport and parking are relevant to this application. The application complies with the London Plan provided the

conditions set out below are agreed by the applicant and the Council.

Green Belt: The proposal is an appropriate use in the Green belt and complies with London Plan Policy 3D.9

Waste Management: The provision of and adherence to a Site Waste Management Plan must be secured by condition.

Biodiversity: The mitigation and enhancements proposed are welcome. The proposed biodiversity and monitoring plan must be secured by condition.

Urban design and access: The remodelling and improvement of the Golf Course at a lesser scale is supported.

Transport: The submission of a construction logistics plan should be secured by planning condition.

## TRANSPORT FOR LONDON (TfL)

I write following notification of this planning application dated May 2010. Please note that the following comments represent the views of Transport for London (TfL) and are made entirely on a without prejudice basis. They should not be taken to represent an indication of any subsequent Mayoral decision in relation to this scheme. These comments also do not necessarily represent the views of the Greater London Authority (GLA) which should be consulted separately.

The proposal is for remodelling works to the Golf Course, consisting of re-contouring of existing land from using imported inert soils, together with extensive landscaping and associated drainage. The site is bounded by the A40 to the South which forms part of the TLRN, residential back gardens, open green belt, a skip recycling/transfer station and a separate recycled aggregate waste transfer station and concrete batching plant to the North. When consulted on the previous application (4601/APP/2009/2622) TfL agreed the use of the access from the A40 for construction access alongside another access on Skip Lane and requested the submission of a Construction Logistics Plan (CLP) to be secured by planning condition with the usual requirements that facilities such as wheel washing are located on site and that vehicles do not back up on to the TLRN under any circumstances.

The new application represents a reduction in the scale of works proposed therefore TfL's previous comments still stand and we have no further comments to add regarding this application.

## ENVIRONMENT AGENCY

The proposed development will only be acceptable if the following measure as detailed in the Flood Risk Assessment submitted with this application is implemented and secured by way of the following planning condition.

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) K0148 Rep 3 Rev 0 and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the 1 in 100 year plus climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

We ask to be consulted on all details submitted in compliance with this condition.

Informative:

If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. The Duty of

Care regulations for dealing with waste materials are applicable for any off-site movements of wastes. The developer as waste producer therefore has a duty of care to ensure all materials removed go to an appropriate licensed disposal site and all relevant documentation is completed and kept in line with regulations. If any waste is to be used on site, the applicant will be required to obtain the appropriate exemption or authorisation from us. We are unable to specify what exactly would be required if anything, due to the limited amount of information provided. If the applicant wishes more specific advice they will need to contact the Environment Management Team at our Hatfield office on 08708 506 506 or look at available guidance on our website: <http://www.environment-agency.gov.uk/subjects/waste>.

## NETWORK RAIL

With regard to the above planning application Network Rail Town Planning has no objection in principle but we would strongly recommend that the developer/applicant has the following comments passed to them as conditions.

The proposal is near to the railway infrastructure and as such the developer should contact the Asset Protection Team for the area, they may need to see detailed drainage and excavation plans where relevant, such plans should be issued to the team at least 6 weeks prior to any works commencing on site. Please contact:

In advance of the developer/applicant contacting the asset protection team they should take on board and action as follows in order to prevent any impact upon the safety, operation and integrity of the railway:

Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property. Full details to be submitted for approval. Suitable foul drainage must be provided separate from Network Rail's existing drainage.

Soakaways, as a means of storm/surface water disposal must not be constructed near/within 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property.

All excavations/earthworks carried out in the vicinity of Network Rail property/structures must be designed and executed such that no interference with the integrity of that property/structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

Furthermore, there must be no general lowering of present ground levels near Network Rail's boundary where the railway is on an embankment or same level as the adjoining land. Further, there must be no excavation into, nor deep continuous excavations near, the toe of embankments or retaining walls or bridge support slopes.

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.



## NATURAL ENGLAND

The application site is adjacent to Fray's Farm Meadows SSSI. This reply comprises our statutory consultation response under the provisions of Article 10 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 28 of the Wildlife and Countryside Act 1981 (as amended).

As you are aware, we raised objections to previous proposals for the above site, and have subsequently held detailed discussions with the applicants ecology consultant. Natural England recognises that the applicant has responded to our earlier comments by producing considerable supplementary information to address some of the issues raised and we consider the revised materials to include some very positive changes. Our discussions with Johns Associates on behalf of the applicant have been constructive and, following these discussions, we support the additional points made in the letter of addendum dated 14 June 2010.

Natural England does not object to the current proposals, subject to the inclusion of conditions as discussed below and the proposals being carried out in strict accordance with the terms of the application and the submitted plans.

### Hydrology

As discussed in previous correspondence, there is limited information available regarding the detailed hydrology of the SSSI, on which to base judgements concerning the impacts of the proposal. The suggested hydrological isolation of the SSSI from the golf course at groundwater level has not been conclusively demonstrated and it is not likely that this evidence can be gathered in the near future. Therefore it is not possible to rule out this pathway between the golf course and the SSSI. However, we acknowledge that the Water Management Plan (Johns Associates, April 2010), which models the changes to surface and groundwater flows on the golf course, addresses as far as possible our concerns with regard to alterations to the existing hydrology, and the impact these may have on the SSSI.

Based on the modelling predictions that water flowing from the golf course to the SSSI will be the same as present levels or higher, Natural England accepts that any overall negative impact on the SSSI can be expected to be minimal. Our chief concern is that London Wildlife Trust, who manage the site, should have control over water flowing to the SSSI from the golf course, such that it is available to the SSSI if required, but can be diverted away if necessary. Following discussions with the applicants ecologist and agreement on the addition of extra measures to the proposals submitted with this application, we are satisfied that this is the case. Natural England expects that, as agreed in discussions and confirmed in the letter of addendum, the exact location and design of water control features will be submitted in detail for approval to ensure that they deliver the required water movement across the drainage system, and that this should be secured in a suitably worded condition.

### Water quality survey and monitoring

Natural England considers that the detailed water quality monitoring regime and feedback mechanisms set out in the Water Management Plan and expanded in the letter of addendum, are appropriate to ensure that possible impacts on the SSSI can be responded to effectively. In particular we welcome the undertaking of a comprehensive baseline survey to establish current conditions and fully inform the subsequent water quality monitoring. In our view this is a best practice measure which will support future discussions with regard to water quality and enable the local authority to fulfil its duty to conserve and enhance the SSSI. Natural England would expect this survey and monitoring package to be secured with a suitably worded condition.

### Governance

Natural England expects that, as agreed in discussions and confirmed in the letter of addendum,

London Wildlife Trust has appropriate control over water control features and that this should be secured with an appropriately worded condition.

Similarly, we are satisfied that the letter of addendum includes provision for London Wildlife Trust, their graziers and Natural England to enjoy continued access to the SSSI via the application site, and in the case of the Trust and graziers or contractors carrying out work on their behalf, we would expect to see this formalised using a suitably worded condition.

#### General remarks

Natural England supports the recommendations made for mitigation measures and habitat creation and management in the Biodiversity Mitigation, Management and Monitoring Plan (Johns Associates, February 2010); these should be secured with an appropriately worded condition.

#### Summary and conclusions

Subject to the inclusion of the above conditions and the proposals being carried out in strict accordance with the terms of the application and the submitted plans, Natural England has no objections to this proposal at present. Should there be any modification or amendment to the application, however, which may affect the SSSI, Natural England must be consulted further.

If your council decides to allow the development without applying the requirements/conditions set out above it must notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, it has taken our advice into account. It must then allow a further period of 21 days before the development can commence to allow us to consider any further action.

SPORT ENGLAND - No response.

LONDON WILDLIFE TRUST - No response.

DEPARTMENT FOR ENVIRONMENTAL, FOOD AND RURAL AFFAIRS (DEFRA) - No response.

COLNE VALLEY PARK CENTRE - No response.

METROPOLITAN POLICE CRIME PREVENTION OFFICER.- No objections.

#### **Internal Consultees**

##### **POLICY AND ENVIRONMENTAL PLANNING**

The current application is a re-submission of a previously refused scheme ref: 4601/APP/2009/2622. The following amendments have been proposed:

- Withdrawal of the northern access and the use of Skip Lane for this purpose
- Withdrawal of the proposal to remodel holes at the northern end of the site; the only remodelling to the north of the central woodland block will be on holes 14, 15 and the lower part of hole 16 (existing hole numbers)
- A reduction in the scale of proposed works on the holes to be remodelled.
- The proposed infill volume of 375,000 cubic metres has been reduced to 134,942 cubic metres.

However, as there are no new planning policy issues introduced with this scheme, the previous policy comments still apply.

1. Site: The proposal site is located in Uxbridge Golf Course. The site is designated as Green Belt land. The site is bordered by a waste management site to the north, farmland to the northeast, residential properties to the south-east, grazing land and the A40 to south, and meadow grassland and wet woodland (in a nature reserve and SSSI) to the west.

2. Recent planning history: The current application is a re-submission of a previously refused scheme ref: 4601/APP/2009/2622 with the following amendments:

- Withdrawal of the northern access and the use of Skip Lane for this purpose
- Withdrawal of the proposal to remodel holes at the northern end of the site; the only remodelling to the north of the central woodland block will be on holes 14, 15 and the lower part of hole 16 (existing hole numbers)
- A reduction in the scale of proposed works on the holes to be remodelled.
- The proposed infill volume of 375,000 cubic metres has been reduced to 134,942 cubic metres.

3. London Plan: The London Plan sets out the Mayors strategic objective for the future of Green Belt Land in London and aims to ensure that Green Belt is maintained and protected.

Policy 3D.9 sets out the mayors strategic objective for the future of Green Belt Land in London and aims to ensure that Green Belt is maintained and protected. The London Plan states that there is a general presumption against inappropriate development in the Green Belt, and such development should not be approved unless in very special circumstances.

Policy 3D.14 Biodiversity and nature conservation seeks to protect, promote and manage biodiversity.

#### 4. Main Policy Issues

As there are no new planning policy issues introduced with this scheme (ref: 4601/APP/2010/1103), the previous comments still apply (see below):

##### Land-use

The site is located within designated Green Belt land. Under the terms of UDP Policy OL1 development in the Green Belt is normally unacceptable unless it is agriculture, cemetery or recreation related.

The main policy issue in relation to this scheme is the impact of the proposal on the openness of the Green Belt and the visual amenities.

The proposal is for the remodelling of the golf course. Golf courses are considered an appropriate Green Belt use. However, the potential visual impact that the re-modelling of the golf course could have on the Green Belt must be considered. Therefore, regard should be taken to Policies OL2 and BE13 which safeguard the Green Belt and ensure the harmonisation of any proposed development.

