



Golf in historic parks and landscapes

The planning system and related guidance



ENGLISH HERITAGE



The planning system and related guidance

The planning system recognises the need to provide for sport and recreation as well as other developments and the protection of historic and environmental assets. Policies are set out in development plans, comprising the regional spatial strategy and local development documents, or, where these have not been prepared, the adopted unitary development plan or structure plan and local plan.

Golf course policies will either be general, using a set of criteria for assessment, or they may be tailored to a specific allocated site. Policies may include references to the historic environment where this reflects the characteristics of the allocated site. When this is not done development-plan policies protecting the historic environment will apply. If a need for golf course development has been identified, but no sites are to be allocated and a criteria-based approach is favoured, local planning authorities may identify areas that they consider to be more suitable for golf development by virtue of their landscape character (and bearing in mind other planning considerations such as transport and accessibility). Previous policies on golf development may not be carried forward to new plans as perceived development pressure for new golf courses has eased. Local planning authorities will increasingly rely on landscape character assessments (*see p 5*) to appraise schemes. Examples of policies are given below.

Natural England's predecessors, English Heritage and the Environment Agency produced joint guidance to inform the preparation of plans and strategies under the reformed planning system (Countryside Agency *et al* 2005).

Examples of local planning authority policies and supporting text

'The conservation and enhancement of parks and gardens of historic interest will be encouraged. Development which adversely affects their appearance, character, setting or possible restoration will not be permitted. Particular account will be taken of potential harm to those features and qualities which provide the basis for the inclusion of the park or garden in the national register or Sites and Monuments Record.' *Stratford on Avon District Council, Revised Draft Local Plan (2003)*

'LA4 Protection of historic parks and gardens: Development which would destroy, damage or otherwise adversely affect the historic structure, character, appearance, features or setting (including the designed visual envelope) of a registered park or garden will not be permitted.

Development proposals that would affect a historic park or garden should be accompanied by a historic landscape appraisal report and a restoration scheme, which may include or comprise a management plan, commensurate to the scale of the proposal that affects them.

Unregistered parks and gardens recognised and identified by the Council as currently of local importance will be afforded similar protection.' *Herefordshire Council UDP, Revised Deposit Draft (2004)*

'Policy DEV4 Golf Courses: ... Permission will not be granted for buildings or other facilities in excess of those directly associated with the playing of golf. This will include golf driving ranges which require lighting, fencing and covered tees.

Applicants will be expected to enter into a management agreement with the Planning Authority covering the maintenance of the landscape and wildlife habitats within the area of the course.' *Arun District Local Plan* (2003)

'Supporting text to emerging Policy COM 8 New Golf Courses: 5.29 The design and landscaping of the facility should be informed by the Landscape Character Assessment and where appropriate the historic character of the landscape. The design and location of approach roads, buildings, tracks, car parks, floodlit driving ranges, bunkers and other landscape features should be designed to minimise impact and complement the character assessment.' *Replacement Bolsover Local Plan Deposit Draft* (2004)

Local planning authorities may also adopt supplementary planning documents, formerly known as supplementary planning guidance, to help with the interpretation of local development policies or provide additional detail. A number of councils adopted supplementary planning guidance on golf courses during the golf boom of the early and 1990s and examples of these are listed in the References and contacts.

Supplementary planning documents relevant to golf course development may include landscape character assessment; historic landscape characterisation; detailed guidance on the design, layout and management of golf courses; and site-specific planning briefs

National policy on the historic environment

National planning policy on the historic environment is set out in *PPG15 Planning and the historic environment* and *PPG16 Archaeology and planning*. The Government's vision for the historic environment is set out in *A Force for Our Future* (2001). It restates the Government's commitment to protecting and sustaining this for the benefit of our own and future generations and the policy principles set out in the PPGs, and highlights the economic, social, environmental and educational contribution of the historic environment.

PPG15 stresses the importance attached to the historic environment, as an irreplaceable resource valued for its own sake as well as for its contribution to education, quality of life, local distinctiveness, the character and appearance of places, and to leisure and recreation.

PPG16 sets out the principles for dealing with archaeology in the planning process, providing guidance on how archaeological remains should be evaluated, preserved and recorded. *PPG16* places great importance on archaeological remains as a finite, non-renewable resource.

