

**Southampton City Planning & Sustainability  
 Planning and Rights of Way Panel meeting 21 August 2012  
 Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> Southampton Municipal Golf Course, Golf Course Road, SO16 7LE			
<b>Proposed development:</b> Measures To Provide Storage For Flood Waters, Rehabilitate The Natural Floodplain Of Holly Brook And Improve The Aquatic Habitat Including De-Culverting And Construction Of A New Flood Defence Balancing Pond With Associated Works.			
<b>Application number</b>	12/00595/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Bryony Stala	<b>Public speaking time</b>	15 mins
<b>Last date for determination:</b>	15.08.2012	<b>Ward</b>	Bassett
<b>Reason for Panel Referral:</b>	Major application subject to objection	<b>Ward Councillors</b>	Cllr L Harris Cllr B Harris Cllr Hannides

<b>Applicant:</b> Mr Malcolm Ward	<b>Agent:</b> N/A
-----------------------------------	-------------------

<b>Recommendation Summary</b>	<b>Conditionally approve subject to the withdrawal of Natural England's objection.</b>
-------------------------------	--

**Reason for granting Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations including the impact of the proposal on the ecology and biodiversity of Southampton City Council golf course and the immediate surrounds have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted.

Policies - SDP1, SDP7, SDP9 and SDP12 of the City of Southampton Local Plan Review (March 2006) and CS13 (7), CS14, CS20 (2), CS22 and CS23 of the Local Development Framework Core Strategy Development Plan Document (January 2010).

<b>Appendix attached</b>			
1	Development Plan Policies		

**Recommendation in Full**

**Conditionally approve subject to the withdrawal of Natural England's objection.**

## **1. The site and its context**

- 1.1 The site is located within Southampton and borders Chilworth Common to the north, Coxford Road to the west and Southampton Sports Centre to the South. The east of the site is bordered by residential properties with Bassett Avenue beyond.

The majority of the site is occupied by Southampton golf course which is landscaped and forms a shallow valley dipping towards the south. The area is comprised of grass, with a number of wooded coppices and sand pits. There are two ponds in the northern part of the site.

The club house and parking associated with the golf course are located in the eastern part of the site.

- 1.2 The site is located between two main rivers, with the River Test Estuary approximately 3.5km to the west and River Itchen Estuary approximately 2.5km to the east.

The site is within the River test surface water catchment. Surface water from the site discharges to Holly brook, an existing stream which flows southwest into Tanners Brook and into the River Test.

## **2. Proposal**

### **2.1 Background**

The proposed scheme is part of an Environment Agency Assessment process and is in line with local and national surface water management policy. A surface water stream, Holly Brook, flows through the site and has been identified as contributing to flood risk downstream. The works proposed on the golf course site are part of a wider Environment Agency scheme entitled 'Tanners Brook and Holly Brook Flood Alleviation and River Restoration scheme' to mitigate flood risk downstream and to improve amenity and ecological value along the downstream watercourses.

- 2.2 The proposed development responds to the Southampton Surface Water Management Plan which was written in response to the requirements of Planning Policy Statement 25 (Development and Flood Risk) and more recently paragraphs 100 – 108 of the National Planning Policy Framework (NPPF). The NPPF supersedes Planning Policy Statement 25 but retains the need for local authorities to be responsible for flood risk prevention and management.

- 2.3 The Southampton City Council Surface Water Management Plan identifies a number of options of works within the city to improve and prevent flood risk. The plan refers to Holly Brook and Tanners Brook as secondary watercourses which drain a significant area of the

Millbrook catchment. A high-risk flooding hotspot is located where the brooks meet in Lordswood Greenway, adjacent to the junction between Winchester Road, Romsey Road and Tebourba Way.

- 2.4 The Surface Water Management Plan identifies that the residential area along Dale Valley Road is at significant risk of flooding from the channelled section of Holly Brook. The area indicated to be at risk extends southwards to include parts of the Spire Hospital Site.

Whilst the sports centre is referred to in option 8d of the Surface Water Management Plan, the golf course is not. This is because the project was already being put together by the Environment Agency. However, the scheme is referred to in the Surface Water Management Plan, the contents of which compliments the Environment Agency's intended works.

2.5 Proposed works

The Environment Agency are proposing to undertake de-culverting and flood storage works at Southampton City Gold Course to increase the standard of flood protection further downstream in the Dale Valley Road area.