Officers would also need to be satisfied that the scale of the proposed scheme is not going to harm the openness of the Green Belt, including any impact on ecology, and that it is consistent with Policy OL9 Areas of Environmental Opportunity which includes the Colne Valley Park.

Policy OL5 will only permit proposals for development adjacent to or conspicuous from the Green Belt if it would not harm the character and appearance of the Green Belt. It is unlikely that the re-contouring of the land would be visible from afar and would not affect the overall character and openness of the Green Belt, and would consequently be compatible with PPG2 and Policy OL5 and OL9 of the UDP Saved Policies.

##### Ecology

The application site is located in proximity to several legally protected sites that have a statutory designation, such as a SSSI site and others that have been designated on a non-statutory basis, including Sites of Importance for Nature Conservation (SINC). There are legally protected species in proximity of Uxbridge Golf Course.

Policy EC1 and EC2 state that nature conservation interests will be taken into account in considering proposals for development of land especially within sites of borough (Grade II) and local importance. The protection of species afforded by the wildlife and countryside act 1981 (amended 1985) will be a material consideration and where appropriate an ecological assessment may be required before it determines development proposals.

Policy EC3 requires proposals for development in the vicinity of sites of nature conservation importance to have regard to the potential effects on such sites of changes in the water table and of air, water, soil and other effects which may arise from the development.

Policy EC5 may require certain on-site ecological features to be retained in new developments and seek to enhance the nature conservation and ecological interest of sites or create new habitats through the use of planning conditions attached to planning permissions or through planning agreements negotiated with developers.

An ecological assessment has been provided within the application and officers should be satisfied that the nature conservation area is not compromised. However, mitigation measures should be managed through a Biodiversity Management and Monitoring Plan and could be implemented through planning obligations.

## 5. Conclusion

As there are no new planning policy issues introduced with this scheme, LDF have no objections in principle to the proposed scheme.

## TREES AND LANDSCAPE OFFICER

### THE SITE

The site is a Council-owned 18 hole golf course, situated to the north of the A40 and to the west of the rear gardens of houses in The Drive. The course occupies land on a north-south axis, which slopes downhill from the east (a ridge line at approximately 62.0 metres AOD in the north/52.0 metres AOD in the south) to the west (approximately 34.0 metres AOD in the north and 32.0 metres AOD in the south). The west boundary meets the floodplain of the Colne Valley and the River Frays, with the Grand Union Canal lying further to the west. The floodplain is characterised by reservoirs (flooded gravel pits) to the north-west and woodland/scrub with areas of semi-natural grassland and wetlands in the south-west. There is a waste management site on elevated land on the northern boundary which is part-screened by a wooded slope. (see drawing Nos. 01 Rev B, 02a Rev D, 02b Rev D).

The site is situated within the Green Belt. The floodplain to the west is a Nature Conservation Site of Metropolitan or Borough Grade I Importance, within which there are designated Nature Reserves and a Site of Special Scientific Interest (Frays Farm Meadows). Approximately half way up the eastern boundary there is a Nature Conservation Site of Borough Grade II or Local Importance.

The golf course features a number of trees, including mature specimen Oaks and Poplars, semi-natural deciduous woodland and copses. There are younger stands of trees forming landscape buffers between the fairways, thought to have been planted (approximately 30 years ago) as part of the golf course development. Existing trees and woodland are significant landscape features on the course. Together with the existing sloping/gently undulating landform, open fairways and rough grassland, the trees provide a parkland setting and define the location and orientation of greens, fairways and tees within the course. The wooded slopes are also visible to the public from local public footpaths, the towpath (Grand Union Canal) to the west and the M40/A40 to the south.

Trees on the site are not protected by Tree Preservation Order or Conservation Area designation due to the fact that it is owned and therefore controlled by, the Council. However, the licence

agreement with the managing agent, Mack Trading Ltd, stipulates that no work to trees can take place without the prior agreement of the Council.

#### TREE SURVEY

A tree survey and arboricultural implications assessment, together with drawing No.05 Rev A, has been submitted, which follows the recommendations of BS5837:2005. The survey describes the methodology for the survey in section 3. Root protection zones are specified and indicative tree protection measures provided. The implications assessment is detailed in section 4 and temporary tree protection measures are described in section 5.

The report proposes two options for the method of tree protection. One option is the specification of chestnut pale fencing to BS1772 Parts 1 and 4, with the alternative option of Heras fencing to BS5837:2005. The BS5837 specification should be installed around the individual specimen trees. The lower specification, to BS1772, may be acceptable around larger areas of woodland.

The report concludes (section 6) that tree surgery and selected removal should take place prior to the erection of the protective fencing and prior to the commencement of development. It considers that the new golf course layout makes provision for the significant trees on, and adjacent to, the site. The use of no-dig surfacing in selected areas is also recommended. The report notes that further pre- and post-commencement details can be provided, in the form of an Arboricultural Method Statement, by condition.

The development proposal and tree impact plan is provided in Appendix A. The tree assessments are tabled in Appendix B in which 55 No. individual specimen Oaks were tagged and surveyed (T510-T564). Most of these are categorised as A grade trees (good quality and value/should be retained as part of any new development), with a few lesser quality trees including B grade (moderate), C grade (poor) and R (dead or dying/justifying removal on the grounds of sound management).

Further to this, 25 No. tree groups and areas of mixed woodland are described (G1-G25). These groups also vary in quality and value from A-C, with some groups containing trees within the range A-R.

A summary of the tree retention/removal strategy is provided on the Tree Impact drawing No.14 Rev A.

An attached document, Potential Impact on Mature Trees of Drainage Changes Resulting from remodelling Works at Uxbridge Golf Club, has been submitted in response to concerns raised by the local planning authority regarding the possible effects of changes to the water table on the mature Oaks.

The report assesses the effects of the hydrological changes to the land and the potential impacts of the scheme on the trees and concludes (at 6.1) that the effects of excess water and/or physical damage to the trees pose the greatest threat to the trees. It confirms that the design and detailing of the course has taken into account the needs of the trees and no change of levels, physical damage or waterlogging will occur close to the trees, or their root protection areas.

Furthermore, reference is made (6.2) to the ongoing monitoring plan which will be prepared to support the biodiversity management of the site. The report proposes (6.2.3) that tree health/water table monitoring be incorporated within the management plan.

#### THE PROPOSAL

The Project Description report itemises the purpose and rationale in clause 3.1.1, describing the principal drivers for change as: drainage issues, course quality and environment, safety, impact of

new pipeline and the golf experience.

The proposal is further described in the Design & Access Statement (and other supporting documents) for a phased redevelopment and enhancement of southern and central-western parts of the golf course. The development will result in improved playing conditions for the 9th-16th holes and create a new short-game practice area.

The proposal involves no new buildings and is essentially the creation of a new landscape. This will involve the removal of selected trees and much of the grassland, the importation of inert soil, the creation of new land-form, installation of new drainage, new planting, habitat creation and subsequent management of the remodelled 18- hole golf course.

The site boundaries of the current application are shown on drawing No.10 Rev B and involve new landform created from the importation of approximately of approximately 134,942 cubic metres of imported soils. This is a reduced version of the previous submission which required the importation of some 350,000 cubic metres of soils.

The remodelled areas are highlighted on drawing No.11 Rev B. This plan clearly shows the areas of cut and filled land and those areas of land on which no change of level is planned.

A key landscape objective is the retention of individual specimen trees (notably the Oaks), semi-natural woodland, ditches, valley bottom wetland features and footpaths.

Further objectives include the enhancement and improved connectivity of out-of-play habitat areas, by means of corridors of rough grassland and/or vegetated ditches. Elsewhere, a more varied mosaic of habitats is proposed, including the creation of wet and drier areas to encourage biodiversity.

Other stated objectives for the remodelled course are expressed which intend to complement and enhance the local landscape quality and biodiversity of the site while enhancing the playing experience.

The proposed landscape plan ref. 03 Rev B provides details the vegetation typologies proposed for the golf course and the sites designated for habitat creation.

Section 10 of the Design & Access Statement concludes that the impact of the proposed changes will be limited in terms of visual impact due to the existing terrain which is already sloping and the existing use for which no change is proposed.

#### HAUL ROADS

The haul road to facilitate access to the site for the handling and movement (including importation) of soils will create a temporary impact on the site, during the construction period.

Access to the site will be via the existing gated yard, recently constructed and now vacated, by the National Grid during the installation of the Harefield-Southall Gas Pipeline. Vehicles will access the site from the east-bound slip road from the A40, approaching Swakeleys Roundabout.

#### DEVELOPMENT IMPACT

The Impact Statement accompanying the revised application, describes the baseline assessment, the effects on human beings, buildings and man-made features, the effects on flora, fauna, land, water, air and climate, together with other indirect and secondary effects. In section 5.0, the report notes that, while the course will have a more undulating landform, the basic topographical landform, sloping from east to west, will remain.

In section 8.3 the report concludes that as the end use of the site is unchanged there are not

considered to be significant cumulative impacts for the development.

#### ECOLOGICAL IMPACT ASSESSMENT

The proposal includes an Ecological Impact Assessment and extended phase 1 Habitat Survey, dated 2009, which have been referred to Natural England. The report concludes (chapter 6) with an assessment of the effects of the development on the local flora and fauna. At 6.2.9 the potential effects on the scattered Oak trees during the construction phase are considered and, at 6.2.10, the effects post-construction/during operation. The report concurs with the Tree Impact Report (by Weller) that the effects of the earthworks and drainage proposals on the mature Oaks will not be significant.

#### LANDSCAPE CONSIDERATIONS

Saved policy OL2 seeks landscape improvements within the Green Belt.

Saved policy OL26 seeks the protection and enhancement of trees, woodland and landscape features.

Saved policy BE38 seeks the retention of topographical and landscape features and the provision of new planting and landscaping associated with development proposals.

Saved policy EC2 seeks the promotion of nature conservation interests.

Saved policy EC5 seeks the retention of features, enhancements and creation of new habitats.