PPS7 Sustainable Development in Rural Areas (2004), *PPS9 Biodiversity and Geological Conservation* (2005) and *PPG17 Planning for Open Space, Sport and Recreation* (2002) are also relevant to golf course developments. Historic landscapes such as parkland can be an important in shaping the character of areas such as Green Belts and other designated areas.

The *Register of Parks and Gardens of Special Historic Interest in England* defines the designed landscapes of historic interest and national importance. The purpose of the Register is to promote the protection of these parks and gardens. The effect of

proposed development on a registered park or garden or its setting is a material consideration in the determination of a planning application' (*PPG15*, para 2.24).

The listing of buildings of special architectural or historic interest is a key part of the framework for protecting the physical remains of the past. In addition to any necessary planning permission, listed building consent is required for alteration works that will affect the special character of the building and for demolition.

The planning guidance states 'the setting is often an essential part of the building's character, especially if a garden or grounds have been laid out to complement its design or function' (*PPG15*, para 2.16). The curtilage is treated as part of the listed building.

The definition of setting and curtilage should not be interpreted too narrowly as it often applies beyond obviously ancillary land and may include land at some distance from the building. This is of particular importance in applications for golf developments in historic designed landscapes, which often form the setting for listed buildings, and structures and curtilage features such as a ha-ha could be important park or garden structures.

Registered historic battlefields have a similar status to registered parks and gardens, in that the effects of development on these sites is a material consideration in determining planning applications (*PPG15*, para 2.25).

Conservation-area designation aims to preserve or enhance the character or appearance of an area of special architectural or historic interest. There is additional planning control (through conservation-area consent) over the demolition of unlisted buildings as well as strengthened controls over minor development and protection of trees. The setting and views of the conservation area are also a consideration.

PPG15 highlights the outstanding international importance of World Heritage Sites as a material consideration in determining planning applications. Their settings are also recognised as important, and development proposals are required to be 'carefully scrutinised for the likely effect on the site or its setting in the longer term' (*PPG15*, para 2.23).

For more information on proposals for the heritage protection system and the single national designation (replacing listing, scheduling and registering), see www.culture.gov.uk

Historic environment designations

- *Register of Parks and Gardens of Special Historic Interest in England*
- Listed buildings
- *Register of Historic Battlefields*
- Conservation areas
- World Heritage Sites
- Scheduled monuments.

There are also historic parks and gardens, buildings and archaeology of local importance.

For more information see www.english-heritage.org.uk, www.helm.org.uk and local authority Historic Environment Records.

For more information on proposals for the heritage protection system and the single national designation (replacing listing, scheduling and registering), see www.culture.gov.uk

Nature conservation designations and plans

Designations and plans intended to protect biodiversity are also of relevance to historic parks and these include:

- Sites of Special Scientific Interest (SSSI)
- National Nature Reserves (NNR)
- Semi-natural ancient woodland
- Special Areas of Conservation (SAC)
- Special Protection Areas (SPA)
- Ramsar sites
- UK Biodiversity Action Plan (UKBAP) target habitats and species.

There are also other designations for sites of local importance.

For more information see www.naturalengland.org.uk and www.magic.gov.uk.

Landscape and amenity designations

Designations intended to protect landscapes include:

- National Parks
- Areas of Outstanding Natural Beauty (AONBs)
- Heritage Coasts
- Green Belts
- Tree Preservation Orders.

There are also other designations for landscapes of local importance.

For more information see www.magic.gov.uk, www.communities.gov.uk and www.planningportal.gov.uk.

Protection of the wider historic landscape

A key theme within *A Force for Our Future* and the White Paper *Heritage Protection for the 21st Century* (2007) is the broader definition of the historic environment, which goes beyond nationally designated sites to encompass their wider context and aspects of the environment valued by local communities.

PPG15 states that ‘the whole of the landscape ... is an archaeological and historic artifact, the product of complex history processes and past land-use ... Much of its value lies in its complexity, regional diversity and local distinctiveness’ and that development plan policies on the countryside must ‘protect its most important components and encourage development that is consistent with maintaining its overall historic character’ (*PPG15*, paras 6.40 and 2.26).

The Countryside Commission’s 1993 position statement and advisory booklet on *Golf Courses in the Countryside* reflected a concern to ensure that new golf courses are built in areas that would benefit from new landscape features rather than in sensitive countryside in designated areas. It states that there should be a general presumption against golf courses in historic parkland, National Parks, Areas of Outstanding Natural Beauty, and on Heritage Coasts unless it can be demonstrated that the course will contribute to and enhance the special character of the area.