These works are part of a larger scheme of improvements to the Tanner's brook catchment, including installation of eel passes further downstream at Shirley pond, and in-channel habitat creation works further downstream at Millbrook.

- 2.6 The works at Shirley pond and Millbrook fall under the Environment Agency's permitted development rights and as such do not form part of this application.
- 2.7 The key objectives of the project are to reduce the risk of flooding to properties from the Tanners Brook and to improve and create priority habitats for wildlife, and enhance areas for public enjoyment.
- 2.8 Works include;
- Excavation of the new channel, ponds and wetland features starting from the northern end of the gold course.
  - A new channel formed along the southern boundary of the golf course to divert surface water flows into the flood storage area being created.
  - The formation of an embankment at the southern end of the golf course.
  - The provision of pedestrian bridges comprising a wooden crossing with no handrails where required. With two vehicular bridges provided to the north and south of the main woodland copse, with guard railing on either side.
  - Replacement tree planting at a ratio of three trees planted to replace each one removed. Seeding of the embankments,

wetland areas, river channel banks and remedial seeding of the golf course will be undertaken as soon as weather conditions allow. Marginal planting of the new wetland features will be undertaken in April to June 2013

- A management plan will be implemented following works to allow for natural regeneration of alders along the river channel, mitigation for those removed and coppiced along the length of the new channel.
- The health of the trees will be monitored to ensure they do not present a public safety risk.
- Vehicular movements to and from the site will be limited due to the majority of excavated spoil being retained on site to form the flood embankment.
- A management plan to control public use of the golf course will be in place.

### **3.0 Relevant Planning Policy**

3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 1**.

3.2 The council will work with the Environment Agency and other key stakeholders to manage flood risk in the city whilst ensuring the protection and enhancement of biodiversity and habitats accordance with adopted Core Strategy Policy CS22 and CS23.

3.3 The National Planning Policy Framework came into force on 27 March 2012. Having regard to paragraph 214 of the National Planning Policy Framework dated 27 March 2012 the policies and saved policies set out in **Appendix 1** which have been adopted since 2004 retain their full material weight for decision making purposes.

### **4.0 Relevant Planning History**

4.1 10/01799/SCR - Request for a Screening Opinion under Part II Regulation 5 and Scoping Opinion if required under Part IV Regulation 10 of the Town and Country Planning Environmental Impact Assessment England and Wales Regulations 1999 prior to a planning application for works to Tanners Brook to include a combination of the following, (i) complete removal of culverted stretches at the golf course, including two new ponds and earth embankments for flood storage (ii) amenity enhancements at Dale Valley Road Allotments involving the replacement of fencing and channel clearance, (iii) provision of flood storage within Dale Valley Road Allotments, through excavation of the existing ground levels, (iv) installation of eel passes at Shirley Pond, (v) installation of in-channel features and scraping at Mill Mead, (vi)

public realm enhancements and channel improvements at Millbrook, and, (vii) tidal control structure at ABP Port. – No objection. Decision issued 11.01.2011.

## **5.0 Consultation Responses and Notification Representations**

5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was also undertaken which included notifying adjoining and nearby landowners, placing a press advertisement and erecting a site notice. At the time of writing the report 1 representation had been received from a local resident.

The objector identifies concerns raised with regards to

- a lack of data to support the development objectives
- impact on the golf course as a nationally recognised venue and the recommendation that it should be classified as a landmark heritage site because of the association with its designer JH Taylor, the visionary founder of the PGA 1901.
- The paper is not fully compliant with the Aarhus Convention but also the following EU Directives 2001/42EC and 2004/17EC. These directives have been updated to be compliant with the Convention.
- Since the role of managing the operations and maintenance of the outdoor facilities at the golfing complex were outsourced there has been no progress made regarding the remediation of the surface water collection and disposal drainage system. The Council it seems has abandoned its statutory responsibility and accountability of stewardship.
- It is not feasible to propose the intended development works related to Holly Brook until the contribution of the remediation of the collection system has been determined and disposal entry points have been appropriately identified.
- The proposal is not fit for purpose as it threatens flooding in old Shirley and Millbrook.