- The improvement of the existing golf course involves no built development or change of use within the Green Belt.
- The proposed changes to the landform will not result in any new high points, or ridges, which will break the skyline with all newly raised levels accommodated within the existing range of contours.
- The Supporting Statement confirms (4.7.1) that there is a significant reduction in the proposed clearance of trees and shrubs in the current (revised) scheme, or risk to existing trees, now that 85% of the northern section of the course is to be left untouched.
- The tree report confirms that further pre- and post-commencement details can be provided, in the form of an Arboricultural Method Statement. (To be conditioned).
- The changes will create opportunities for extensive areas of native tree/woodland renewal and other vegetation management aimed at enhancing biodiversity. (To be conditioned.)
- The Supporting Statement document confirms (4.6.4) that protective fencing and a cellular track system will be installed under the guidance of the arboricultural consultant before work commences. (To be conditioned)
  - The Construction Environmental Management Plan confirms (4.4.3) that a detailed method statement will be provided by the Project Environmental Manager to ensure that top-soil and sub-soils will be handled and stored in accordance with good practice. (To be conditioned)
  - Details of the post-construction establishment and maintenance of the new landscape is required, together with the handover arrangements and responsibilities of the management company. This is to ensure that the remodelled and planted landscape meets the design objectives satisfactorily. (To be conditioned).

#### BIODIVERSITY CONSIDERATIONS

Saved policy EC1 seeks to minimise impact on nature conservation site.

Saved policy EC2 seeks to promote nature conservation interests.

Saved policy EC 3 seeks to assess the potential impact of development.

Saved policy EC5 seeks the retention of features, and the enhancement and creation of new habitats.

- An Ecological Impact Assessment has been submitted and SSSI protection measures proposed in Appendix D.
- A Tree Survey (document dated November 2009) and Arboricultural Implications Assessment, in accordance with BS5837:2005, has been submitted (see drawing No. 05 Rev A). Trees have been assessed as individuals (and tagged).
- The retention of trees of amenity value has been one of the guiding influences on the location of the earthworks and the layout of the new golf course. At 4.6.4 the Supporting Statement confirms

that protective fencing and a cellular confinement track system will be used along sensitive sections of the route that pass through the central woodland belt. (To be conditioned).

- The use of the existing southern access point, off the A40, is not anticipated to generate any additional landscape impact at the point of entry (at the southern end of the proposed 9th hole).
- The scaling back of the current scheme will result in a reduced area of tree and shrub clearance across the site.
- The objectives of the landscape design and management proposals are intended to enhance biodiversity and benefit wildlife, particularly on the out-of-play areas. (To be conditioned).
- Since the previous application additional biodiversity enhancements have been planned, as outlined in the Biodiversity Mitigation, Management and Monitoring Plan and the Water Management Plan. (To be conditioned).

#### RECOMMENDATION

I have no objection to the proposed development, subject to conditions TL1, TL2, TL3, TL5, TL6, TL7, TL21 (to include arboricultural method statement).

#### S106 OFFICER

The likely planning obligations arising from this proposal should it be recommended for approval are as follows:

Proposed Heads of Terms:

1. Transport: in line with the SPD a contribution or highways agreement may be sought to deal with the proposed access arrangements resulting from the proposal. Thought will have to be given for how the construction traffic is managed. Given the nature of the scheme TfL may seek a travel plan however, how practical this is given the nature of the application I am unsure.
2. Construction Training: In line with the SPD if the proposal has an estimated construction cost of £2m or a construction period of longer than 3 months then it is likely that a construction training contribution will be sought as a result of this proposal. In line with the formula a contribution equal to £2,500 for every £1m build cost will be sought. It is also likely that a contribution towards the construction training co-ordinator will also be sought.
3. Environmental Improvements: in line with the SPD there may be some form of land restoration bond secured to ensure that the works are undertaken. Please seek comments from EPU over this.
4. Project Management and Monitoring Fee: In line with the SPD if a s106 is entered into then 5% of the total cash contributions will be sought to enable the management and monitoring of the respective agreement.

#### RIGHTS OF WAY OFFICER

Public Right of Way U50 runs from Harvil Road to the Grand Union Canal. It is a legally registered Public Right of Way and was historically established, therefore any change to its defined route or extinguishment must be carried out through a Legal Order.

This footpath is included in the Colne Valley Park and is included in publicised walks and the route is part of direct off road links from Ickenham/Ruislip into Buckinghamshire and the Grand Union Canal.

With this in mind the following comments are provided:

Photographs of the path to be taken before and after construction to record any damage to the route.



No blockages, diversion, closure on the path during construction, if needed by legal order.

After completion (or during) any damage to the path be made good

Any future habitat enhancements bordering the footpath must be managed to avoid area becoming overgrown and without management.

Path to be made as safe as possible during construction, fence etc.

Re-surfacing of the route with hogging or a type 2 surface leading to the Grand Union Canal as part of improvements would greatly enhance the walking experience of residents and visitors to the borough.

## ENVIRONMENTAL PROTECTION UNIT

The revised proposal is for less soil, the new volume being 134,942 m<sup>3</sup>. This is still a substantial amount of imported soil, and requires the same level of monitoring to ensure that no contaminated soils are imported to the site. The CEMP does provide proposals for the control of soil importation (Chapter 3). The Environment Agency, EA have confirmed in a letter to Hydrock (consultants for Greenspace dated 6 October 2009 that they are satisfied that the works proposed by the previous planning application are not an intolerable risk to controlled waters. It appears that the EA were provided with the Soil Import Values Report (Hydrock R/09174/001) for the Golf Course. As discussed it remains for the EPU to agree the import values to protect human health. Hydrock have justified their import values using a human health risk assessment in the golf course development scenario.

However the EPU were looking for some reductions to ensure that no soils with above background chemical levels are passed for deposit by the testing results. Hydrock contend that the EA test requirements will in any event prevent poor soils passing the tests. The Hydrock report does not appear to be submitted with the application. I do not see why this cannot be agreed and a pragmatic solution achieved to protect human health and ensure the Council's interest in only receiving soils as good as the clean soil already on site. The CEMP seems adequate to control and assess the imported soils providing this monitoring and testing work is carried out regularly. It appears the developer is intending to follow best practice waste guidance. The actions in the Quality Protocol

in the CEMP (Pre-authorisation and Post-delivery) seem adequate and are what we will be looking for in terms of data on the work.

To keep the Council in the loop conditions for submission of import data may be relevant. I think this is extremely important given the past performance of developers on these sites in updating us on works. Otherwise the reports will bypass the LPA and be submitted to the EA under Environmental Permitting or Waste Management legislation. The CEMP confirms that a monthly report would be available to the EA from the Greenspace database if needed, and a final verification report submitted post development to the EA. As the land is the Council's land I think that a monthly

report with the details of sources, testing, and other relevant matters should be submitted to the LPA. Following development a verification report detailing the works and how they meet the requirements of the planning permission should be submitted to the LPA. I have suggested a second condition below to ensure that information is submitted to the LPA regularly.

### Condition

No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. All imported soils shall be inspected and tested for chemical contamination, and the results of this testing shall be submitted to and approved by the Local Planning Authority.

### REASON

To ensure that the users of the golf course development are not subject to any risks from soil contamination in accordance with policy OE11 of the Hillingdon Unitary Development Plan.

Note: The Environmental Protection Unit (EPU) must be consulted for their advice when using this condition.

#### Condition

A scheme for the the monitoring and chemical testing for contamination of the imported soil shall be submitted to and agreed with the LPA prior to any development works. The agreed scheme shall be implemented as agreed and a written progress report submitted to the LPA on a monthly basis. Following the completion of works a verification report shall be submitted to the LPA confirming

that the import of soils has been implemented according to the scheme and all of the soils deposited on site are clean and free from contamination.

#### Reason

To ensure that the users of the golf course development are not subject to any risks from soil contamination in accordance with policy OE11 of the Hillingdon Unitary Development Plan.

I hope this is useful, the CEMP seems reasonable in what is proposed however clarification is needed on the final import values and submission of data to the LPA. The developer may consider that data should only be submitted to the EA but the EPU considers that if the LPA is updated regularly then there will be benefits in that we will know monthly no contaminated soils have been imported and can brief interested residents if there are enquiries during the works. You may also wish to place a similar condition regarding import volumes and levels for planning compliance purposes.

#### Overall application site

#### Control of specified activities

Start and finish times for vehicle movements accessing and exiting from the Swakeleys roundabout is mentioned in Chapter 5.3.5, EPU would therefore recommend the following condition be applied;

Deliveries to the site shall not occur other than between the hours of 0730 and 1600 Mondays to Fridays only. There shall be no deliveries or collections on Saturdays, Sundays or Bank Holidays

Reason: To safeguard the amenity of surrounding areas.

#### Dust

Current government guidance in PPS23 endorses the use of conditions to control impacts during the construction phase of a development. With this in mind the following condition is recommended;

The development shall not begin until a scheme for protecting surrounding dwellings from dust emitted from the construction works, has been submitted to, and approved by the LPA. The scheme shall include such combination of dust control measures and other measures as may be approved by the LPA.

Reason: To safeguard the amenity of surrounding areas.

#### Chapter 6.2 Construction and Environmental Management Plan

##### Dust, Smoke and Particulates

Appendix B has been completed in line with the current Best Practice Guidance from the Mayor of London specifically for evaluating the potential for dust nuisance from construction sites. The outcome of this assessment is that the site is determined as Low-risk category. As such the relevant mitigation measures set out in Chapter 5 & 6 are appropriately determined.

EPU has a hard copy of the April 2010 version of the CEMP and will retain this for reference should the need arise to contact site.

## HIGHWAY ENGINEER

The existing National Grid construction access off A-40 slip road is proposed to be used for the proposed remodelling works to the golf course. The applicant has suggested that traffic entering the site would arrive from eastbound A40. The Council is the Highway Authority for the Swakeleys roundabout and north and south approaches, Swakeleys Road and Park Road respectively. TfL is the Highway Authority for A40 and the slips roads. Swakeleys Road and Park Road are classified roads and are designated as traffic sensitive streets between 7.30am-9.30am and 4pm-7pm Monday to Saturday. The roundabout and its approaches are heavily congested during the above times.

The proposed delivery hours are between 7:30am and 4:30pm Monday to Friday. An average of 75 deliveries per day (150 two way movements) over a period of 40 weeks has been identified. Vehicles exiting the site would inevitably affect the roundabout and hence other approaches to the roundabout. However, the level of the impact (particularly during traffic sensitivity hours) is unknown, as the breakdown of delivery lorry movements during the day and the associated impact have not been provided. Full delivery and exit routes have also not been submitted. In case of any approval, the above issues should be covered through suitable planning conditions and restrict the delivery vehicles exiting the site during any 30 minutes interval of the traffic sensitivity hours to no more than 3.

Subject to the above issues being covered through suitable planning conditions, no objection is raised on the highways aspect of the proposals.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The whole of the application site is designated as Green Belt. The main policy issue in relation to this development is considered to be the principle of additional development within the Green Belt and its impact on the character and appearance of the Green Belt. Of particular relevance are UDP Saved Policies OL1 and OL4. Policy OL1 states that agriculture, horticulture, nature conservation, open-air recreation and cemeteries are the only open land uses which are acceptable. New buildings are only acceptable if they are essential for the open land use. No new buildings are proposed as part of this development.

