

Application Number:	P/FUL/2022/04415		
Webpage:	Planning application: P/FUL/2022/04415 - dorsetforyou.com (dorsetcouncil.gov.uk)		
Site address:	Sturminster Marshall Golf Club Moor Lane Sturminster Marshall Dorset BH21 4BD		
Proposal:	Retain single storey changing room building		
Applicant name:	Sturminster Marshall Golf Club		
Case Officer:	Ellie Lee		
Ward Member(s):	Cllr Cook		
Publicity expiry date:	25 October 2022	Officer site visit date:	4 October 2022
Decision due date:	27 October 2023	Ext(s) of time:	Yes – 27 October 2023

1.0 This planning application has been referred to committee by the Service Manager for Development Management and Enforcement.

2.0 Summary of recommendation:

GRANT subject to conditions set out in section 17.

3.0 Reason for the recommendation:

- 3.1 Section 38(6) of the Planning and Compensation Act 2004 provides that determinations must be made in accordance with the development plan unless material considerations indicate otherwise.
- 3.2 Paragraph 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- 3.3 The location is considered to be sustainable, and the proposal is acceptable in its design and general visual impact. As such, it would accord with local policy KS2.
- 3.4 The application site is located within the Green Belt where inappropriate development should not be approved except in very special circumstances. However, the proposal benefits from exception 149 b) of the National Planning Policy Framework to inappropriate development within the Green Belt, as it would provide appropriate facilities for outdoor sport and would not conflict with the purposes of including land within the Green Belt. (NPPF section 13).

- 3.5 The proposal's scale, design, visual impact, impact on character and appearance would be acceptable and the application would therefore accord with local policy HE2 and section 12 of the National Planning Policy Framework.
- 3.6 There is not considered to be any significant harm to neighbouring residential amenity from the application building.
- 3.7 The proposal would generally accord with local planning policy ME6 and section 14 of the NPPF, due to the 'less vulnerable' use of the application building.
- 3.8 Foul water disposal would be a Building Regulations matter, which would not be a material planning consideration within this application.
- 3.9 There are no material considerations which would warrant refusal of this application.

4.0 Key planning issues

Issue	Conclusion
Principle of development within Green Belt	Proposal benefits from exception 149 b) of the NPPF as it would provide appropriate facilities for outdoor sport, and does not conflict with the purposes of including land within the Green Belt.
Scale, design, impact on character & appearance	The building viewed in the context of existing structures would have a limited impact upon the character of the area, street scene and views from the footpath, so accords with local policy HE2.
Flood Risk	Site within an area of groundwater flooding risk, but building is for a use which is less vulnerable so does not conflict with local policy ME6.
Other Matters	Sewage disposal is a matter for Building Regulations.

5.0 Description of Site

- 5.1 The application site is located within the Sturminster Marshall Golf Course, which sits outside of and to the north of the main urban area of the village.
- 5.2 The retrospective building is adjacent to existing single storey structures within the eastern part of the golf course site. The building under consideration is also adjacent to the car parking area.

6.0 Description of Development

- 6.1 It is understood that the building was constructed less than four years ago, so planning permission is required.

6.2 The application seeks planning permission for a single storey retrospective building to the south-west corner of the existing buildings to the east of the site.



Aerial View – July 2018 (above left) & Aerial View – April 2020 (above)

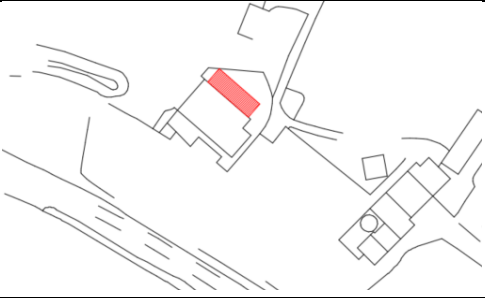
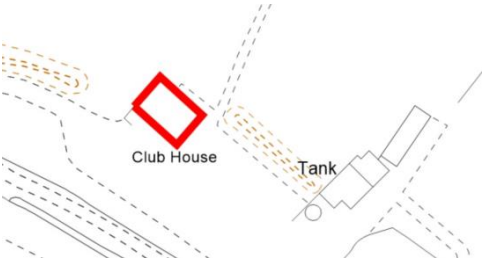
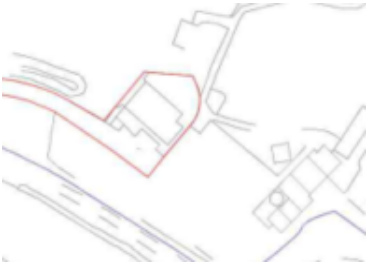
6.3 The Application Form describes the materials of the retrospective building as follows:

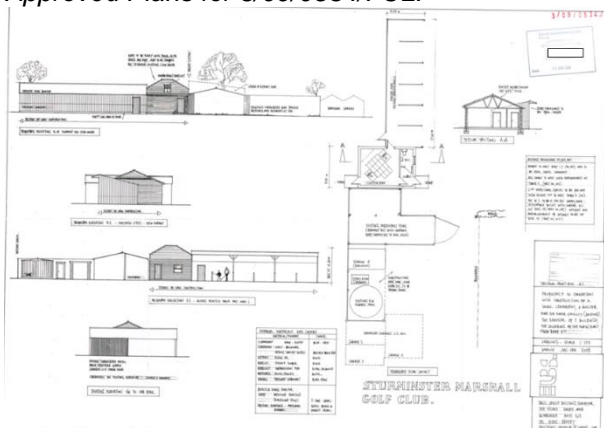
- Walls: vertical timber cladding.
- Roof: flat felt roof.

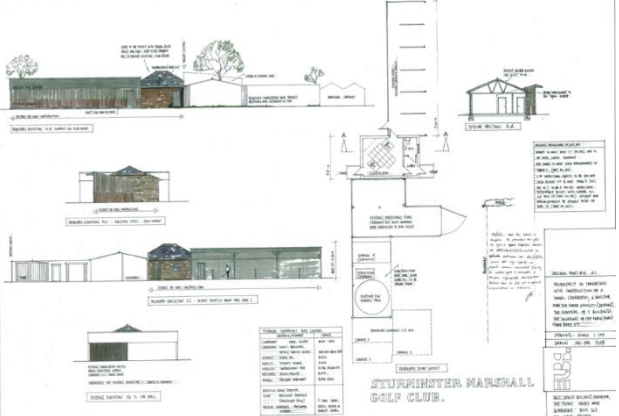
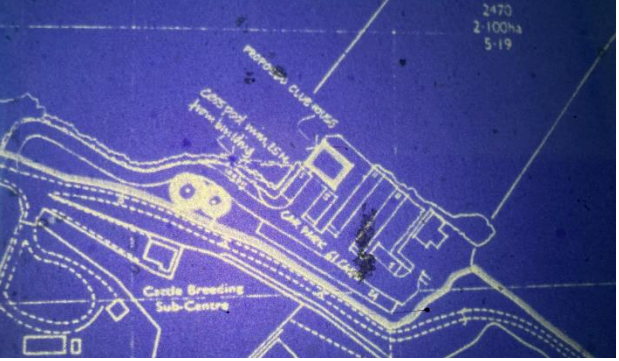
6.4 The building is accessed externally and comprises of 2 no. changing cubicles with toilet facilities, and 1 no. cubicle with shower facilities. The changing rooms include roof lights to provide natural light from above.

7.0 Relevant Planning History

Application No.	Description	Decision	Date
P/FUL/2023/00233 <i>(31m from application site building)</i>	Erect two storey extension to form enlarged restaurant and function room (revised scheme)	Non-determination appeal lodged	
P/FUL/2021/04248 <i>(31m from application site building)</i>	Erection of a single storey extension to form an enlarged restaurant on the ground floor. Alterations to the existing public highway including junction improvements as amended by plans received 10 November 2021	Granted	25/04/2022
	<ul style="list-style-type: none"> • The main building (where the approved extension under approved planning application P/FUL/2021/04248 adjoins) is approximately 31 metres from the building currently under consideration. • See Block Plan below. 		

			
<p>3/21/0958/CLE <i>(31m from application site building)</i></p>	<p>Use of the first floor of the clubhouse for functions/meetings by people/organisations unrelated to the golf club for over 10 years</p>	<p>Lawful</p>	<p>07/01/2022</p>
<ul style="list-style-type: none"> Decision Plan with red line for 3/21/0958/CLE. Red line plan is approximately 31m from the building currently under consideration. 			
<p>3/20/1121/FUL</p>	<p>Retrospective application for the erection of extensions to the clubhouse to form store buildings.</p>	<p>Granted</p>	<p>13/08/2021</p>
<p>3/20/1427/FUL <i>(31m from application site building)</i></p>	<p>Erection of a 2 storey extension to form an enlarged restaurant on the ground floor, additional headroom in the existing first floor function room, stairwell access and terrace area. Alterations to the existing public highway including junction improvements, as amended by plans received 2 August 2021</p>	<p>Appeal Dismissed <i>(Refused)</i></p>	<p>17/10/2022 <i>(08/10/2021)</i></p>
 <ul style="list-style-type: none"> Planning application 3/20/1427/FUL was refused by the Council for the proposal being inappropriate within the Green 			