*Response:*

*The expected outcome of the works is to prevent and reduce flooding downstream of Hollybrook and Tanners Brook. The Environment Agency have spent a number of years researching the most appropriate approach to flood mitigation in this area, considering a number of options and possibilities for reducing flood risk whilst enhancing the site. The submitted application gives a comprehensive account of the works intended for the site and details mitigation measures necessary to protect existing biodiversity. The Environment Agency has worked closely with Southampton city Council to ensure all statutory policy requirements are adhered to. Additional schemes to improve watercourses through Southampton currently being worked on by Southampton City Council, will build upon this proposal.*

*Other issues are addressed in the report below.*

- 5.2 **SCC Highways** – No comments received at the time of writing the report. A verbal update will be made to the panel.
- 5.3 **SCC Trees** - No objection subject to the imposition of conditions to ensure the works comply with the arboricultural statement written.
- 5.4 **SCC Sustainability Team** – No comments received at the time of writing the report. A verbal update will be made to the panel
- 5.5 **SCC Ecology** – No objection.
- 5.6 **SCC Environmental Health (Pollution & Safety)** - No objection
- 5.7 **SCC Planning Policy** - No objection
- 5.8 **SCC Environmental Health (Contaminated Land)** – No objection.
- 5.9 **SCC Heritage & Archaeology** – No objection subject to the imposition of conditions relating to Archaeological investigations on site.
- 5.10 **Natural England – Object.** Further survey effort in the form of emergence surveys is required on some of the high risk trees in accordance with Bat Surveys-good practice guidelines. Additional information must be requested from the applicant. If it is not provided the application should be refused.

Response:

The applicant has sent additional information to Natural England. At the time of writing the report no further response had been received. A verbal response on this matter will be made to the Panel.

- 5.11 **Environment Agency** – No objection.
- 5.12 **BAA** – No objection subject to a note to applicant regarding future landscaping of the site to be imposed on any consent. This is to ensure future landscaping of the site does not harm aviation safety by way of loafing birds.
- 5.13 **Southern Water** – No objection.

## **6.0 Planning Consideration Key Issues**

- 6.1 The key issues for consideration in the determination of this planning application are:
- Principle of development
  - Impact on visual appearance and use of the Golf Course
  - Impact on Ecology & Biodiversity
- 6.2 Principle of Development

- 6.2.1 Policy CS23 (Flood Risk) of the adopted Core Strategy states that the 'Council will work with the Environment Agency to manage flood risk in the city'. The proposed development meets the requirements of CS23 and the aspirations of the NPPF for local authorities to prevent and manage flood risk.
- 6.2.2 The proposal makes a good use of the green space for flood management rather than it impacting on an urban area. This type of management scheme is going to be more common place in the future as authorities look for the capacity to cope with the extremes of weather in locations that will not be an inconvenience to people.
- 6.2.3 The proposed works will help alleviate flooding for Dale Valley Road by protecting the properties from 1:20 years flood risk event.
- 6.2.4 The council are considering schemes for such improvements works beyond Dale Valley Road as detailed in the Surface Water Management Plan. It will be the responsibility of Southampton City Council to extend and build on this scheme for the remainder of the water course to improve flooding issues within the city.
- 6.2.5 The principle of development is accepted.

### 6.3 Impact on visual appearance and use of the golf course

- 6.3.1 The golf course is engineered and landscaped to a certain degree already; this is largely due to the original culverting of the brook.
- 6.3.2 The works are central within the site, screened from residential development, and does not change the overall impression of a heavily treed and green site. It is considered that the engineering works proposed will not adversely affect the existing appearance of the golf course, and replacement tree planting and mitigation works will bring about biodiversity and visual amenity benefits to the site.
- 6.3.3 The current managers (Mytime active) of the golf course have expressed their support for the proposal. Mytime active have been involved in early discussions regarding the project, and a management plan will be in place to ensure use of the golf course can continue throughout construction works.

### 6.4 Impact on Ecology & Biodiversity

#### 6.4.1 **Ecology**

Natural England has confirmed that the proposal does not appear to affect any statutorily protected sites or landscapes or have significant impacts on the conservation of soils.

- 6.4.2 Natural England has advised that a further survey effort in the form of

emergence surveys is required on some of the high risk trees in accordance with Bat Surveys. The applicant has confirmed that the design has taken into account the presence of trees at high risk for impact on Bats and avoided any impact to these trees. A verbal update regarding Natural England's position on this matter will be made to the Panel, as this is not available at the time of writing this report. This issue will need to be satisfactorily resolved for the proposal to be supported.

6.4.3 It is the local planning authority's opinion that the proposal will enhance the existing ecology and biodiversity on site. Appropriate management plans have been submitted with this application to ensure the works are carried out to a high standard without adversely affecting existing habitats.