Landscape characterisation

Landscape character assessment and historic landscape characterisation are complementary tools that are used to inform planning policy and land management. They look beyond individual sites to examine the character of the larger-scale landscape, for instance of a county.

Landscape character assessment identifies and maps the features of a locality that define its distinctiveness or unique sense of place.

Historic landscape characterisation provides a framework for broadening our understanding of the historic dimension of the whole landscape. This national programme is a collaboration between English Heritage and local government that will cover the whole of England.

There are two stages to the characterisation process: the first identifies, maps and describes to say ‘this is what we have’; the second applies judgements about value and sets objectives to say ‘this is what we wish to do with it’. Characterisation provides a basis for an appreciation of the area’s sensitivity, vulnerability and capacity for change. It is not intended to fossilise the landscape, but rather to assist in determining what type and scale of change is most appropriate for a particular area and the management needs of the landscape.

Information on landscape characterisation is available from

www.english-heritage.org.uk/characterisation

Planning process

Conservation statements and conservation management plans

A clear understanding of the heritage asset, including its condition and conservation needs, is the first stage in any proposals for development, no matter how minor. Understanding the historic, archaeological and ecological significance of the landscape enables a systematic appraisal to be made of its vulnerability to change or opportunities to improve. This informs the development of proposals which will avoid or minimise negative impacts and make the most of opportunities for conservation and repair.

Conservation statements are concise versions of conservation plans, written largely on the basis of existing physical knowledge of the site and with minimal archival information. They are straightforward to produce and extremely useful as the starting point for pre-application discussions. A conservation statement should aim to answer the following questions:

- How did the site develop historically to its present form?
- What are its most important or significant aspects and features?
- How vulnerable are these to various forms of change?
- What are the most appropriate guidelines to conserve the significant aspects?
- What gaps exist in the knowledge of the site?
- What further work is proposed to develop the plan and any proposals in greater depth?

Applications for new or for extended or remodelled courses in historic parks will be sufficiently complex to require a full conservation management plan at the earliest stage of design or project development. The stages for preparing such a plan are similar to those required for a conservation statement but information will need to be in much greater depth. The stages for preparation of the plan are:

- Understanding the place (see box on sources of information)
- Assessing significance (historic, aesthetic, archaeological, scenic, ecological, social, educational ...)

Information needed for conservation management plans

This list is an indication of the types of information required – further information on this is available in the guidance on producing plans.

Preparation of a plan depends on an understanding of the significance of the park or landscape drawn from documentary sources and surveys such as:

Documentary sources

- designation documentation (parks and gardens register entries, building listings, SSSI citations, and so on)
- archive correspondence

- reports
- sketches and paintings
- photographs
- aerial photographs
- plans, maps, surveys
- oral information
- published information
- biodiversity action plans.

Site surveys

- topography
- detailed levels
- views
- routes
- trees
- ecology
- field archaeology.
- Defining how this significance is vulnerable
- Determining policies for retaining significance in future
- Setting out a specific set of proposals for the management of the site.