London Plan Policy 3D.9 states that Green Belt is to be protected from inappropriate development and as such inappropriate development should not be approved except in very special circumstances. Both Saved UDP Policy OL1 and London Plan Policy 3D.9 flow directly from PPG2, which sets out appropriate uses in the Green Belt, including open recreation. The proposal is for the remodelling and improvements to an existing Golf Course. Golf courses are considered an appropriate Green Belt use.

PPG2 recognises the most important attribute of the Green Belt is its openness. It is considered unlikely that the re-contouring of the land would be visible from afar and as such, would not affect the overall character and openness of the Green Belt. Given the limited visual impact and the fact that openness does not necessarily equate to flat or uniform topography, or negate the inclusion of tall vegetation, it is considered that the proposal does maintain the openness of the Green Belt and would not detract to a detrimental degree from its attractiveness as a recreational destination. The golf course development complies in general with the key theme contained within PPG2 by keeping land permanently open.

Paragraph 1.6 of the PPG states that the provision of opportunities for outdoor recreation near urban areas is a positive role that Green Belt land can play. The proposed

development provides outdoor sport and recreation facilities. This is also in accordance with PPG17, which identifies outdoor recreation as an appropriate Green belt activity.

The imported material is defined as waste material for planning and environmental purposes and the application has therefore been referred to the Mayor. Although it is accepted that the importation of waste materials can be common practice for the creation of new golf course features 134,942m<sup>3</sup> of material is a significant quantity. Annex A of PPS10 'Planning for Sustainable Waste Management' states "that in respect of applications which are properly to be decided by the district planning authority but which involve the use of large amounts of engineering fill for such purposes as levelling or landscaping of sites or construction of bunds and embankments, it may be appropriate for the district planning authority to question the applicant about the purpose of the development".

Although Saved Policies MIN20 and MIN21 identify pollution control measures and the impact of landfilling on the local hydrogeological regime as a material consideration, there are no specific UDP Saved Policies setting out the criteria against which this type of proposal should be assessed. However, it is considered reasonable to ensure that the amounts of waste deposited are the minimum necessary for the intended purpose. As a result, a key issue to be considered in assessing this application is whether the importation of waste materials is essentially financing the proposed development and consequently the key driver behind the proposals, or whether the proposed amount of fill is reasonable and the minimum necessary for achieving the proposed development. Clearly, contributing to the funding of the development is usually one of the purposes of the importation, and if the extent of adverse environmental impact does not outweigh the benefit to be derived from the development, then the question of what exactly constitutes a minimum requirement for purpose may not be so relevant.

The applicants have provided a justification (summarised below) for the amount of imported waste, in order to achieve the following objectives:

A) Drainage Issues

Whilst the course has historically been a well patronised facility, there have been major issues with drainage which result in very wet conditions underfoot on most of the holes across the site, in particular along the lower western side of the site. As a result the course sees far less use in the wetter months with some holes unplayable for 4 to 6 months of the year. A combination of raising and re-grading the existing topography using inert soils imported from construction sites and the installation of a new pipe drainage network will address the drainage issues, allowing the course to be played throughout the year. A more undulating landscape will be created, to add golfing interest and difficulty but also to ensure that surface water moves more rapidly into the drainage network.

B) Course Quality and Environment

For the golf club to remain an active public amenity with a healthy volume of usage it is imperative that the entire course is refreshed, to offer a more attractive golfing layout with exciting new holes offering state of the art green complexes (USGA specification), larger and more attractive tee complexes, better bunkering and more undulating fairways. In addition a significant investment in a new irrigation system will be installed to replace the aging system currently in use.

C) Safety

Safety concerns have been raised by residents of the Drive with golf balls entering back gardens which is due to the position of golf holes in relation to course boundaries, the remodelling offers the opportunity to relocate the landing areas of the existing 9th and

10th holes (new 8th and 9th holes) away from the property fence lines thereby improving the current safety parameters.

#### D) Impact of New Gas Pipeline

Work is necessary to provide additional health and safety protection over the pipeline, repair a significant area of subsidence on the existing 9th fairway resulting from the pipe laying works, reduce the gradient/alignment along the existing 9/10th hole to improve safety of residents and provide a more playable surface.

#### E) Golf Experience

The proposed improvements at the golf course are imperative to ensure that Uxbridge is a course of choice for all standards of golfers in the Borough and particularly its season ticket holders.

It is considered that the applicant has provided a robust justification for the remodelling works in some areas, including drainage, land slippage and the gas pipeline reinstatement. However, it is acknowledged that where soils are being used to create a golfing environment, the question of what makes a good design is very subjective. These are specialist areas and there clearly appears to be some debate as to whether the proposed works would improve course routing and the golf experience as the applicants claim.

It is also acknowledged that in some cases it would be possible to achieve the same range of contour variation with less or even without any soil importation, simply by lowering all the levels and using localised cut and fill to a greater extent, but in these cases the viability of the scheme and the extent of environmental impact (high water table, tree retention etc) would need to be taken into consideration.

Given the above factors, it is difficult to quantify what would be the optimum or minimum amount of fill required to achieve the stated objectives. Nevertheless the general principle of the development can be supported, subject to consideration as to whether the material planning benefits outweigh any planning objections or potential harm, relating to noise and disruption during operations, dust, heavy traffic movements, duration of operations, ecological and landscape impacts. These issues have been addressed below, in relevant sections of the report.

#### **7.02 Density of the proposed development**

Not applicable to this application.

#### **7.03 Impact on archaeology/CAs/LBs or Areas of Special Character**

The site does not fall within a Conservation Area or Area of Special Character. There are no archaeological issues associated with this application.

#### **7.04 Airport safeguarding**

There are no airport safeguarding issues associated with this application.

#### **7.05 Impact on the green belt**

Saved Policy OL2 seeks landscape improvements within the Green Belt. Saved Policy OL5 will only permit proposals for development adjacent to or conspicuous from the Green Belt if it would not harm the character and appearance of the Green Belt. Saved policy OL26 seeks the protection and enhancement of trees, woodland and landscape features. Saved Policy OL9 seeks to improve the environmental quality of land within the Cone Valley Regional Park.

Uxbridge Golf Course sits in the Green Belt and the Colne Valley Regional Park, on the

west side of the ridge between South Harefield and Ickenham, with a landscape shaped over time by the River Colne and its predecessors. The current golf course uses the natural contours of the land, and the views from points at the top of the ridge, such as the Clubhouse and the public footpath, offer an exceptional vista across the fairways and the Colne Valley beyond.

The most significant impact of the development will be the new landform created from the approximately 135,000 cubic metres of imported soils. The Impact Statement Report describes the effects on the land and considers that, while the course will have a more undulating landform, the basic topographical landform, sloping from east to west, will remain.

A series of cross sections have been provided to illustrate the extent of the landfill proposed. The central area is confined to the western edge of the course. Generally the extent of the works to the southern section of the course is the creation of a series of terraces with land fill between 1- 4 metres, to provide more level fairways.

The improvement of the existing golf course involves no built development or change of use within the Green Belt. The proposed changes to the landform will not result in any new high points, or ridges, which would break the skyline.

All newly raised levels will be accommodated within the existing range of contours. While some areas of trees will be removed to accommodate the new landform, the specimen trees and areas of woodland with the greatest visual landscape and ecological value will be retained and protected as part of the new layout.

Overall, it is considered that the visual impacts of the proposal are unlikely to be of significant detriment to the character of the area, or the perception of openness of the Green Belt, due to the existing landscape character and use and the proposed planting strategy. It is therefore not considered that the amenity and openness of the Green Belt and this part of the Colne Valley would be harmed to a detrimental degree by the proposals, in accordance with Saved Policies pt 1.29 and OL1, OL2, OL5, OL9 and OL26 of the UDP.

## **7.06 Environmental Impact**

Saved Policy MIN20 requires any new proposals for landfill to demonstrate the incorporation of gas control and monitoring schemes, to take account of landfill gas, ensure ancillary activities do not affect pollution control measures and to provide suitable protection for pollution control measures. Saved policy MIN21 requires the impact of land filling on the hydroecological regime to be taken into consideration, including monitoring of the water table and any appropriate mitigation measures once land restoration is complete. Saved policy OE1 seeks to protect areas from development that would result in pollutants, unless sufficient measures are taken to mitigate the environmental impact. Policy OE11 seeks to limit harmful or hazardous substances which are a potential safety risk unless appropriate ameliorative measures are proposed to overcome the risk.

The land at the golf course does not have a contaminative use. However there may be some residual oil in the tee near Uxbridge Skip Hire, from a small oil spill. With regard to existing land contamination, the Environment Agency requires a remediation strategy in the event that contamination not previously identified is found to be present at the site. This condition is to protect the aquifer under the site and could be imposed in the event of an approval. In addition, the applicant would be required to obtain the appropriate exemption or authorisation for any imported waste. However The Environment Agency is

unable to specify what exactly would be required at this stage, due to the limited amount of information provided.

All sub-soils for the remodelling of the course will be imported to the site. The applicants state that imported soils will consist of excavated, uncontaminated earth spoils and soils. However, it is unknown where the applicant is importing the soil from and the precise constituents of any imported soil. As outlined within the 'Description of the Development' section of the planning application, the soil has been defined as being 'discarded'. This would suggest that the soil is an indirect waste from another process or operation. Waste Management Licencing Regulations 1994 defines waste as: "any substance or object which the producer or the person in possession of it, discards or intends or is required to discard." Based upon the above evidence, the planning application is being considered as being a waste application, even though the operations may be exempt from requiring a Waste Permit. The application is therefore referable to the Mayor.

The application documents indicate that all soils for importation will be free of litter (e.g. paper, wood and plastic) and putrescible or biodegradable matter. Samples from all sites of origin will be tested according to current Waste Management Licencing regulations. These soils will be inspected/sampled at source and on site as necessary. There is a waste reception clerk proposed.

A Construction and Environmental Management Plan (CEMP) has been submitted with the application. The CEMP sets out the control of the soil importation process, the construction process, site operations, traffic logistics and the environmental control measures which will be undertaken during construction.