#### 6.4.4 **Trees**

The Tree Team has been regularly consulted by the Environment Agency (EA) on the details of the application. Whilst it is regrettable that a number of trees will be lost, their position within the copses will have a minimal effect on the visual amenity, and the works will provide scope for increasing the biodiversity of the locale. Mitigation planting has been satisfactorily incorporated into the final design.

6.4.5 Due to the complexity of the site a more generic arboricultural method statement was agreed as acceptable and this has been submitted as Appendix F in the EA Environmental Report 'Tanner's Brook & Holly Brook Flood Alleviation and River Restoration Scheme' (Ref: IMSO001261). A condition requiring the development to be carried out in accordance with this report is recommended.

### 7.0 **Summary**

7.1 The proposal will make a significant contribution to flood risk management and prevention within the city in accordance with the aspirations of the NPPF, Local Development Framework Core Strategy, and Southampton City Council Surface Water Management Plan.

### 8.0 **Conclusion**

8.1 It is recommended that permission be granted subject to the recommended conditions.

### **Local Government (Access to Information) Act 1985** **Documents used in the preparation of this report Background Papers**

1(a), 1(b), 1(c), 1(d), 2(b), 2(d)

**BS for 21<sup>st</sup> August 2012 PROW Panel**



## **PLANNING CONDITIONS**

### **01. APPROVAL CONDITION - Full Permission Timing Condition - Physical works**

The development works hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

Reason:

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

### **02. APPROVAL CONDITION - Approved Plans**

The development hereby permitted shall be carried out in accordance with the approved plans (including the Tanner's Brook and Holly Brook Flood Alleviation and River Restoration Scheme - Environmental Report) as listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

For the avoidance of doubt and in the interests of proper planning.

### **03. APPROVAL CONDITION – Archaeological investigation [Pre-Commencement Condition]**

No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local planning Authority.

Reason: To ensure that the archaeological investigation is initiated at an appropriate point in development procedure.

### **04. APPROVAL CONDITION – Archaeological work programme [Performance Condition]**

The developer will secure the completion of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local planning Authority.

Reason: To ensure that the archaeological investigation is completed.

### **05. Approval Condition – Arboricultural works (Performance Condition)**

All operations in connection with the development hereby permitted shall comply with the Arboricultural Method Statement by Vivien Hodge (Oct 2011) and included as Appendix F in the EA Environmental Report 'Tanner's Brook & Holly Brook Flood Alleviation and River Restoration Scheme' (Ref: IMSO001261).

REASON

To ensure that provision for trees to be retained and adequately protected throughout the construction period has been made.

## Note to Applicant

### 1. Landscaping

The development is close to the airport and the landscaping which it includes may attract birds which in turn may create an unacceptable increase in birdstrike hazard. Any such landscaping should, therefore, be carefully designed to minimise its attractiveness to hazardous species of birds.

Your attention is drawn to Advice Note 3, 'Potential Bird Hazards: Amenity Landscaping and Building Design' (available at <http://www.aoa.org.uk/policy-safeguarding.htm>).

### 2. Pre-Commencement Conditions

Your attention is drawn to the pre-commencement conditions above which require the full terms of the condition to be satisfied before development commences. In order to discharge these conditions you are advised that a formal application for condition discharge is required. You should allow approximately 8 weeks, following validation, for a decision to be made on such an application. If the Decision Notice includes a contaminated land condition you should contact the Council's Environmental Health Department, and allow sufficient time in the process to resolve any issues prior to the commencement of development. It is important that you note that if development commences without the conditions having been formally discharged by the Council in writing, any development taking place will be unauthorised in planning terms and this may invalidate the Planning Permission issued. Furthermore this may result in the Council taking enforcement action against the unauthorised development. If you are in any doubt please contact the Council's Development Management Service.

### 3. Performance Conditions

Your attention is drawn to the performance conditions above which relate to the development approved in perpetuity. Such conditions are designed to run for the whole life of the development and are therefore not suitable to be sought for discharge. If you are in any doubt please contact the Council's Development Control Service.

