



WOODLAND TRUST

Town and Country Planning Act 1990

Appeal by Q Hotels Group Limited against the decision of North Lincolnshire Council to refuse planning permission to change the use of woodland to a golf course and make alterations to an existing golf course on land at and north of Forest Pines Golf Club, Ermine Street, Broughton, North Lincolnshire.

Planning Inspectorate Ref: APP/Y2003/A/09/2101852/NWF

North Lincolnshire Council Ref: PA/2007/1172

PROOF OF EVIDENCE

OF

JOHN STEEDMAN

Qualifications and Experience

1. My name is John Steedman. I am giving evidence on behalf of the Woodland Trust. I hold the Honours Degree of Bachelor of Arts in Urban and Regional Planning and I was elected to Membership of the Royal Town Planning Institute in 1972 and as a Fellow in 1980. I have extensive experience in both the public and private sectors, having been the Head of Development Control of a District Council in Derbyshire, then for the last 25 years, Principal of my own practice, Steedman Planning, based in Ashby-de-la-Zouch, Leicestershire.

Scope of Evidence

2. The evidence I shall give has two strands. Firstly, I explore the implications of government guidance and development plan documents resultant from the identification of the land as Ancient Woodland. I consider the proposal to establish whether there is a need for the development or whether it produces benefits which would outweigh the protection afforded to Ancient Woodland. I conclude that it does not. Secondly, I consider the proposal by reference to other planning policies, especially those relating to tourism and sustainability. I conclude that there the proposal conflicts with such policies, irrespective of issues relating to the Ancient Woodland.

Ancient Woodland

3. The thrust of government advice is quite clear that development which results in the loss of or deterioration in Ancient Woodland should be refused save in the most exceptional circumstances, and for convenience I set out the main sources of that advice.
4. The kernel is to be found in Planning Policy Statement 9 Biodiversity and Geological Conservation, Paragraph 10:

“Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost it cannot be recreated. Local planning authorities should identify any areas of ancient woodland in their areas that do not have statutory protection (e.g. as a SSSI). They should not grant planning permission for any development that would result in its loss or

deterioration unless the need for, and benefits of, the development in that location outweigh the loss of the woodland habitat.”

5. In 2005 Defra and the Forestry Commission published “Keepers of Time”, a Statement of Policy for England’s Ancient and Native Woodland. This expressed the Government’s vision as being that:

“Ancient woodlands, veteran trees and other native woodlands are adequately protected, sustainably managed in a wider landscape context, and are providing a wide range of social, environmental and economic benefits to society.”

The expression of policy on page 10 commences:

“The existing area of ancient woodland should be maintained ……”

6. The evident rigour of this national policy protection for Ancient Woodland suggests that, although further loss of the existing resource is not absolutely ruled out, the justification for this, in terms of need and benefit, would need to involve an overriding public interest.

7. Paragraph 1 of PPS 1 is a useful reminder of the guiding thrust of planning activity:

“Planning shapes the places where people live and work and the country we live in. Good planning ensures that we get the right development, in the right place and at the right time. It makes a positive difference to people’s lives and helps to deliver homes, jobs, and better opportunities for all, whilst protecting and enhancing the natural and historic environment, and conserving the countryside and open spaces that are vital resources for everyone. But poor planning can result in a legacy for current and future generations of run-down town centres, unsafe and dilapidated housing, crime and disorder, and the loss of our finest countryside to development.”

8. PPS 7, dealing with development in the countryside at Paragraph 1(iv) states

“New building development in the open countryside away from existing settlements, or outside areas allocated for development in development plans, should be strictly controlled; the Government’s overall aim is to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and so it may be enjoyed by all.”

It goes on to say at paragraph 16:

“When preparing policies for LDDs and determining planning applications for development in the countryside, local planning authorities should:

(i) support development that delivers diverse and sustainable farming enterprises;

(ii) support other countryside-based enterprises and activities which contribute to rural economies, and/or promote recreation in and the

enjoyment of the countryside;
(iii) take account of the need to protect natural resources;
(iv) provide for the sensitive exploitation of renewable energy sources in accordance with the policies set out in PPS22; and
(v) conserve specific features and sites of landscape, wildlife and historic or architectural value, in accordance with statutory designations.”

9. The Good Practice Guide on Tourism, replacing the previous PPG, offers little substantive policy guidance, but reminds all that the basic principles of sustainability are contained in PPS 1 and PPS 7.

10. From these government guidelines flow the Development Plan Policies currently in force via the RSS and the Local Plan.