#### QUALITY PROTOCOL

In conjunction with the requirements of the declaration the inspection of the imported soils will be carried out in accordance with a Quality Protocol, agreed Soil Import Values and relevant Statutory Legislation. The Quality Protocol will involve a pre-authorisation and post delivery process as follows;

##### Pre- Authorisation

- The characterisation of the material will be carried out prior to the delivery to site and will include but not be limited to the following;
- Source and origin of the import material with associated evidence such as Site Investigation reports, Soil Analysis/Testing Certificates, previous site history etc. will be obtained and verified that it is suitable for use.
- The process producing the imported material e.g. bulk excavation and location of soils relevant to existing reports.
- The Composition of the import material
- Volume and dates the material is expected from the Producer/Donor site.
- Visit(s) to the Producer/Donor site to inspect material as required to assess the appearance of the import material (including its smell, colour, consistency and physical form).
- Confirmation of the Waste Carrier and the Waste Carrier licence details
- Verification that source material meets agreed Soil Import Values
- On completion of the above a written Pre-Authorisation reference will be issued by letter to the Producer/Carrier for an agreed volume. This will also include details on the agreed delivery routes, delivery times and Site Rules to be adhered to.

##### Post-Delivery

48 hours notice will be required prior to actual receipt of the agreed material at which point a Sales Order referencing the Pre-Authorisation reference will be issued and required to

be signed and returned before deliveries commence. When the inert soils are delivered to site the following checks and balances will be carried out:

- All loads to arrive sheeted.
- Each load to produce a fully completed and signed waste carriers note with pre-authorisation reference clearly marked.
- 3 point individual check of each load of import material to confirm its Characteristics (including its smell, colour, consistency and physical form) will be carried out at; 1. Point of entry; 2. On discharging of load and 3. During the spread and levelling process.
- Carry out representative chemical soil test at the rate of 1 per 500m<sup>3</sup> as a further check against the agreed Soil Import Values
- Visit(s) to the Producer site may also be carried out during the delivery period
- A daily log will be kept of each source of material received (by pre-authorisation reference) and cumulative volume received. The location of where each material has been placed will be logged using a handheld GPS device. The above details will be held on site and on a database for monthly reporting and archiving purposes.
- A final Verification Report will be produced which will be available to the Council and Environment Agency as required by the Code of Practice.

In terms of monitoring and management of import volumes, the site will be zoned into grids indicating calculated volumes for each zone to optimise traffic management routes and minimise noise and dust.

Setting out will be provided (based on Ordnance Survey datum) from control points on site for each zone to enable the site manager to complete the Earthwork areas to the agreed line and level, prior to final shaping of design contours, on a day to day basis.

As a secondary check interim as built surveys (based on Ordnance Survey datum) will be carried out monthly to enable areas to be completed and signed off ready for follow on shaping and golf course construction. This will ensure that the levels agreed within the Planning Permission are being achieved and no over tipping is being carried out.

The monthly as built surveys will be compared with the agreed Planning levels to enable any discrepancies to be highlighted and corrected. This will be made available to the Council on a monthly basis as required by the S106 Agreement.

In terms of how the CEMP information will be obtained on site and forwarded to the Council the following provisions are recommended to be secured by legal agreement:

- A monthly summary submission of soil source and import information will be made to the Local Planning Authority (LPA) and copied to the Council's Environmental Protection Unit (EPU), at the end of each one month of the monitoring period.
- Testing certificates and source site investigations should be submitted as soon as possible as e-documents to the LPA and EPU.
- The monthly submission shall include the source site details, including ground investigations and excavated soil testing, all laboratory testing certificates for soil imports, site inspection comments by the environmental consultant or other suitably experienced person, details of any soils removed, and the locations of soil deposition on site that month and the GPS data for that month.
- The dates of all testing and inspections shall be clearly recorded.
- Confirmation that the developer's independent consultant (currently Hydrock) will be regularly inspecting the site and taking the regular soil samples.
- The final soil verification report referred to in the CEMP shall be submitted to the LPA at the end of the work.



Although the Environmental Protection Unit had some initial reservations about the testing regime at the site, these details are now contained in the Construction Environmental Management Plan. The Plan does not however specify how regularly the Council will be kept informed of the results. However, these controls could be secured by way of a legal agreement, in the event of planning permission being granted.

The developer has submitted a report assessing the human health risks for a future golf course use, and provided standards for chemical contamination within the imported soils on this basis. The Environmental Protection Unit has concerns that some proposed values, although based on future risk, may allow soils for deposit that are not clean inert soils, as are now present on this uncontaminated site. The Environmental Protection Unit advise that using the target levels derived for human health risk may miss the requirement that the Council requires only uncontaminated material at this location and that the contamination criteria is considerably above what is expected for a clean import. The chemical contaminant standards for checking the suitability of the imported soils are therefore not fully agreed between the developer and the Environmental Protection Unit.

Although the chemical contaminant standards for the imported soils have not been agreed, it is not recommended that the application be refused on this basis, as it is considered that these matters could be overcome by the imposition of suitable conditions or planning obligations, in the event of an approval.

A Construction Logistics Plan has been submitted in support of the application. This plan deals mainly with traffic management during the construction phase of the proposal. The key elements of the plan are summarised below.

- Construction access to the site will be via one entrance, the existing National Grid construction entrance off the A40 slip road at Swakeleys Roundabout. The use of this entrance will allow the course to remain open with no construction vehicles required to cross open areas of play.
- The developer will sign up to the Considerate Constructors Scheme (an independent third party monitor) and will adhere to the schemes code of practice.
- the following working hours will be adopted for all import and earthworks activities; Monday-Friday 07.30 - 18.30 (No Deliveries after 16.30). No Saturday working. No Sunday or Bank Holiday working.

#### **7.07 Impact on the character & appearance of the area**

This issue has been covered in Section 7.05 of this report.

#### **7.08 Impact on neighbours**

It is proposed that deliveries of soil using the slip road access will take place between 7.30am and 4.30pm Monday to Friday with no operations on Saturdays or Sunday. Works on the site will continue until 6.30pm during the week with no deliveries permitted after 4.30pm in order to remove any impact on peak rush hour traffic in the area of Swakeleys roundabout. Due to the access being from the A40 it is considered that up to 100 deliveries per day could be received at this entrance, although the proposal is that this is limited to 75.

The Council's EPU have raised no objections to the application in terms of noise and disturbance, subject to the compliance with the condition mentioned above. It is not considered that the operational activities and vehicle movements associated with the proposed development would result in the occupiers of surrounding properties suffering any significant additional noise, pollution, disturbance or visual intrusion, in compliance with Saved Policy OE1 of the UDP.

Safety concerns have been raised by residents of the Drive with golf balls entering back gardens which is due to the position of golf holes in relation to course boundaries, the remodelling offers the opportunity to relocate the landing areas of the existing 9th and 10th holes away from the property fence lines, thereby improving the current safety parameters.

#### **7.09 Living conditions for future occupiers**

There is no residential component to this application.

#### **7.10 Traffic impact, car/cycle parking, pedestrian safety**

Saved Policies AM2 and AM7, of the UDP are concerned with traffic generation and road capacity.

The voidspace of material required for construction to meet the proposed levels is 134,942m<sup>3</sup>.

The estimated number of deliveries required will be 14,994. An average estimate of 75 deliveries per day will result in a construction period of 40 weeks. This takes into account the amended working hours from 7.30hrs-18.30 and no Saturday and Sunday working, with no deliveries after 4.30pm.

As the source of material is not yet finalised and is likely to be variable the applicant does not have specific soils data to determine a Particle Density and subsequent optimum moisture content. In addition, the moisture content of the material will also be unknown, but given the programme of works is likely to be wetter rather than drier than the optimum moisture content as material is received in the Autumn and Winter months. Finally compaction of the material on site will not require specific compaction equipment but will be spread and levelled in suitable layers undergoing incidental compaction from the tracks of the machine and movement of other equipment on the site. This means that coupled with the likely moisture content the developers we are unlikely to achieve greater than 10% air voids on compaction (note the best achievable compaction under strict compaction regimes and lab testing conditions is 95% with 5% air voids).

Taking into account the above factors and the likely range of Particle Density of London based materials the Bulk Density will result in the equivalent of more than 9m<sup>3</sup> per lorry load entering the site and likely to be as much as, if not more 10m<sup>3</sup>. This compares with industry norms of 9m<sup>3</sup>

when placed material is engineered in at 95% compaction with 5% air voids at optimum moisture content.

For the purposes of this traffic management calculation a 9m<sup>3</sup> per lorry load is assumed.

The previous northern access off Skip Lane (via Harvil Road) will not now be required under the current application. Traffic entering the site will do so only off the A40 slip road, which will require vehicles to approach the site on the East bound A40. Traffic Management arrangements on the approach and slip road for the A40 entrance, which includes the proposed road signage is included as an appendix to the Construction Logistics Plan. The entrance and compound area has been specifically designed to eliminate the need for vehicles to wait on the slip road allowing lorries to continue to enter the site with specific refuge and parking areas should there be any hold ups in the site compound.

No vehicles will be permitted to queue on the slip road to enter the site. In addition a Stop sign will be placed in clear view at the exit point for added safety for vehicles to obey when leaving the site.

TfL, which is the Highway Authority for the A40, has raised no objections to the use of the existing temporary access, subject to the submission and approval of a Construction Management Plan.

The proposed delivery times from 7.30am will allow delivery vehicles to arrive on site and leave the area prior to peak traffic build up returning with a second delivery at the end of the morning peak period. It is estimated that deliveries would start tailing off after 3.30pm and no deliveries would be allowed after 4.30pm, thereby eliminating any problems with peak period traffic which builds up after this time. Delivery vehicles not following site rules will be banned from site with immediate effect.

Parking for site personnel and visitors will be in designated compound areas on site. No personnel will be allowed to park outside these areas at any time.

The Council is the Highway Authority for the Swakeleys roundabout and north and south approaches, Swakeleys Road and Park Road respectively. TfL is the Highway Authority for A40 and the slips roads. Swakeleys Road and Park Road are classified roads and are designated as traffic sensitive streets between 7.30am-9.30am and 4pm-7pm Monday to Saturday. The roundabout and its approaches are heavily congested during the above times.

The proposed delivery hours are between 7:30am and 4:30pm Monday to Friday. Vehicles exiting the site would inevitably affect the roundabout and hence other approaches to the roundabout. However, the level of the impact (particularly during traffic sensitivity hours) is unknown, as the breakdown of delivery lorry movements during the day and the associated impact have not been provided. Full delivery and exit routes have also not been submitted. In case of any approval, the above issues should be covered through suitable planning conditions and restrict the delivery vehicles exiting the site during any 30 minutes interval of the traffic sensitivity hours to no more than 3. Subject to the above issues being covered through suitable planning conditions, no objection is raised on the highways aspect of the proposals.