**POLICY CONTEXT**

Core Strategy - (January 2010)

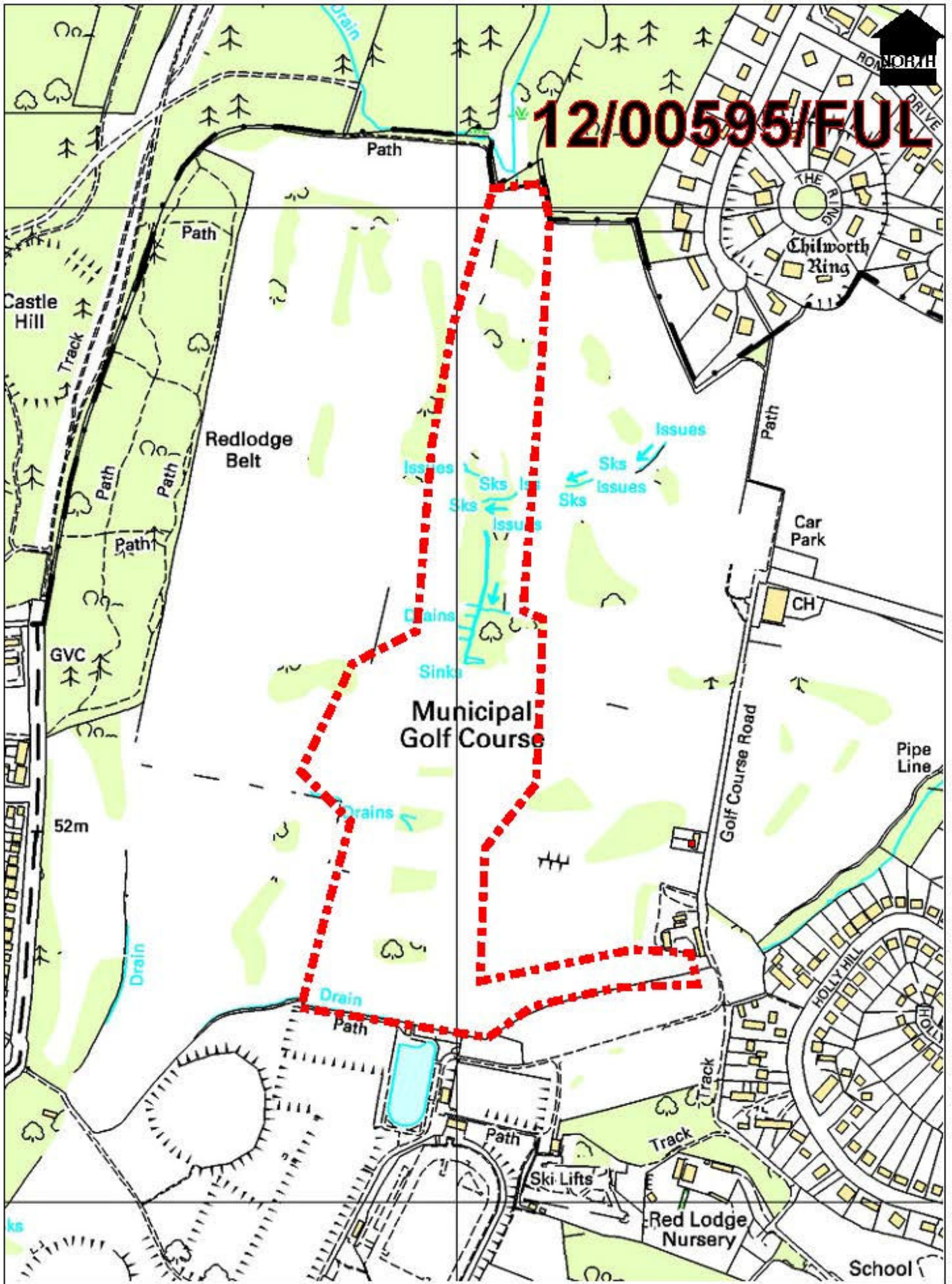
CS13	Fundamentals of Design
CS14	Historic Environment
CS20	Tackling and Adapting to Climate Change
CS21	Protecting and Enhancing Open Space
CS22	Promoting Biodiversity and Protecting Habitats
CS23	Flood Risk

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
NE4	Protected Species
HE6	Archaeological Remains
CLT3	Protection of Open Spaces
CLT8	Southampton Sports Centre

Supplementary Planning Guidance  
Surface Water Management Plan.

Other Relevant Guidance  
National Planning Policy Framework



Scale : 1:5000

Date : 09 August 2012

© Crown copyright. All rights reserved. Southampton City Council 100019679 2004.

