

ENMORE PARISH COUNCIL

DRAFT MINUTES OF EXTRAORDINARY MEETING

held on

Tuesday 15th January 2024 AT 7.30 pm in Enmore Memorial Hall

Attendance: Cllr. Hopkins, Cllr Jackson, Cllr Comley, Cllr Hucker, Cllr Fergusson, Cllr Hubbard (Footpaths Officer) Clerk: D. McIlroy, Enmore Golf Club committee: M. Clapp (Chairman) H. Neal, J. Rigler, B. Woodman, B. Forster. Members of the public: 90

Cllr Hopkins welcomed all to the meeting and informed those present of the format of the meeting:

Enmore Golf Club would give a short presentation of their planning application.

Cllr. Hopkins would then invite questions from the floor.

Finally, the Parish Council would hold a discussion regarding their response to the application.

There were three areas of concern arising from the planning application: the “gully”, the bunding around the practice ground, and transport. Cllr Hopkins proposed to take each of these in turn, allowing questions from the floor and answers from the golf club.

M. Clapp thanked the Parish Council for the meeting and, rather than a presentation, briefly explained the rationale behind the planning application. The aim was to maintain Enmore Golf Club to a high standard ensuring a safe environment for all using it. With regard to the “gully”, it was argued that the steep sides make it difficult to maintain. Also, surveys undertaken for them showed little animal activity (including badgers) and a lack of flora/fauna. Therefore they suggested it could be improved by infilling with CL.AIRE clean soil and sowing with wild flowers. This would also alleviate the hazard and prevent potential injuries to golfers searching for lost balls. In relation to the practice ground, he stated that this had been unusable since October due to flooding. The bunding would prevent flooding and allow for drainage. The soil for both gully and bunding would be CL.AIRE non-contaminated soil from the Bridgwater area. It was stated that the lorries transporting infill material would not “enter the village” or travel past the school.

Cllr Hopkins then invited questions from the floor regarding the gully.

THE GULLY

Question: L. Winwood stated she took exception to the fact that the Golf Club was not aware that the “gully” was in fact an ancient Packway and a route joining the top of Enmore to the bottom. The ecology report produced by them (available on the planning website) suggested that there were only 60 trees, mostly of minimal importance, and that the gully was devoid of animal life. She suggested that further investigation was necessary as, although there was minimal mammal activity, there were other examples of wildlife: trees, lichens, ferns and invertebrates which thrived in such a habitat. The latest edition of *Country Life* contained an article about the importance of such areas as the Packway and therefore the necessary preservation of them. She suggested that the Golf Club should look for other solutions to preserve the ecosystem present – not just fill it in.

H. Neal (Golf Club) had stated that construction traffic “would not be entering the village to gain entry to the golf club”, however she failed to realise that Enmore is one village spilt into two halves and therefore lorries would be travelling through Lower Enmore, affecting properties in that area.

Reply: The Golf Club had noted from their survey and the use of a CCTV camera that there was no badger activity and only rabbit and squirrel seen on camera over a three-week period. However, this survey was undertaken in the summer. It was pointed out by a member of the public that badger activity is more prevalent in the winter months. Their intention was to bring the area back to life by planting on the infill as they perceived it to be an area currently lacking in life.

Question: Cllr Jackson noted that golf clubs were encouraged to use natural features on a golf course as hazards to challenge those using the course. Why not use the Packway as one of these? The Packway is the last remaining original portion of the footpath from upper to lower Enmore and is used by walkers. The Wilder Enmore initiative encourages increasing and retaining biodiversity in habitats, of which the Packway is an important area. Cllr Jackson also commented that she felt safer and more protected from stray golf balls in the Packway than when walking alongside the fairways on the later footpath.

Reply: The Golf club assured all present that the public right of way would be maintained and further signage across the golf course installed. They suggested very few walkers were seen along the footpath so the route was not frequently used.

The members of the public present did not agree with this; a show of hands revealed that many members of the public had walked this route, either regularly or occasionally.

Question: R. Kilby (Chairman of Goathurst Parish Council) suggested that the noise and disruption caused by this project would annoy neighbours, and asked whether the Golf Club had thought about the implications of this? Also he asked how the Golf Club could ensure that none of the material being deposited by lorries from the construction sites was contaminated? Fly tipping was a significant risk and concern, with ready access to the site from the road.

Reply: The Golf Club stated that under CL.AIRE licence all lorry loads will be documented and checked as they arrive at the club site. Using the CL.AIRE system for this purpose does not require a permit but there are procedures which have to be followed.

Question: D. Ayers stated he had many years of experience in flood and water management. He suggested that the Packway acts as a surface water floodway. If it were to be filled in where would excess water flow? He referred to the Golf Club's flood risk assessment and suggested it was fundamentally flawed. The majority of the practice area is a high risk Flood zone 3 (a functional flood plain) and not a low risk zone 1. The bunds would obstruct the floodplain water and prevent overflow in instances of heavy rain. The practice ground has localised standing water and he considered that 5m high bunds could not be justified. He was concerned that no other measures had been suggested to resolve the issue.

Reply: The Golf Club stated that there had been no details available of drainage. The land drains present had become blocked and had not been maintained for at least 20 years. The Golf Club could not afford to maintain them. In theory, these land drains should flow into a storm water drain which feeds into the stream. With regard to the practice ground, there is a ditch on the edge of the area which takes excess water.

There followed a discussion in which concern was raised as to how the proposed works would affect water and soil being flushed into the neighbouring stream (not Durleigh Brook as stated) and the effect on and possible flooding of properties further downstream.

