

**TOWN AND COUNTRY PLANNING ACT 1990 – Planning
(Inquiries Procedure) (England) Rules 2000**

STATEMENT OF CASE

On behalf of:

**The Lower Sunbury Residents' Association (LOSRA),
Rule 6 Third Party**

In connection with planning appeals at:

**Hazelwood Golf Centre, Croysdale Avenue, Sunbury on
Thames, Middlesex, TW16 6QU.**

(PINS Appeal reference: APP/Z3635/A/10/2138982

Spelthorne Borough Council reference: 09/00842/OUT)

AND

**London Irish Training Ground, The Avenue, Sunbury on
Thames, Middlesex, TW16 5EQ**

(PINS Appeal reference: APP/Z3635/A/102138983

Spelthorne Borough Council reference: 09/00841/OUT)

Date of Inquiry: 7th June 2011

1.Introducing the Third Party

1. The Lower Sunbury Residents' Association (LOSRA) was founded over 40 years ago in 1969. Initially conceived as an ad hoc campaign group to oppose the building of a dual carriageway through the heart of Lower Sunbury, it became evident that a permanent Association was required to represent the views of residents and, in 1973, the Association became properly constituted for the first time; and can now justifiably claim to be a democratic voice of the Lower Sunbury Community.

1. 2. The Association's purpose is to optimise and enhance the quality of life for Lower Sunbury residents by all appropriate means.

1. 3. In particular, this involves pursuing the following key strategies and objectives:

- **To stimulate public consciousness and appreciation of the appearance and character of Lower Sunbury.**
- **To work for the continued maintenance and enhancement of the Lower Sunbury Conservation Area.**
- **To prevent unnecessary housing development which is out of character with the area, especially development which increases housing density inappropriately, and which involves demolishing existing good houses and building on existing domestic gardens.**
- **To press for the preservation and extension of Green Belt and public open spaces, and work to protect the local environment.**
- **To support the development of Lower Sunbury's commercial life and public services, consistent with environmental objectives.**
- **To press for appropriate traffic management or exclusion measures.**
- **To maintain and enhance the strong sense of community and social cohesion within Lower Sunbury.**
- **To work with other amenity organisations in support of the Association's aims.**

1. 4. The Association represents residents living in the Sunbury East and Sunbury West & Halliford wards covering some 3,800 dwellings of which (as at February 2011) 1283 are registered members (membership applies to a dwelling rather than an individual). The annual subscription is £5.

1. 5. In addition to campaign work in its own right, the Association has become a federation for other groups which may from time to time emerge to advance particular interests. CAROD (Campaign Against Riverside Overdevelopment), GSAG (Green Street Action Group), HAG (Hazelwood Action Group), SOLID (Sunbury Opposes London Irish Development), are examples of these; and members of each group are represented on the LOSRA Committee which meets monthly.

1. 6. LOSRA has a sophisticated communications network. In addition to its quarterly newsletters (hand delivered to all households), it has a Website which is regularly updated: www.losra.org and fortnightly e-bulletins are sent to all those who have registered through the Website. The Association can also be followed on Twitter and communication by residents is effected by telephone or through the 'Contact LOSRA' menu on the Home Page.

2. List of Witnesses

At the Pre-Inquiry meeting on 15th March LOSRA was not in a position to give a detailed list of Rule 6, 3rd party witnesses. We are now able to confirm the attendance of the following:

Mr. Paul Watts, President of LOSRA

Mr. Ron Pettifor, Hazelwood Action Group (HAG)

Mr. Tom O'Keefe, (HAG) Golf Professional and Golf Management Consultant, Oak Golf and Leisure.

Mr. Matt Tanna-White, Sunbury Opposes London Irish Developments (SOLID).