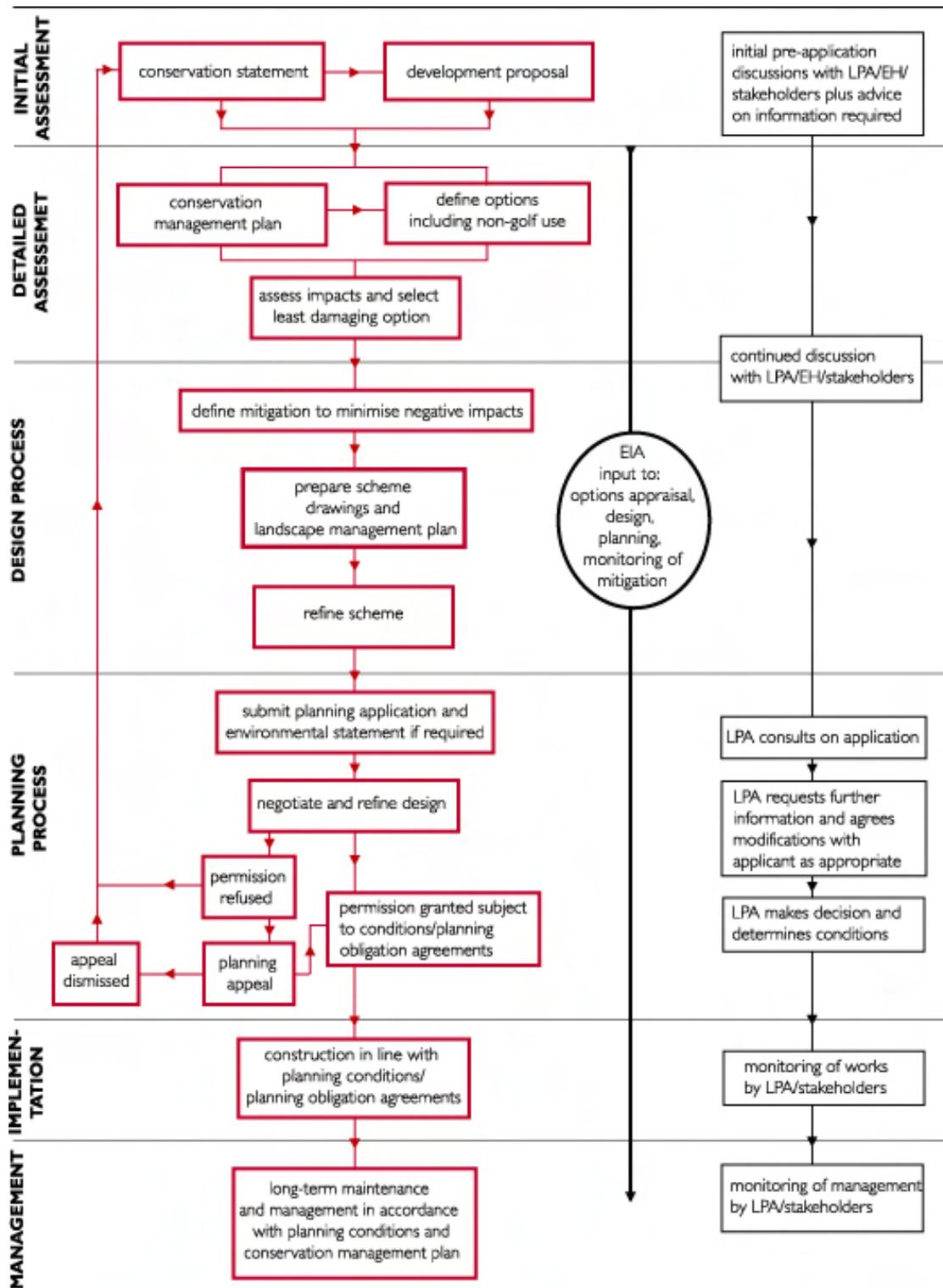


Fig 1 The planning process for golf course developments in historic parks

Plans will vary in length and content depending upon the nature of the site and its particular issues but in most cases specialist assistance and advice will be necessary.

Consultation is a crucial part of a sound conservation management plan. It offers opportunities for stakeholders and other interested organisations and individuals to become closely involved in the decision-making process, to offer outside

perspectives and, through this, to both support and take ownership of the plan and its future management. A transparent approach to disseminating information from surveys and research is also of public benefit and is appreciated by consultees.

All assessments must operate within the broader framework of national and local planning policy and, where they exist, within the context of wider management plans such as those for World Heritage Sites, National Parks, AONBs or SSSIs. Landscape character assessments and historic landscape characterisations also provide valuable contexts for understanding the site in its setting.

Throughout the process of developing the scheme it will be of benefit to continue to consult and involve interested organisations who will be able to provide advice on how to improve the proposal. Apart from the bodies mentioned above under pre-application consultation the applicant needs to think about involving national and local heritage, wildlife conservation and amenity societies; golfing organisations such as the PGA; national bodies such as the Environment Agency, Natural England and Sport England; and any other stakeholders suggested by the local planning authority. In some cases, for instance sites containing SSSIs, consultation is a statutory requirement.

Specialist advice will be needed at all stages in the planning process. An experienced golf course architect is likely to be essential and applicants may need to consult or employ some or all of the following specialists: golf course architects, landscape historians, landscape architects, planning consultants, archaeologists, landscape managers, ecologists and others. Sources of advice on finding specialists in fields concerned with the historic environment and with golf course design and management are listed in the References and contacts.