11. Regional Spatial Strategy for Yorkshire and the Humber - Policy ENV 6 (Forestry Trees and Woodlands) states that

“..... decisions should safeguard and enhance ancient woodlands and there should be no determinations which result in the loss of ancient woodland.”

12. North Lincolnshire Local Plan – Policy LC4 (Development Affecting Sites of Local Nature Conservation Importance) states:

“Any development or land use change which is likely to have an adverse impact on a Local Nature Reserve, a Site of Importance for Nature Conservation or a Regionally Important Geological Site will not be approved unless it can be clearly demonstrated that there are reasons for the proposal which outweigh the need to safeguard the intrinsic nature conservation value of the site or feature.”

13. In each of these fundamental pieces of government guidance, backed up by the Development Plan, the need to conserve natural and heritage features is stressed. Therefore the proof of “need and benefits” must be compelling in order to breach these fundamental tenets of planning. The question which should be the determining issue of this appeal is how to consider whether there is an exception to be made to the PPS1, 7 and 9 advice. In the light of paragraph 10 of PPS9, it is appropriate to consider the claims of this proposal as regards both need and benefit.

Need

14. I have given consideration to the nature of recreational golf and conclude that it is an activity which is conducted in several ways which have different markets. I categorise these as:
- a. Local club golf and pay and play,
 - b. inter-club golf,
 - c. championship golf, and
 - d. tourist golf.

The supply of golf facilities in general can be regarded as unconstrained, consensus being that there are about 2500 golf courses in Britain, with many golf facilities operating at less than full capacity following a period of growth in the number of courses available. Therefore, a need argument would have to show that there was a specific, unfulfilled need for a better facility in this specific location which could not be met elsewhere.

15. The appellants' case for the development of this facility appears to concentrate on providing a championship facility and for the encouragement of golf tourism leading to a better occupancy of the hotel, i.e. falling within category iv. There appears to be no real definition of a "championship" course, it being more a matter of "the facilities exist here for a championship to be played" as there are more courses claiming to be championship quality courses than championships have been played at. The existing golf courses at the site have already been used for championship matches and the appellants have made investment in the expansion of the hotel and course based on the currently available number of holes and quality of courses.

16. Having discounted the need for the creation of additional general capacity to play golf *per se*, and any objective need for further development of golf facilities as such in this location, the main strength remaining of the claim for the expansion of the facility would be based on the economic benefits of the growth of tourism and corporate stays at the hotel. I will consider this under "benefits", but insofar as this might be argued to constitute "need" I would point out that there is a large range of opportunities for satisfying such a market requirement at locations that would have no impact upon heritage in the way that the appeal proposal does. A potential user of the facility, whether a small group of individuals or a corporate event, would have a considerable degree of choice in venue to host a visit for a golf related holiday or corporate golf event. The range of destinations available to either private or

corporate customers is considerable, the object in most cases being variety and new experience. The booking of a golf holiday or corporate event presents as much variety as any other form of holiday and there should be no suggestion that there is a lack of choice available within the market. Accordingly, any claim to the uniqueness of the location's ability to provide a facility which does not exist elsewhere must fail.

17. It is therefore my considered view that, as regards "need" the case for carrying out development resulting in the loss of Ancient Woodland cannot be made out when there are so many alternative places available for the carrying out of the activity which would result in that loss. There is no uniqueness of this location which would create an over-riding need for the Ancient Woodland to be lost.

Benefits

18. By reference to the Environmental Statement and the information supporting the planning application, the benefits of this development claimed by the Applicants appear to be first, a net benefit as regards nature conservation, secondly socio-economic benefits relating to the promotion of tourism and of the local economy, thirdly, the provision of public access to the 81 hectares lying outside the present golf course, and fourthly, the alleviation of conflict with an adjacent HGV park arising from escaping golf balls. I will address these in turn.

Nature Conservation

19. The question of the assessment of the claimed improvements in the bio-diversity of the woodland will be dealt with by other witnesses. In promoting development which is in proximity to sites of either heritage or nature conservation value it is a general presumption that management measures will be put in place to safeguard and enhance the features being protected. In this instance a substantial part of the ancient woodland would be destroyed, and the remainder fragmented. The case of Applicant appears to be that there will be nevertheless be a net gain in biodiversity because, across the whole appeal site, including the existing golf course, there will be an increase in the variety and interest as regards habitat, assisted by pro-active management of those parts of the site not actually used for golf.