	<p>Belt and a lack of ecological information resulting in harm to biodiversity.</p> <ul style="list-style-type: none"> The subsequent appeal ref: APP/D1265/W/21/3285425 was dismissed by the Planning Inspector who judged that the proposal would be inappropriate development within the Green Belt and would be contrary to GB exceptions within NPPF section 13. The Planning Inspector also judged that the absence of a biodiversity survey resulted in the proposal failing to comply with NPPF section 15. 		
3/17/1332/FUL	The siting and erection of a marquee to host events associated with the use of the Golf Club together with other fundraising activities. Temporary Consent for 5 Years.	Appeal Dismissed (Refused)	14/06/2018 (27/07/2017)
3/09/1095/NMC	Angle the Layout of the Practice Range and Cover by 10 Degrees NW Rotation from the New Classroom.	Granted	16/12/2009
3/09/0534/FUL	Erect Small Classroom Together with a Permanent Cover Over the Practice Range	Granted	12/08/2009
	<p><i>Approved Plans for 3/09/0534/FUL:</i></p> 		
3/06/1224/FUL	Temporary Siting of Shelter for Practice Ground	Refused	14/11/2006
	<p><i>Refusal Reason for 3/09/0534/FUL:</i></p> <p>1 The proposed development lies within the Green Belt as defined in the Bournemouth, Dorset and Poole Structure Plan 2000, and identified in the East Dorset Local Plan (2002). Within this area it is intended that no new development shall be permitted except that reasonably required in connection with agriculture or forestry or other appropriate uses including buildings or structures which are essential for outdoor recreation. The retention of this shelter in the Green Belt represents inappropriate development which is harmful to the openness of the</p>		

	<p>Green Belt and contrary to the purposes of including the land within it. It is considered that the shelter is not an essential facility for outdoor recreation, and the applicant has not demonstrated that there are any circumstances that are so special so as to outweigh the Green Belt policies, the harm to the openness of the Green belt and the reasons for including land within it. The proposal is therefore contrary to policy GB2 in the East Dorset Local Plan (2002) and the advice contained within Planning Policy Guidance Note 2 'Green Belts'.</p> <p><i>Refused Plans for 3/09/0534/FUL:</i></p> 		
03/96/1054/FUL	3 ornamental ponds on Fairways 1,2,6&7 2 with s.w. drains.	Granted	21/04/1997
03/92/0794/FUL	Change of use, first floor to residential	Appeal Dismissed (Refused)	August 1993 (25/11/1992)
03/91/1065/REM	New golf clubhouse, amended by letter of the 4th December 1991 in respect of drainage.	Granted	18/12/1991
	<p><i>Approved Plans for 3/1065/REM:</i></p> 		
03/90/1168/FUL	9 Hole Golf Course, as amended by plans dated 23 Sep '91	Granted	22/11/1991
03/90/1169/OUT	Outline: Clubhouse and 60 Space Car Park, as amended by plans received 10.04.91	Granted	22/11/1991
03/87/1219/OUT	Outline: Agricultural Dwelling	Refused	09/10/1987

- Green Belt (GB)
- Location: Sturminster Marshall Golf Course, Policy: HE4
- Dorset Heathlands - 5km Heathland Buffer
- ART4 - Article 4 Direction
- Asset of Community Value - Sturminster Marshall Golf Course; Status Moor Lane, Sturminster Marshall, Wimborne, BH21 4BD
- Legal Agreements S106 – PL/4/239
- SGN - High pressure gas pipeline 1km or less from Regional High Pressure Pipelines (>7 bar); - Distance: 862.8m from site
- Areas Susceptible to Groundwater Flooding; Clearwater; >= 25% <50%
- Groundwater levels are either at or very near (within 0.025m of) ground surface

9.0 Consultations

All consultee responses can be viewed in full on the website.

Consultees

1. Sturminster Marshall Parish Council – Object (07/10/2022)

The Parish Council object to planning application P/FUL/2022/04415. This retrospective application constitutes development in the South Dorset Green Belt and the Parish Council considers that the proposed development would be inappropriate in this location and would cause harm to the openness of the Green Belt.

The building is visible from both Footpath 2 and Moor Lane. The Parish Council does not feel that the applicants have provided clear evidence of why the buildings are needed - and why these changing rooms cannot be provided within the club house.

The Parish Council would also question how the sewerage would be disposed of as this is not detailed.'

2. Stour And Allen Vale Ward Councillor - No comments received

Representations received

Site notices were displayed in three locations: with one notice attached to the application building, a notice attached to the post to the gate entrance to the golf course, and a notice within Moor Lane.