National and local amenity societies

These societies aim to protect different aspects of the historic environment. They can provide advice to applicants and are stakeholders who should be consulted on applications affecting relevant heritage assets.

The Garden History Society (GHS) aims to protect historic designed landscapes. Local planning authorities are required to consult the GHS on all planning applications relating to registered parks and gardens, regardless of grade.

The national societies principally concerned with archaeology and architecture are the Ancient Monuments Society, the Council for British Archaeology, the Society for the Protection of Ancient Buildings, the Georgian Group, the Victorian Society and the Twentieth Century Society.

Buildings and local amenity societies such as county gardens trusts and branches of the Civic Trust will also provide advice and information.

Detailed guidance on preparing conservation management plans may be found at www.english-heritage.org.uk/parksandgardens

Other issues to consider

In addition to the historic and archaeological issues key matters for applicants to consider as part of the application process include:

- Traffic and transport – applicants may be required to undertake a transport assessment and to prepare a green travel plan to encourage the use of public transport, cycling and walking to reach the site (for both staff and visitors)
- Water and resource management – in particular the sustainable use of resources by minimising the need for irrigation and by such measures as rainwater harvesting, and recycling water, and integrated pest management
- Promoting biodiversity through site management.

Environmental impact assessment

Schemes likely to have significant effects on the environment must follow a procedure of environmental impact assessment (EIA). This is a systematic assessment of a project's likely environmental effects and involves consultation with statutory consultees and other stakeholders, to form an environmental statement.

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 set out the procedures for deciding whether EIA is required. Applicants must consider whether EIA is required and may request a formal opinion from the local planning authority.

Where EIA is required, the Environmental Statement must include a description of those aspects of the environment likely to be significantly affected, for instance the architectural and archaeological heritage and historic landscape, the inter-relationships between these, the likely impact of the proposed development, and any mitigation proposed. Applicants should seek advice from the local planning authority on whether EIA will be required for their development and, if it is required, agree the scope with the authority.

Other potential uses for historic parks

The golf course market is now largely saturated so the business case for new courses needs to be carefully considered even though most new developments are part of a more extensive proposal, perhaps involving hotel accommodation, health spa and conference centre. At the same time there are more incentives for traditional management of parks, such as the Environmental Stewardship scheme, and the expansion of other leisure markets. Historic parks were used for grazing and sport and there could be potential for rediscovering traditional country pursuits, leisure break activities, and events that can co-exist with traditional land management, and have temporary impacts on the landscapes and generate some income. Organisations such as the Historic Houses Association provide advice for their members.

Traditional management can conserve the historic parkland and be financially self-sustaining. Common Agricultural Policy reforms, decoupling subsidies from production, will create opportunities to support environmentally sensitive farming and will include parklands and other historic landscapes. The new agri-environment scheme, Environmental Stewardship, provides payments for parkland management.

These land uses and incentives should be considered as alternatives to expanding existing courses within historic parks.

Taking into account the effects of not developing a golf course

In 1992 an appeal was held against the refusal of planning permission for golf courses, a hotel and clubhouse at Warwick Castle Park, a Grade I registered landscape. The inspector recommended that the appeal be dismissed, noting that:

‘It is clear that there is a formidable uncertainty about any other route to the repair and management of the woodlands. Nevertheless, remote as the possibility of an authentic restoration ... it remains a possibility as long as the proposed work is not undertaken’. ‘It was the view of the Friends’ Group, which I accept, that the woodlands had not reached a desperate state and that parkland decayed slowly; there was no need for a programme of instant restoration.’

Inspector’s decision letter, paras 19.27 and 19.40, Appeal Ref. WMR/P/5399/223/6

At the Harleyford Estate, Marlow, Bucks, a Grade II registered historic park and garden, planning permission was granted in 1994 for an 18-hole golf course and club house with associated facilities. The committee report recommending planning permission be granted stated:

‘The scheme is now very much one which plays golf over the landscape, rather than creating a landscape over which to play golf.’

‘The final design approach has been to avoid any earth re-modelling or extensive artificial features but to use the landscape and existing trees to create interest. Inside the historic landscape no bunkers will be created and elsewhere these will be limited in number and to be the subject of detailed approval.’

Report on planning application Ref No. W/91/5496/FF (1994) Wycombe District Council.