20. It appears to me that this approach is wrong in principle, and inconsistent with settled policy as regards ancient woodland. The context for consideration of biodiversity is

not this appeal site. It is country-wide, and has a regional and area context. The contribution of existing ancient woodland to biodiversity is precisely that it is ancient woodland. The main objective is to preserve it as such. It is no benefit to biodiversity to destroy or fragment part of that resource in the name of increased diversity within the arbitrary unit formed by the application site. The management of the remaining woodland after the removal of a large proportion of it is no compensation for the loss of a protected feature. The tenet of passing heritage on to subsequent generations is to avoid taking actions which are irreversible. The replacement of woodland with golf course is an irreversible act. The management of the remaining woodland (even assuming that it would be wholly beneficial) can be no compensation for the total loss of a substantial part of it.

Tourism

21. The claimed tourism benefits are considered in a short report from ACK Tourism dated May 2007 (Appendix O to the Environmental Statement), which is drawn upon in the formulation of the Socio-Economic Chapter of that Statement.
22. This material is now more than two years old, but pending the introduction of up-to-date evidence, I must necessarily address the Applicant's claims as presently stated.
23. The Appellants claim that the expanded golf course will contribute to the development of tourism priorities, but this claim is expressed in entirely general terms, and, as I point out in my next section, it is not underpinned by any rigorous forecasting as to the impact of golf expansion on the use of the Forest Pines complex as a whole.
24. Insofar as it can be said that the projected expansion of golf resources will tend to enhance to role of Forest Pines as part of the tourist resources of this area, in the absence of a "need" case this can bear little weight in the face of clear planning objections to the proposal.

Economic benefits

25. As regards the economic impact of this development, Chapter 14 of the Environmental Statement draws very heavily on the Economic Impact Report of

Hospitality Consulting International, dated June 2006, to the extent that most of that report is incorporated within the text of that Statement without significant alteration.

26. The presentation proceeds by comparing data for three years, 2006, 2007 and 2010, this last being the year then envisaged as the first year of play for the enhanced golf facilities.
27. In 2007, the Appellants' expansion of other facilities at Forest Pines was largely complete. The data for 2006 are actual, whereas those for 2007 were presented as projections, but presumably informed by experience during the first part of 2007. The figures for 2010 were of course projections.
28. As this proof is prepared, I am assuming that the Appellants will have adduced evidence of actual results for 2007, 2008 and part of 2009, and revised projections for the performance of Forest Pines should the golf course be extended. I will therefore state quite shortly the main reasons why I find the economic forecast in the Environmental statement unconvincing.
29. First, the forecasts of trading performance are bald predictions which are nowhere explained or justified.
30. Secondly, the Environmental statement refers to an increase in golf rounds played from 38,888 in 2006 to 61,007 in 2010, and increase of almost 60 per cent over those four years. However, the number of rounds anticipated in 2007 is given as 44,001, itself an increase of 13 per cent in one year, all achieved on the existing 27 holes. It is therefore clear that the increase in size of the golf course is not the only factor in any increase in the number of rounds above 2006 levels, and it remains (on the evidence so far provided) a matter of speculation what increase in the number, if any, can be attributed to the proposed expansion of the course, rather than to other factors.
31. Thirdly, it is claimed that 48 additional staff will be employed following the proposed golf course extension. Whilst I accept that it is likely that some additional staff would be required, it is not shown that the claimed increases, or any of them, are dependent on that extension.

32. At page 153 of the Environmental Statement direct economic impact, indirect impact and induced impact are distinguished. There is no quantification of induced or indirect impact, which in my opinion must be regarded as relatively insignificant, especially in the absence of any evidence of the extent to which hotel consumables are purchased locally.
33. As regards direct impact, revenue receivable by Q Hotels in itself confers no relevant planning benefit. The element of direct impact which might count as a planning advantage is essentially confined to such increased employment as can be attributed to the proposed extension to the golf course.
34. In summary, the benefit of the creation of employment and the multiplier that this achieves for the locality is in this instance the only general benefit that is offered. The benefit resulting from the proposed development itself (the golf course extension) as opposed to the benefit of the investment which has already taken place in the hotel is questionable. The majority of the employment would revolve around the provision of catering and overnight accommodation. This already exists, therefore a utilisation of the facility to full capacity will only result in a marginal increase in employment levels. Economic Impact Report submitted by the appellants. The assumptions for growth in the Economic Impact Report submitted by the Appellants include the growth resulting from the development of the hotel which has already been carried out. The estimates of employment generation do not specify that the jobs created will be full-time equivalents and analysis of the catering needs shows the requirements broken down into specific times of day (e.g. Breakfast). Much of the employment forecast relates to the growth in the operation of the hotel, which is not the subject of the proposed development. However, fundamentally, the report does not provide any basis for its assumption that the number of golf rounds played at the course will increase to the extent claimed as a result of the improvement of the facilities. The rate of growth of all discretionary spending is currently under severe pressure, especially in the corporate sector. Therefore, the demand for such facilities is currently lessening and the degree of competition from existing venues that can offer the proposed facilities already, is considerable, resulting in dropping prices and a large degree of choice.
35. Tourism as an economic resource is recognised as a major contributor to the economy and it often provides income for less economically favoured regions such as the South West or other remote mountain or coastal regions which rely heavily