No third party responses were received for the application.

10.0 Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

11.0 Relevant Policies

Adopted Christchurch and East Dorset Local Plan – Part 1, Core Strategy 2014 (CED):

The following policies are considered to be relevant to this proposal:

- KS1 - Presumption in favour of sustainable development
- KS3 - Green Belt
- KS12 - Parking Provision
- HE2 - Design of new development

Material Considerations

Emerging Dorset Council Local Plan

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan Options Consultation took place between January and March 2021.

Being at a very early stage of preparation, the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

Emerging Neighbourhood Plans

Sturminster Marshall Neighbourhood Plan- In preparation – limited weight applied to decision making.

National Planning Policy Framework (NPPF):

Paragraph 11: Presumption in favour of sustainable development

Paragraph 38: Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Paragraph 47: Determining applications in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 100: Planning decisions should take opportunities to provide better facilities for users.

Paragraph 130: Planning decisions should ensure developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting; create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Paragraph 147: Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 149: A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to inappropriate development include:

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

National Planning Practice Guidance (NPPG)

12.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

13.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

The proposal would result in a building that provides accessible changing cubicles with a shower and toilets, which can be independently accessed by a wide range of users of the golf course.

14.0 Environmental Implications

None

15.0 Planning Assessment

Principle of development within the Green Belt

15.1 Sturminster Marshall Parish Council has objected to this application and considers that the development is inappropriate within the Green Belt (GB) and that it would cause harm to the openness of the Green Belt. The Parish Council also consider that clear evidence has not been provided as to why the changing rooms cannot be provided within the existing main club house building.

15.2 Paragraph 147 of the NPPF (2023) states that “Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.” Paragraph 148 of the NPPF states “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

15.3 Exceptions to inappropriate development are set out at paragraphs 149 and 150 of the NPPF. These include:

'149. c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;'

15.4 The building is adjacent to a storage container to the south east and a fenced compound for an irrigation water tank to the north. It is not judged to represent an extension to an existing building.

'149. b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it'

15.5 The proposal comprises of an entrance lobby area, 2 no. changing rooms with toilets and a shower room, which would be in connection with the existing use of the overall site as a golf course.

15.6 Officers recognise that the existing clubhouse is located approximately 31m from the application site red line boundary, and benefits from approved planning permission P/FUL/2021/04248 for extensions to enlarge that facility. A further application has also been submitted for further expansion of the clubhouse and is now at appeal following non-determination.

15.7 The clubhouse as originally permitted included a café/golf shop with kitchen, storage, an office, male and female changing and toilets.

15.8 Since that time, it is recognised that the operations at the club have expanded. A classroom building and covered practice range were approved in 2009 (ref: 3/09/0534) subject to conditions which included a requirement to demolish garages on the site of the current building which is under consideration.

15.9 Changes have taken place to the clubhouse which has been extended with additional storage facilities, the lawful use of the first floor has been secured and permission P/FUL/2021/04248 granted a rear extension identified as additional dining space.

15.10 In the latest approved plans (P/FUL/2021/04228) the majority of the clubhouse floor space has been designated for restaurant use (83.4sqm) together with a first floor function room (75.7sqm) and conference room (22sqm), none of which are considered to be appropriate facilities for the functioning of the golf club. Toilets have been reworked to provide four unisex cubicles, a unisex accessible toilet and a staff toilet but no changing facilities are proposed. In a separate application P/FUL/2023/00233, further extensions to the clubhouse are separately sought to enlarge the restaurant and function room; this application is at appeal for non-determination.

15.11 The applicant seeks the new building which is under consideration to provide two replacement unisex changing rooms with toilets and a single shower with a total floor area of approx. 28sqm. Officers have questioned why changing facilities which are necessary for the functioning of the golf course have been excluded from the

redevelopment of the club house. The applicants' agent has provided justification, which is summarised below:

- The existing clubhouse building provides no accessible or staff w/c facilities
- Existing male and female changing facilities in the club house have a two door entry which is contrary to current accessibility guidance and offer little changing space outside of the shower (screened only with curtains) and w/c cubicle.
- Existing male and female combined space totals 23.2sqm including access lobby to the men's w/c
- The proposal provides modern arrangements with full height cubicles. No self closing device will be required on the doors since they are not near a kitchen. Self- opening devices can be used to improve accessibility.
- The proposal 'includes a dedicated staff and accessible w/c arrangement'
- Unisex facilities remove gender sensitivities
- The viability of the golf club which serves 250 members is reliant upon providing appropriate facilities.
- Shower facilities are reasonably necessary for those participating in golf.
- W/c provision of 26.4sqm, not including shower facilities, in the clubhouse is the minimum necessary to meet legal requirements for providing accessible toilet provision for customers of the restaurant.
- The space requirements to provide shower and changing facilities in addition to toilets within the Club House would represent 43% of the restaurant area. The associated loss of revenue and member facilities in the clubhouse would be unviable and detrimental to the club's future.