Mr Mark Sexton, Transport Engineer¹

Mr John Gaunt, Designer of Hazelwood Golf Course¹

Ms Jenny Ford BSc MSc MSIEEM, Ecological Surveyor and Principal Consultant, Johns²

¹ Evidence by written statement with attendance at Public Inquiry subject to confirmation. 2. Conditional attendee only - please see para. 3.6. Statement of Case

3. Statement of Case

The Avenue Training Ground

Traffic and Transport

3. 1. The Statement of Common Ground concerns those matters upon which the Appellants and the LPA agree. The Planning Committee resolved that it was satisfied with the appellant's proposed highways contribution and that reason for refusal 7 would not be defended subject to the completion of planning obligations and conditions. LOSRA will be providing evidence which seeks to challenge and to re-instate the 7th reason for refusal.

3. 2. In particular, reference will be made to parking, public transport, the applicant's travel plan, site access and compliance with the Disabled Discrimination Act. Evidence will also be provided to counter the proposals contained within the appellant's application in relation to existing and anticipated traffic conditions.

Health Centre

3. 3. The Outline Application proposes the construction of a health centre with associated parking. LOSRA will seek to demonstrate that public access to the health centre will be inadequate. Further, the future viability of a health centre at this location is not accepted; nor is it supported in any strategic context by the Health Authority. Since the provision of the facility is not accompanied by a s.106 proposal or agreement, it is unclear as to how it will come to operate as intended. Given its significance within the overall plan, LOSRA would not expect the Health Centre to be appropriate for consideration at a subsequent reserved matters application, thus implying that a new application would be required.

The Hazelwood Golf Centre

Landscape

3. 4. Following the Post Refusals Additional Information report, the Planning Committee resolved to withdraw its objection to the proposal on landscape grounds. Whilst accepting the Committee's reasons, LOSRA will nevertheless be asking the Inquiry to consider re-instatement of this reason for refusal.

3. 5. The Areas of Common Ground state that 'The proposal would result in the replacement of one slightly undulating landscape with a flatter landscape that will have additional planting but **there will be no loss of an attractive landscape**' (emphasis added). LOSRA disagrees and will produce evidence which challenges the additional information on which this ground for refusal was discontinued.

Ecology and Biodiversity of Hazelwood Site

3. 6. LOSRA has had to respond to a number of anecdotal comments made by its members concerning the ecological benefits of the Hazelwood site and its fauna as it exists today. The Appellant's environmental consultants are by reputation a highly regarded Company and there are no obvious grounds on which to challenge the Environmental Statement. However, in order to satisfy its membership, LOSRA has commissioned a preliminary ecological survey which must necessarily be carried out in the spring. As a third party, LOSRA is aware that anything short of a robust challenge would not be helpful and may even prove to be prejudicial to the power of its case overall. It is for this reason that the witness described at para. 2 is shown as conditional.

Very Special Circumstances (PPG 2)

3. 7. It cannot be disputed that the entire acreage of the site is necessary for the provision of a 9 hole golf course. LOSRA will argue that the intended use of the site represents a significant over-provision for the needs of the Appellants and that no sensible benefits will accrue from much of the superfluous land.

3. 8. The Appellant argues that the proposed development is justified by very special circumstances, including (a) the need for the London Irish RFC to replace inadequate pitches and facilities at its present site in The Avenue and replace them with modern, state-of-the-art pitches and facilities; (b) the benefits to rugby football generally from such a replacement; (c) the benefits to the local community from such replacement in terms of community use; and (d) the improvement to the Green Belt in terms of increased openness and enhanced appearance as a consequence of the development. LOSRA does not accept these premises.

3. 9. With regard to (a) above, LOSRA will reference the Appellants Planning Statement and will produce evidence which questions the need for London Irish to re-locate its facilities and, as to (b), the benefits to rugby football generally will be disputed. The benefits to the local community described at (c) will be challenged with contrary evidence following a survey of local schools and the diffuse nature of Club membership. Additionally, attention will be drawn to the provision of 3G pitch facilities at two locations nearby; and which have come into operation since the application was first submitted.