Conditions and planning obligations

Conditions and planning obligations (also known as Section 106 agreements) are used by local planning authorities to ensure that development is carried out in a way that conserves the heritage asset, and achieves the delivery of heritage benefits, as set out in the guidelines section of this document.

Conditions may relate to:

- The protection of key features during construction
- The submission of details such as materials for buildings, hard landscaping and planting schemes, for approval by the local planning authority
- Carrying out the development in accordance with an agreed conservation management plan or other type of management agreement
- Mowing and other management regimes
- Water use and recycling provision

- Archaeological evaluation, investigation, excavation and recording prior to development
- Protection of trees and habitats
- Annual monitoring of landscape conditions.

Where possible, conditions should be used in preference to planning obligation agreements to ensure issues such as landscape works and conservation management plans are properly controlled as a condition of planning permission. Where, however, the issue is complex and/or involves the transfer of land or sums of money it is likely that a legal agreement will be required containing planning obligations.

Issues that may be covered by a planning obligation include:

- Works to improve access to the site that involve works on land owned by the highway authority and paid for by the developer

Highway and transport issues

- The transfer of an area of land to the local planning authority or land to be managed by the authority
- The payment or transfer of land for future management of the site by another party
- Agreed phasing of development and linked repair, restoration, management works.
- Until new arrangements are in place as part of the reforms to the planning system, planning obligation agreements will continue to be used as at present.

See www.planningportal.gov.uk for up-to-date information on changes to the planning system.

Implementation of conditions

To conserve a historic landscape or a historic course that is affected by golf development it is vital to ensure that the landscape design principles agreed at the planning application stage are not altered or watered down during negotiations or construction. This requires the agreement of detailed plans as part of the planning application, or enforceable conditions, and full information must therefore be submitted with planning applications.

Conditions should be drafted to include clear requirements for the timing of their implementation to avoid uncertainty for the developer and contractors, and enforcement problems for the local planning authority. Some examples of model conditions are given in the box below.

Developers should ensure all contractors are aware of the conditions for the planning permission, particularly the need to agree construction details with the local planning authority in advance of starting work on site. The protection of trees, soil storage, and construction of paths are examples of details that would need to be agreed. Difficulties can arise when contractors or consultants change during the project and new personnel are not fully aware of conditions. It is preferable to agree as much detailing as part of the application rather than conditions.

Carrying out works in breach of conditions results in delay and additional costs to the developer due to the need for additional discussions and site visits. Breach of conditions can result in the requirement to stop work until the matter is resolved, and legal costs should enforcement or stop notices be served by the local planning authority. Regular monitoring can help ensure problems do not arise.

Examples of conditions

The following are examples of effective and enforceable conditions relating to golf developments in historic parkland.

Conservation management plans

The development and associated landscape works shall be carried out in accordance with the approved conservation management plan.

A conservation management plan – including long-term design objectives, management responsibilities and maintenance schedules for the golf course and all landscape areas including fairways, areas of land adjacent to fairways, greens and tees – shall be submitted to and approved by the local planning authority prior to the use of the golf course hereby permitted is commenced. The landscape conservation management plan shall be carried out as approved and shall be adhered to for as long as the use of the land as a golf course continues.

Landscape works and maintenance

No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the local planning authority, and these works shall be carried out as approved. These details should include proposed finished excavations, levels or contours; ground modelling for bunkers, tees, greens and fairways; means of enclosure; car-parking layouts; other vehicle (including golf carts) and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (for example furniture associated with golf, other storage units, signs, lighting); proposed and existing functional services above and below ground including irrigation systems, drainage, power, communication cables, pipelines, indicating lines, manholes, supports and so on; retained historic landscape features and proposals for restoration of such features.

Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedule of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

No development shall take place until the schedule of landscape maintenance for a minimum period has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Archaeology

Development shall not commence until the implementation of a programme of archaeological work in accordance with a written scheme of investigation to be submitted by the applicant and approved in writing by the local planning authority, has been secured. No demolition or excavation shall take place until a detailed method statement for all new ground works has been submitted to and approved in writing by the local planning authority. Ground works in the site shall only take place in accordance with the detailed scheme approved.

English Heritage 2007

www.english-heritage.org.uk

www.helm.org.uk

Available as a downloadable PDF only

 please don't print this document unless you really need to