#### **7.11 Urban design, access and security**

Not applicable to this application

#### **7.12 Disabled access**

This matter is covered within Section 7.22

#### **7.13 Provision of affordable & special needs housing**

Not applicable to this application.

#### **7.14 Trees, Landscaping and Ecology**

##### TREES AND LANDSCAPING ISSUES

Saved Policy OL2 seeks landscape improvements within the Green Belt. Saved policy OL26 seeks the protection and enhancement of trees, woodland and landscape features. Saved policy BE38 seeks the retention of topographical and landscape features and the provision of new planting and landscaping associated with development proposals. Saved policy EC2 seeks the promotion of nature conservation interests. Saved policy EC5 seeks the retention of features, enhancements and creation of new habitats

The majority of the site will contain the same number/intensity of golf holes with associated golf features: tees, fairways, bunkers, greens and semi-roughs. This is no different from what currently exists but the layout of the holes is slightly different. The areas between each hole will be managed as rough unimproved grassland with extensive

areas of planting. There are also a number of areas (particularly to the West of the site) defined as wet/dry zones, which will be managed less intensively and allowed to develop naturally.

The design carefully considered the important trees and woodland copse on site and as a result all of the mature/maturing Oaks and mature/maturing woodland copse have been retained. The revisions to the scheme mean a large reduction in the proposed clearance of trees and shrubs. The only mature trees to be removed, in both the December 2009 proposals and the original July 2009 application, were non-native poplars, which have a limited ecological contribution and are arguably an inappropriate species in a British context. Almost all of these will now be retained, with only two groupings to be cleared from adjacent to the 15th fairway.

The question of potential harm to existing oaks as a result of ground level changes was addressed in the Tree Impact Statement submitted in December and agreed with the London Borough of Hillingdon Landscape Architect in previous pre-application discussions. Any remaining concerns regarding the Oaks is much reduced now that 85% of the northern section of the golf course is to be untouched by remodelling works. whilst the less valuable (both aesthetically and ecologically) Poplar trees (usually within groups) have been removed in places to allow for the upgrade of the golf course, these groups (with occasional additional species) would most likely have been planted as part of the original golf course design to divide fairways. Being non-native and out of character with what is essentially an Oak woodland/wet woodland landscape character, it was considered that the clearance of the Poplars (less than 30 years of age) would not only improve the landscape qualities of the site but provide the opportunity to plant more appropriate and sustainable native species. The use of more appropriate shrub species and their careful location in the area of holes 2, 3 16 and 17 will allow improved growing conditions for the golf course.

The impact of the build up in levels on the existing mature Oaks was raised as a concern by the Landscape Officer. In order to satisfy the local authority that there will be no detrimental impact on these trees, an additional report has been prepared that highlights the issues involved. The report covers the existing hydrological conditions, the potential for the water table and soil moisture conditions to change, the likely impact this may have on the trees and measures that can be undertaken to identify and combat at an early stage any stress affecting particular trees. The submitted information includes comments indicating the proximity of fill, potential for impact and mitigation measures for each surveyed tree. The reduction in application area to avoid works on the higher part of the site means that a number of mature oak trees that would have been down-slope of imported soils will now not be.

To remain in top condition despite weather conditions and volume of play, the greens are to be at least 500-550m<sup>2</sup> in size. This also allows for the proposed undulations on the surface for putting and chipping interest. The total teeing area for each hole will be at least 450m<sup>2</sup> so that winter mats can be avoided whenever possible. Bunkers have been carefully determined to limit intrusion from key viewpoints. Grass swales and hollows have been employed in the most visually sensitive locations.

The proposed planting has been designed to reflect the surrounding native vegetation and enhance the habitat and biodiversity of the golf course. A further consequence of the planting proposals will be additional golfing interest, seclusion and a degree of additional safety within the site.

A key theme within the landscape strategy is the development of wildlife corridors across the site which will not only link habitats within the site but also those beyond the course boundaries especially to the west of the site. 1m to 10m buffer zones, areas of unmanaged grassland, will be left along the boundaries and around sections of the proposed ponds/wet dry zones.

The Tree and Landscape Officer raises no objections to the proposed landscape strategy and the tree protection measures including those to individual Oaks and subject to a number of conditions, considers the scheme to be acceptable.

## ECOLOGY

PPS9 outlines the Government's commitment to sustainable development and in particular to conserving the natural heritage of the country for the benefit of this and future generations. Policy 3D.12 of the London Plan states that the planning of new development and regeneration should have regard to nature conservation and biodiversity and opportunities should be taken to achieve positive gains for conservation through the form and design of development. Policy EC3 of the UDP requires proposals for development in the vicinity of sites of nature conservation importance to have regard to the potential effects on such sites on changes in the water table and of air, water, soil and other effects, which may arise from the development. Regarding the creation of new habitats, Policy EC5 of the plan seeks the retention of certain on-site ecological features enhancement of the nature conservation and ecological interest of sites or create new habitats.

The development site lies directly adjacent to the Fray's Farm Meadows Site of Special Scientific Interest (SSSI) and close to the Denham Lock Wood SSSI. Both of these sites are also part of the Mid Colne Valley Site of Metropolitan Importance, which is a section of the Colne Valley with a diverse range of high quality habitats. These reserves play an important role within the broader landscape of the Colne Valley and contribute to the region's biodiversity.

Uxbridge Golf Course is a valley side/valley bottom located course that currently drains into water features located on the western perimeter of the site that also have connectivity with adjacent designated sites comprising Frays Farm Meadows Site SSSI, Frays Valley LNR and (more distantly) the Frays River. Because of this direct hydrological pathway between the golf course, the SSSI and LNR, the current operation of the site, the proposed construction phase associated with the planning application and the longer-term operation of the remodelled golf course may have an influence on the functioning and status of the SSSI and its designated features of interest. Potential impacts include changes in the hydrological regime and water levels within the designated sites due to changes in the golf course topography and drainage design and potential changes in water quality primarily due to silt-laden runoff within the construction phase and application of fertilisers and pesticides during golf course operation.

A series of detailed documents have therefore been prepared to sit alongside this EclA to provide the reassurance that potential impacts to the adjacent designated sites have been minimised to an

acceptable level and that construction and operation of the remodelled golf course is overall likely to result in positive ecological impacts. These include:

- A Biodiversity Mitigation, Management and Monitoring Plan (BMMMP) that provides key details of biodiversity mitigation and enhancement measures, including habitat creation and long-term management, in terms of what will be done, how, where and when;

- A detailed Water Management Plan (WMP) that sets out how surface water drainage will be controlled and managed within the site, including sensitive control measures to allow attenuation of water where necessary and as required by Natural England and the Wildlife Trust; and
- A Construction Environmental Management Plan (CEMP) that sets out measures to minimise the risk of construction pollution and pollution response measures, together with how other effects from the construction phase will be minimised including lighting, dust, noise and waste.

In summary, mitigation and enhancement measures have focused on minimising effects from the construction of the site in combination with extensive habitat creation and long-term management to benefit biodiversity across the entire golf course site. These include:

- A range of measures to ensure sediment-laden runoff is managed within the site during construction and is not allowed to drain into adjacent designated sites, including measures such as silt fences and grips;
- Measures adopted during construction to ensure no harm, injury or disturbance to protected species. This will include measures undertaken under Natural England licences to disturb badgers and water voles as well as measures to exclude reptiles from the site;
- Retention and protection of all existing mature oak trees within the golf course site;
- Retention and enhancement of existing wetland features within the site (including wet ditches, wet grassland, stream and ponds) primarily aimed at water vole but providing benefit for a wide range of species;
- Creation and long-term management of extensive new wetland habitat within the valley bottom of the golf course, including wet ditch, wet grassland and ponds. These will include a number of flow management measures such as manually-operated sluices to provide the flexibility to control volume and rate of flow into the adjacent designated sites but will also provide extensive new habitat for water vole and a wide range of other species;
- Retention and long-term management/ enhancement of all semi-natural woodland within the golf course (predominantly within Harefield Hall and The Lodge Site of Borough Grade II Importance);
- Retention, enhancement and long-term management of existing golf course plantations aimed at a more natural woodland structure and improved habitat connectivity;
- Creation and long-term management of new native species-rich woodland blocks;
- Creation of species-rich dry grassland within the new rough out-of-play areas and long-term management aimed at increasing the biodiversity value of rough grassland across the whole golf course site; and
- Habitat creation measures aimed at a range of species, including erection of bat boxes, bird boxes, owl boxes and small mammal boxes plus retention of deadwood, creation of log piles and stag beetle loggeries and reptile hibernacula.

This BMMMP is intended to be a living document, and will be updated in response to the completion of the course construction and initial mitigation and habitat creation measures. From this point, an annual inspection of the course area by a suitably experienced ecologist will take place, with the findings of these inspections being used to update the BMMMP. This is intended to ensure that formal mechanism exists to:

- confirm the efficacy of the proposed mitigation and enhancement;
- identify any deterioration in habitat quality and appropriate management responses; and
- confirm whether the proposed management response has occurred and if it was successful.

The Ecological Impact Assessment submitted as part of this application states that there are a number of potential effects of the proposal on the Fray's Farm Meadows SSSI during construction and operational phases. The most significant of these are:

- during the construction phase, the opportunity for the erosion of soil and its down slope transport into the SSSI, which could lead to die back of vegetation and localised reduction in water oxygen levels, with implications for aquatic invertebrates;
- a slight increase to the rate which water run off (via stream flow) enters the SSSI;
- all runoff/drainage from the site will be directed to the SSSI during both the construction and operational phases;
- during the operational phase, the likelihood of unpredicted potential pollution to increase;
- the overall effect of the scheme will be to drain the course more rapidly than currently.

The EclA suggests that these will be subtle changes and will not impact on the SSSI interest features. The report also states that there is scope for designing in buffering areas and incorporating sediment management measures.

Natural England, London Wildlife Trust (LWT) and Hillingdon Natural History Society (HNHS), who manage the adjacent nature reserves on behalf of the Borough, previously raised a number of concerns in relation to the refused scheme, particularly in relation to the potential impacts on the hydrological systems of the Colne Valley. LWT manage Fray's Farm Meadows and Denham Lock Wood both designated as Sites of Special Scientific Interest (SSSI). LWT had earlier pointed out that the pattern of water flow and retention throughout the golf course and the adjacent Local Nature Reserve is complex and were concerned that there would be unforeseen effects within the SSSI, where the ditches are a vital part of the ecological system which gives the SSSI its value. In addition LWT were concerned about ditch water quality where golf course run-off may find its way into Frays Farm Meadows SSSI. Since there is little information relating to the quantity and quality of water that will enter the SSSI, there can be no certainty of the likely impact of this development on the SSSI

Natural England now considers that the applicant has responded to its earlier comments by producing considerable supplementary information to address some of the issues raised and does not object to the current proposals, subject to the inclusion of conditions and the proposals being carried out in strict accordance with the terms of the application and the submitted plans. The key issues are set out below:

#### Water Quality

Natural England point out that, there is limited information available regarding the detailed hydrology of the SSSI, on which to base judgements concerning the impacts of the proposal. The suggested hydrological isolation of the SSSI from the golf course at groundwater level has not been conclusively demonstrated and it is not likely that this evidence can be gathered in the near future. Therefore it is not possible to rule out this pathway between the golf course and the SSSI.