upon the income generated. In this instance, the proposal is located in close proximity to good infrastructure and an urban area with a range of employment bases. I do not minimise the current necessity for job creation anywhere in the Country at the present time, but it must be pointed out that the government has not seen fit to issue advice which tells us to relax any normal planning objectives in the face of the current recession.

Public Access

36. It appears to me that the appellants are offering no greater accessibility to the woodland than has existed on an informal basis for many years. The present restriction on public access, sought to be enforced by the closure of formal and informal car parks and the erection of warning notices, is in fact a direct result of the aspirations of the Appellants, and the owners of the woods, for the development now proposed. This restriction is not confined to the 81 hectares included in the proposal under appeal, but extends over the whole woodland area within the same ownership. This is made explicit in a letter dated 29th August 2008 from RHD Properties Ltd to the north Lincolnshire Council's Development Control Officer, which I provide as my Appendix JS 1.

37. In the Appellant's Statement of Case the suggested heads of terms for a S106 agreement include the continuation of public access. Without details of the intended extent of such provisions in a legally enforceable covenant, little weight can in any event be attached to it. But more fundamentally, it is inappropriate to claim the provision of public access as a benefit of the development when it is the existence of this proposal itself which has disrupted such access, and there is no discernable reason why, once the golf course extension has been ruled out, public access should not be resumed.

Safety

38. I mention for completeness the claimed advantage that the proposal will enable the alleviation danger to persons using the adjacent lorry park, which is in close proximity to the existing practice ground. It is impossible to attach any weight to this matter, when no detail is provided about the extent of the problem, nor any information about alternative means of alleviating it. It could not in any case bear significant weight when set against loss of and damage to a large area of ancient woodland.

Conclusion as regards Ancient Woodland

39. In the circumstances the appeal proposal would result in a substantial loss of, and deterioration to, ancient woodland; there is no recognisable planning need for the development, and it would confer very limited planning benefits. Given the very strong policy protection afforded to ancient woodland at national, regional and local level, it is in my view very plain that this appeal must be rejected.

40. I therefore concur in the Council's reason for refusing the application. I am only surprised that the advice to committee was not couched in even stronger terms, in what I regard as a very plain case.

Other planning issues

41. The Council refused the application on the single ground relating to the protection of the Ancient Woodland and its inherent archaeological features. It is my considered view that there are other reasons planning objections to the proposal, which should be brought into account.

42. First, I have considered the interpretation of tourism advice and particularly note the requirement that development to facilitate tourism should not undermine the intrinsic assets of the area in which the development is proposed. North Lincolnshire has a lower proportion of woodland than many areas of lowland Britain and therefore to undermine this scarce resource would be counter-productive in terms of the attractiveness of the area as a tourist resource. Indeed, the Ancient Woodland, including that within the appeal site, is itself a tourist resource, as the appellants themselves appear to some extent to recognise; and one whose enjoyment could be linked to Forest Pines Hotel.

43. I have also considered the sustainability of the proposal in terms of the accessibility of public transport and the nature of the type of tourism being proposed. The conclusion I reach is that a proposal to encourage corporate tourism in an inherently unsustainable location is contrary to government advice on sustainability. The application of principles of sustainability in relation to tourism requires the ability to have a choice of modes of transport and to reduce the need to travel. The criteria set

out in section 5 of the Good Practice Guide encourage accessibility to a wider range of people than can be offered by the motor car alone.

44. These are important considerations, and in my view afford additional reasons why this appeal should be rejected. At the very least, they are planning disadvantages to be put into the scale when weighing the benefits claimed as resulting from the appeal proposal.

Overall conclusion

45. For the reasons expressed above, in my opinion this is an unmeritorious appeal which should be dismissed.