15.12 Officers recognise that under the Equalities Act, it is important for the business to provide washrooms that can be independently accessed by a wide range of users. These are not currently available in the clubhouse, although recent planning permissions suggest that the applicants have plans to improve facilities.

15.13 Additionally, the HSE advises that in a workplace there should be 1 toilet and 1 washbasin for 1-5 employees and 2 toilets and washbasins for up to 25 employees. Ideally these should be separate, although they may be shared with customers where alternatives are not available. The proposal provides a degree of privacy for staff which is not currently available in the clubhouse, although it is noted that on approved plan P/FUL/2021/04248 a staff toilet would be provided in the club house.

- 15.14 Where food is being served British Standard 6465-1:2006 requires that one WC with hand basin suitable for disabled people be provided. Premises with 61-100 covers are required to provide at least 1 WC, 1 urinal and 2 hand-wash basins for men, 2 WCs and 2 hand-wash basins for women and 1 disabled unisex WC and wash-hand basin which is what is proposed to be provided in the floor plan approved with permission P/FUL/2021/04248.
- 15.15 It is recognised that the provision of two changing rooms and a shower (excluding any additional toilets) could require a floor area of approximately 24sqm. Together with the toilet facilities on the approved floorplan for the club house this would equate to approx. 53sqm which is 23% of the ground floor area of the clubhouse as permitted or 16% of total floor area (porch excluded). This is not judged to be an unreasonable proportion of the existing building, so there do not appear to be any physical constraints to providing changing and shower facilities in the existing Club House building in the future. No financial information has been provided to verify the assertion that the viability of the Golf Club is reliant upon income from the expanded restaurant and function area such that a modest reduction in covers would be detrimental to the Club's future.
- 15.16 Notwithstanding the above, whilst it would be preferable for the changing facilities to be provided within the club house building, that is not the proposal that is under consideration and there is a current need for accessible changing facilities.
- 15.17 The additional building that has been constructed to provide changing and showering facilities results in some harm to openness by reason of its spatial impact, albeit that the visual impact is limited by its modest proportions and relationship with existing structures.
- 15.18 Since the proposal under consideration is for modestly sized appropriate facilities for outdoor sport it accords with paragraph 149 b) of the NPPF. The structure does have a spatial impact on the openness of the Green Belt but its modest proportions and siting as part of a run of buildings and structures avoids impact on openness in visual terms and overall it is judged to have a neutral effect on openness of the Green Belt for the purposes of 149 b) of the NPPF and would not conflict with the purposes of including land within the Green Belt.
- 15.19 For this reason, the proposal is not judged to be inappropriate development in the Green Belt.

Scale, design, impact on character and appearance

- 15.20 Sturminster Marshall Parish Council object to the proposals as the *'building is visible from both Footpath 2 and Moor Lane.'*
- 15.21 Following a site visit and an officer assessment of the application, it is judged that this additional corner infill building is of a modest design and has a limited impact upon the character of the area, the street scene and views from the footpath, so accords

with local planning policy HE2 and national planning policies within section 12 of the NPPF (2023).

Flood Risk

15.22 Whilst the site is located within an area of risk of ground water flooding, a flood risk assessment has not been requested as the building is for a use which is less vulnerable so no conflict with policy ME6 has been identified.

Other Matters

15.23 Sturminster Marshall Parish Council have queried how the sewerage would be disposed of from the application site building as no details have been provided.

15.24 Officers are satisfied that this is a matter for Building Regulations.

16.0 Conclusion

16.1 The proposal will benefit a wide range of users of the golf course and would not have adverse impacts upon the Green Belt, the character of the area, landscaping, trees or neighbouring amenity. As such, the application is judged to accord with local planning policies KS1, KS3, KS12 and HE2 and policies within the National Planning Policy Framework (2023).

17.0 Recommendation

Grant, subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
1817-01-14 Changing Room Plans (dated October 2021)
1817R-02-09 Location and Block Plan 02 (dated April 2020)

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

2. The external materials to be used for the walls and roofs shall be retained as
Walls: vertical timber cladding.
Roof: flat felt roof.

Reason: To ensure a satisfactory visual appearance of the development.

Informative Notes:

1. Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

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- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.