The Future of Hazelwood Golf Course

3.10. The Appellants Planning Statement paints a pretty dismal picture on the future of golf; and the prospects for Hazelwood in particular. Evidence will be given which challenges this pessimistic proposition and questions the accuracy of data upon which the proposition is based.

Loss of Attractive Landscape (PPG 2)

3. 11. Item (d) at para. 3.8. above is categorically not accepted. Quite apart from evidence which will be given by a LOSRA Representative, the designer of the Golf Course will attest to the landscape concept which was applied at the time of the Course's construction. He will give evidence that the concept was based on that which is typical in the Thames Valley in order to reflect the wider landscape; and to create environments which are natural extensions of existing woodland and hedgerows on site. Plant species within the landscape design were carefully selected in close liaison with the Conservation Department of the Local Authority and the Wildlife Trust.

3.12. Para. 3.15 of PPG 2 states that 'The visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which, although they would not prejudice the purposes of including land in Green Belts, might be detrimental by reason of the siting, materials or design'. LOSRA will argue that '*increased openness and enhanced appearance as a consequence of the development*' as postulated by the Appellants is unsupportable.

Noise

Whilst anxieties relating to potential noise levels have been forcibly and repeatedly expressed to the Association, LOSRA is not in a position to challenge the model described by the Appellants. A signed letter by the Parish Priest in which he expresses his concerns as to the impact on visitors to the cemetery will however be produced.

Community Support

3.13. LOSRA is confident of wide community support in respect of all 3rd Party matters; and evidence of community involvement, together with photographic images, will be presented at the Public Inquiry.

4. Conclusions

4. 1. From the outset, and for the reasons outlined in its Statement of Case, the local community has been vocal its opposition to these proposals. LOSRA is familiar with all the grounds advanced by the LPA for

refusing the applications for both The Avenue Training Ground and the Hazelwood Golf Centre; and supports their case for refusals.

4. 2. In addition to, and separate from, the LPA's case for refusals, LOSRA does not unquestioningly accept that the traffic and transport assessments for The Avenue and environs, and will be producing evidence which challenges the common ground agreed between the LPA and the Appellants.

4. 3. In the absence of support from the Health Authority, LOSRA questions the viability of the proposed Health Centre at The Avenue Training Ground site.

4. 4. The Very Special Circumstances advanced by the Appellants are not accepted by LOSRA.

4. 5. LOSRA believes the existing landscape to be a valuable local community asset and does not accept that the planning proposals for the Hazelwood site will give the site an "enhanced appearance".

4. 6. LOSRA does not accept that the future prospects for a viable golf course at the Hazelwood Site are as poor as those described in the Appellant's Planning Statement.

4. 7. The Environmental Statement relative to the Hazelwood Site may be brought into question.

4. 8. LOSRA is confident that it enjoys wide community support in its opposition to both applications.

4. 9. LOSRA will urge the Inspector to dismiss the appeals in respect of both applications.

5. Documents

In addition to all policy documents to be addressed at the Inquiry and to which LOSRA reserves the right to refer, the following documents may be produced at the Inquiry:

- The Constitution of the Association (LOSRA)
- Illustrative photographs (Community response)
- Guidance on the Use of Tactile Paving (The Avenue application)
- Accessible Bus Stop design (The Avenue application)
- Manual for Streets (The Avenue application)
- Design Manual for Roads and Bridges (The Avenue application)
- BSI British Standards (The Avenue application)

- The Equality Act 2010 incorporating its predecessor, the Disability Discrimination Act – Compliance (The Avenue Application)
- Email from Primary Care Trust (The Avenue Application)
- Letter from the Parish Priest, St. Mary's Church (Hazelwood Application)

Further documentation in support of witnesses' evidence required for statistical or illustrative purposes will accompany the proofs of evidence.

John Hirsh,

Hon. Chairman, Lower Sunbury Residents' Association (LOSRA)