However, Natural England acknowledges that the Water Management Plan, together with the addendum to the Ecological Impact Assessment and Biodiversity Mitigation, Management and Monitoring Plan, addresses as far as is possible its concerns with regard to alterations to the existing hydrology, and the impact these may have on the SSSI.

Based on the modelling predictions that water flowing from the golf course to the SSSI will be the same as present levels or higher, Natural England accepts that any overall negative impact on the SSSI can be expected to be minimal. The main concern is that London Wildlife Trust, who manage the site, should have control over water flowing to the SSSI from the golf course, such that it is available to the SSSI if required, but can be

diverted away if necessary. Extra measures to deal with this issue have been submitted with this application, and Natural England requires that details of the exact location and design of water control features will be submitted for approval, to ensure that they deliver the required water movement across the drainage system and this has been secured in a suitably worded condition.

Natural England considers that the detailed water quality monitoring regime and feedback mechanisms set out in the Water Management Plan, and expanded in the letter of addendum, are appropriate to ensure that possible impacts on the SSSI can be responded to effectively. The proposed measures include the undertaking of a comprehensive baseline survey to establish current conditions and fully inform the subsequent water quality monitoring. This survey and monitoring package has been secured by a suitably worded condition.

In terms of the irrigation of the re-contoured golf course, the application states that water will be applied to the golf course for irrigation purposes most evenings during periods without rain. However, it does not state where this water would be sourced from. LWT is concerned that the use of fertilisers on the course and the increased drainage will affect soil quality in Denham Lock Wood SSSI. LWT points out that no nature reserve should have any fertiliser added, as this changes the plant communities, encouraging species which thrive on nutrient rich soil. These vigorously compete with rarer plants which are an essential part of the reason the SSSI exists. Natural England would expect to receive assurance that the proposed irrigation and drainage would not affect the water table or hydrology of the surrounding sites, including the SSSI.

#### Imported materials

Natural England and LWT previously raised concerns relating to the lack of information on the potential impacts of the imported materials on the SSSI, including information relating to the quantities of sediment currently entering the SSSI and how this would be impacted by the proposals. However, with regard to the current application and the information submitted, Natural England have not raised this as an issue.

#### Species issues

The Ecological Impact Assessment raises issues of protected species, including bats and water voles. The Assessment (EclA) identifies the presence of water voles in the ditch adjacent to the western edge of the proposed works, close to the existing footpath and track. No development works are proposed to the ditch and a buffer zone of at least 5m will be maintained, including robust sediment barrier fencing. The ecological mitigation measures include new ditches and swales parallel to the existing boundary channels, to create habitat for water voles and other wildlife and to increase water storage capacity (with sluice mechanisms to permit control of flow into the SSSI). A rough grassland/reed buffer zone is to occupy the space between the existing and proposed drainage features.

LWT also previously raised concerns that the proposals will prejudice its ability to effectively manage the nature reserves, as the existing track does not appear on the planning application plans. However, the letter of addendum includes provision for London Wildlife Trust, their graziers and Natural England to enjoy continued access to the SSSI via the application site, and in the case of the Trust and graziers or contractors carrying out work on their behalf.

The Ecological Impact Assessment together with the Construction Environmental



Management Plan (CEMP) and Biodiversity Management and Monitoring Plan (BMMP) address the majority of the issues, previously raised in objecting to the proposals and their implementation will ensure the protection of the adjacent SSSI. Natural England therefore do not object to this application.

Natural England supports the proposed habitat enhancement and creation measures within the golf course site and there are also positive aspects to the native planting schemes and species projects. LWT also previously stated that many ecological aspects of the proposals are covered quite thoroughly in the application's supporting documents. Indeed, there is the potential for aspects of these to contribute significantly to the biodiversity of the area where they relate to the restoration of the areas affected by the gas pipeline. Natural England supports the recommendations made for mitigation measures and habitat creation and management in the Biodiversity Mitigation, Management and Monitoring Plan, which have been secured by condition.

In conclusion, it is considered that the submitted ecological assessment has demonstrated that the proposed development could be completed without detriment to the recognised ecological value of this area and the biodiversity interests of the neighbouring sites. It is therefore considered that the ecological interests of the site and locality would be protected, in compliance with Policies EC1 and EC3 of the Unitary Development Plan Saved Policies (September 2007), London Plan Policy 3D.14 and PPS9 (Biodiversity and Geological Conservation).

With regard to London Wildlife Trust's previous concern about access to the Frays Farm Meadows SSSI, the current access route follows the public right of way until it reaches the 8th tee, at which point it heads left and follows the course maintenance track along the western boundary of the site until it reaches the access gate alongside the 13th fairway. The applicant has no intention of withdrawing vehicular access for LWT, but propose an alteration to the route that will enable the proposed ecological enhancement to go ahead. The alternative route between car park and SSSI access point, is actually much shorter than the current route. The proposed route is unaffected by the construction works. There is no intention to make any alteration to the public right of way. Continued access to the adjoining nature reserves is to be secured by way of the S106 Agreement.

After taking into account these mitigation and enhancement proposals, the assessment of likely effects confirmed that no negative significant effects were predicted. Implementation of measures set out in detail within the BMMMP, CEMP and WMP mean that no likely significant effects to statutorily and non-statutorily designated sites will occur, including Frays Farm Meadows SSSI, Fray's Valley LNR and Mid- Colne Valley SMI. However, significant positive effects (i.e. significant net biodiversity gain) from the proposals on biodiversity are predicted due to the extent of the proposed habitat creation and implementation of the Biodiversity Mitigation, Management and Monitoring Plan that will ensure optimum habitat creation techniques and management for biodiversity.

#### **7.15 Sustainable waste management**

PPS10 stresses the need for a sustainable structural approach to waste management, putting into context the waste hierarchy, reduction, re-use, recycling and composting, energy recovery and disposal. Development of this site and the re-use of inert waste will make a significant contribution towards London's targets for inert waste re-use and recycling.

#### **7.16 Renewable energy / Sustainability**

The Mayor does not consider that the application needs to be accompanied by an Energy

Statement.

## **7.17 Flooding or Drainage Issues**

### Flooding

Policies OE7 and OE8 seek to ensure that new development incorporates appropriate measures to mitigate against any potential risk of flooding.

A Flood Risk Assessment has been submitted as part of the application taking into consideration the principles of Planning Policy Statement 25 (PPS25) and other relevant regional and local policies. The Assessment identifies a small section of the site lies within Flood Zone 3a. No new impermeable areas are proposed. The development has been designed to improve the drainage and reduce the flood risk on site. None of the development area will drain off site so surface runoff from the development will have no impact on neighbouring land. The impacts of climate change have been reviewed in terms of increased precipitation intensity and increased flood levels. Although this shows that runoff generated from the site may increase slightly, there is plenty of capacity in the marshland, buffer zones, drainage ditches and swales for this additional runoff. The site is above climate change flood levels, except the marshlands. It is important to carry out regular checks and maintenance of the hydraulic structures, such as drains and ditches, verifying good performance and removing sediment and vegetation. The traffic on site during the remodelling of the two areas should be kept to a minimum and cease when the soil is waterlogged or very wet.

The Environment Agency has raised no objections to the scheme, subject to a condition requiring the development to be only be carried out in accordance with the approved Flood Risk Assessment (FRA) Final Report K0148 (Rev 1) and the following mitigation measures detailed within the FRA:

Limiting the surface water run-off generated by the 1 in 100 year critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. This is to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

Subject to the recommended condition, it is considered that development would not increase the risk of flooding and therefore is in accordance with Policies OE7 and OE8 of the Hillingdon Unitary Development Plan Saved Policies 2007, Policy 4B.6 of The London Plan (February 2008) and Planning Policy Statement 25: Development and Flood Risk.

### Drainage

The applicants submit that whilst the course has historically been a well patronised facility, there have been major issues with drainage, which result in very wet conditions underfoot on most of the holes across the site, in particular along the lower western side of the site. These problems are associated with the slope down from the east, the impermeable clay soils and the naturally high water table. As a result, the course sees far less use in the wetter months with some holes unplayable for 4 to 6 months of the year. Poor drainage increases wear on sports turf, hampers maintenance and creates boggy muddy areas unfit for play. 3% to 5% slopes are required to achieve efficient surface and subsurface fairway drainage, and there must be sufficient space between the prevalent water table and the ground surface for a sub-surface piped drainage network to be installed.

A major justification for the remodelling works to the golf course has therefore been to improve the drainage to address these problems. A combination of raising and re-grading

the existing topography, using inert soils imported from construction sites and the installation of a new pipe drainage network are proposed to address these drainage issues, allowing the course to be played throughout the year. A more undulating landscape will be created, which would ensure that surface water moves more rapidly into the drainage network. Maintenance and therefore presentation of the course will be much easier to implement, which will be to the long term benefit of the facility.

An irrigation system will be re-installed to cover greens, tees and approaches. Soakaways and open ditches are proposed to essentially provide a catchment area for any runoff. These catchment zones will also provide both an ecological and visual amenity as they will be wet/dry in nature and support marginal species of flora.

There is no objection in terms of flood risk, to improving the drainage of the golf course, provided the development is carried out in accordance with the submitted Flood Risk Assessment, which is secured by condition, as recommended by the Environment Agency.

#### **7.18 Noise or Air Quality Issues**

The Environmental Protection Unit has advised that Construction and Environmental Management Plan - Dust, Smoke and Particulates Appendix B has been completed in line with the current Best Practice Guidance from the Mayor of London, specifically for evaluating the potential for dust nuisance from construction sites. The outcome of this assessment is that the site is determined as Low-risk category. As such, the mitigation measures set out in Chapters 5 and 6 are appropriately determined. The proposed mitigation strategy is to be secured by conditions.

#### **7.19 Comments on Public Consultations**

over 200 adjoining residents and occupiers were consulted on 21 May 2010. In addition, Hillingdon Natural History Society, Ickenham Residents Association, together with various statutory and non statutory bodies and organisations were consulted. Given that the applicant belatedly submitted some missing/additional information, the Local Planning Authority issued letters giving a further 14 days to comment on the planning application. The letters went out to everyone previously consulted. The principle issues raised in the submissions have been addressed in the main body of this report under the relevant headings.

#### **7.20 Planning Obligations**

Policy R17 of the Hillingdon UDP is concerned with securing planning obligations for environmental improvements and enhancement. This UDP policy is supported by more specific Supplementary Planning Guidance. Detailed negotiations have been entered into with the developer in respect of these obligations and the applicants have indicated that they are prepared to enter into negotiations with respect to certain obligations. The following broad Section 106 Heads of Terms are recommended:

- (i) Improvements to the public footpath (boardwalks)
- (ii) A land restoration bond (this would need to be properly quantified and justified as a protective measure).
- (iii) Implementation of an Environmental Management Plan (particularly important as there is a nature reserve and SSSI in close proximity to the site).
- (iv) Provision of London Wildlife Trust, their graziers and Natural England to enjoy continued access to the application site.

#### **7.21 Expediency of enforcement action**

There are no enforcement issues relating to this site.

#### **7.22 Other Issues**

PUBLIC FOOTPATH

Should the application be approved, a temporary Stopping up Order may be required for the temporary haul road to cross the existing public footpath. The public footpath will be subject to vehicular crossing for the short period of time in which works take place on the 16th hole, but the proposed temporary fencing and warning signage will ensure that there is no danger to the public. Pedestrian access to the Nature Reserve will be maintained, via a route around the back of the 16th tees screened from the works by protective fencing.

## HEALTH AND SAFETY

The absence of any alteration to the course routing means that there is no issue regarding balls being more likely to enter the Uxbridge Skip Hire premises or for there to be conflict between holes 2 and 4. The proposed new 7th hole will not now be required, but will be replaced by a short-game practice area. The teeing area for this has been pushed further south, and screened by proposed mounding and planting, to avert any safety risk in relation to shots hit from the 8th tee.

The widening and flattening of the 9th and 10th fairways pushes the target line further away from the boundary with houses on The Drive, thus reducing the likelihood of misdirected shots entering residential premises.

The hillside location of Uxbridge Golf Course means that it never has been and never will be as easily navigable by the disabled or less able-bodied as some courses but given the widening of the 9th and 10th fairways and the provision of shallower access slopes to offset any steeper sections the overall impact of the remodelling works in health and safety terms will be positive.

## COURSE PLAYABILITY

The absence of works in the northern part of the site means that the proposed routing alterations will no longer take place, so there is no significant alteration to course length. The applicants state that efforts have been made to strike the best balance between course improvement, project duration, safety and course maintainability on the southern holes. The southern end of the golf course has a 20 metre level difference between the eastern and western boundaries and consequently the landing areas on holes 9 and 10 are more steeply sloping than is desirable however levelling them out to enhance the landing areas has the unavoidable effect of creating steeper slopes in other areas. They consider that the latest proposals make the golf holes more playable without creating steep slopes in areas that golfers are likely to often hit balls. The question of what makes a good design is very subjective. These are specialist areas and there clearly appears to be some debate as to whether the proposed works would improve course routing and the golf experience as the applicants claim, however it is not considered that a refusal on this basis could be justified. Overall the scheme is an improvement on the previous application and in this regard is considered to overcome refusal reason 5 of the previous application.

## **8. Observations of the Borough Solicitor**

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the

Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

## **9. Observations of the Director of Finance**

Not applicable to this application.

## **10. CONCLUSION**

Planning permission is sought for the remodelling and overhaul of the the southern component of the existing golf course and a small component of the northern component of the course through the importation of recycled soil and other recycled inert materials, land-forming, installation of new drainage, planting and subsequent management (with the inclusion of holes outside of the planning application boundary) as an 18 hole golf course.

The key elements of the proposal involves the importation of 134,942m<sup>3</sup> of inert construction material and soil for landscaping and re-contouring purposes, using the existing access off the A40 slip road, for deliveries of the material.

The imported material is defined as waste material for planning and environmental purposes and the application has therefore been referred to the Mayor.

The general principle of the development is considered acceptable, as the proposal is for the remodelling and improvements to the existing Golf Course, an appropriate Green Belt use. It is considered that the proposal complies in general with the key theme contained within PPG2, Saved UDP and London Plan Green Belt Policies, by keeping the land permanently open.

In terms of the impact on the Green Belt, the proposed changes to the landform will not result in any new high points, or ridges which would break the skyline, as all newly raised levels will be accommodated generally within the existing range of contours. While significant areas of trees will be removed to accommodate the new landform, the specimen trees and areas of woodland with the greatest visual landscape and ecological value will be retained. Generally, it is considered that the visual impacts of the proposal are unlikely to be of significant detriment to the character of this part of the Green belt and

Colne Valley Regional Park.

The application has demonstrated that the proposed development could be completed without detriment to the recognised ecological value of this area, including the adjacent Nature Conservation Sites of Metropolitan or Borough Grade I and II Importance, within which there are designated Nature Reserves and a Site of Special Scientific Interest (Frays Farm Meadows). The application has also overcome concerns raised to the previous application with respect to the impact of the development on the hydrology and water quality in these nature conservation sites and the potential impact on populations of water voles and badgers.

All construction traffic will access and exit the site via the existing A40 slip road, the access used for the recent gas pipeline works, the use of which has been approved in principle by Transport for London. The previous northern access off Skip Lane (via Harvil Road) will not now be required. It is therefore considered unlikely that the proposals would lead to conditions detrimental to road safety or to traffic congestion on the local road network.

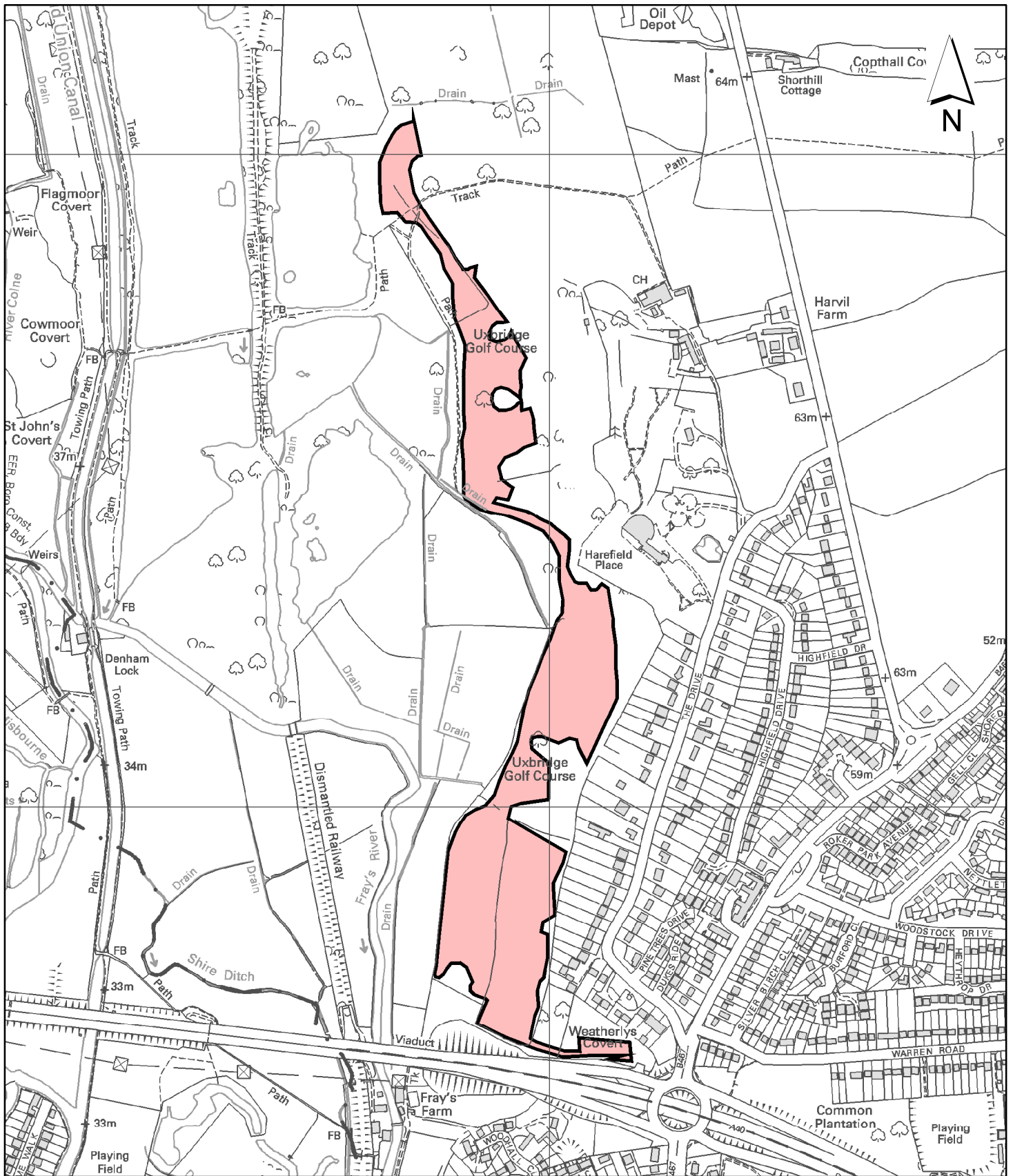
Approval is therefore recommended accordingly.

## **11. Reference Documents**

PPS1: Delivering Sustainable Development February 2004  
PPG2: Green Belts January 1995  
PPS7: Sustainable Development in Rural Areas July 2004  
PPS9: Biodiversity and Geological Conservation September 2005  
PPS10: Planning for Sustainable Waste Management September 2005  
PPG13: Transport March 2001  
PPG16: Archaeology and Planning November 1990  
PPG17: Open Space, Sport and Recreation September 2001  
PPPS 25: Development and Flood Risk  
Unitary Development Plan Saved Policies (September 2007).  
Responses from consultees

**Contact Officer:** Karl Dafe

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**Notes**

 Site boundary

For identification purposes only.

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Site Address

**Uxbridge Golf Club  
The Drive  
Ickenham**

**LONDON BOROUGH  
OF HILLINGDON  
Planning &  
Community Services**

Civic Centre, Uxbridge, Middx. UB8 1UW  
Telephone No.: Uxbridge 250111

Planning Application Ref:

**4601/APP/2010/1103**

Scale

**1:8,000**

Planning Committee

**North**

Date

**July 2010**



**HILLINGDON**  
LONDON