Question: J. Weaver (Spaxton) commented that there had been many planning applications by the Golf Club over the years and one passed had allowed the clubhouse to be built over the public right of way (a continuation of the Packway). The footpath had been affected by the building but the right of way has not been altered. Could the Golf Club explain why this has happened?

Reply: The Golf club agreed that this was the case and that application has not been made to Somerset Council for a diverted path to be formally approved and ratified.

Mr Clapp acknowledged that there were parts of British heritage everywhere but the concern of the Golf Club was to maintain and improve the club grounds as a premier club in the South West of England. The club wanted to provide an equally valuable ecological area and that they did not just want to fill in a hole but improve the area. He emphasised the club's good intentions and that it was not just a financial enterprise.

Question: L. Brailsford enquired that, as it had been suggested that the soil would come from the Bridgwater area, by what mechanism would the Golf Club receive the soil and whether contractors had been contacted prior to the planning application?

Reply: The Golf Club referred to the Durleigh water treatment plant as an example of recent groundworks and the use of CL.AIRE soil and that they had investigated a couple of contractors but no names were given.

Question: P. Dodden referred to the planning documents submitted by the Golf Club regarding the 19,000 tonnes of soil required in their plans and asked what would be the cost to the club of this soil?

Reply: The Golf Club stated that they would receive a financial reimbursement for soil they received.

Question: D. Ayers noted that using soil under the CL.AIRE scheme meant that soil from green field sites was to be used for other green field sites. He re-iterated that in his opinion that, because of the flood risk, the bund was not necessary and therefore it was an excessive use of clean soil.

Reply: The Golf club reiterated their statement that the practice had not been used regularly since October due to flooding. Water holding tanks would be placed around the bunding and landscaping to take excess water during flash flooding which would then join the stream alongside the green. This would prevent saturation of the soil and prevent golfers losing balls at the far end of the green.

Question: P. Dodden noted that the level of the practice green was the same as the levels on hole 5& 6. He enquired the state of those holes and what was done to maintain those holes?

Reply: The Golf club stated that there was drainage around those holes as they occasionally suffer with water saturation.

P. Dodden asked why there were no plans to put drainage around the practice green.

Question: R. Johnson stated he lived close to the golf course on the opposite side of the road and had a stream at the bottom of his property which had **evidence of otters** in the stream. He expressed concern that, if the gully was filled, water would track down to his property and that the proposed works will affect the ecology of the stream. His concerns were shared by others present.

Reply: The Golf Club acknowledged that more work needed to be done in relation to the flood assessment/risk.

Question: J. Pound stated his first concern was as a cyclist who regularly uses the Enmore Road. He noted that the present state of the road is in a poor condition and with the extra lorry movements this will only get worse. He also noted the lack of road width and the mud appearing on the road being driven up from the verges. Although the road is to be swept he noted that this is unlikely to improve safety in wet weather where mud will become slurry. He lives near the golf club and overlooks parts of it. He stated that he found the Golf Club's apparent lack of concern for the logistics of filling the Packway and covering ancient history arrogant in nature. He then expressed concern regarding the movement of the soil, as, looking at the planning documents, the time taken to move such a large amount of soil by limited staff suggested that it will be impossible to complete the work in a year. He was also concerned about the constant noise pollution with accompanying air and CO₂ emissions near his garden and the lack of peace. In conclusion, he pointed out that the proposed route for the movement of soil is along a stretch of a restricted byway. "The owner of the land should not obstruct or endanger users or disturb the surface of this byway." He asked how the club would protect users of this byway and why no mention of it was made in the planning documents?

Reply: The Golf Club stated that the work would obviously have an impact on users and member of the community and it would further discuss this at a forthcoming board meeting. The Golf Club reiterated that it was merely trying to maintain the course and not develop it.

Question: M. Vassilli-Collard highlighted the risk of flooding stating she has been flooded in her property and echoed the worries of R. Johnson regarding future possible flooding. She suggested that as a business within the community, the Golf Club should work together with that community for the benefit of all.

Question: S. Fergusson noted that as H. Neal (Golf Club) had expressed concern for the safety of the club members, surely the villagers' safety was important too.

Question: A. De Havilland noted that the Golf Club claimed that the Packway was a hazard and asked for information about how many accidents had occurred in it.

Reply: The Golf Club replied that there were no figures available but that it was difficult to maintain and therefore posed a risk to the groundsmen and the golfers trying to retrieve lost balls.

Cllr Jackson remarked rather than fill in the area why not just erect fences to prevent people entering the area if they are worried about injuries.

Question: L. Wright asked how the Golf Club would assess safety on the site and by whom? How could the club guarantee that the material is safe and oversee the sampling of the soil quality.

Reply: CL.AIRE regulations state that there should be a permanent person on site and documentation to provide a full tracking record from the original source of the material to its destination on site for each load. However, it is impossible for the Environment Agency to inspect every load due to lack of personnel.

D. Mcilroy then read a statement from CPRE (the Campaign to Protect Rural England), which is available on request, in which they raise objections to the planning application.

THE BUNDING

Question: D. Ayers again stated that the water issue on the practice ground was one of waterlogging as a result of local rainfall and that technically he could see that there was nothing to justify building the bund. He thought that the Golf Club should investigate a simpler and less drastic solution and reiterated his comments about the flood risk area zone grading and that bunds block flood plains. He also suggested that maintaining the drainage would be a cheaper option than importing soil.

Reply: The Golf Club said that they had written the report from one gathered by a specialist and information given to H. Neal.

Question: M. Maher asked who had prepared the flood risk assessment as it had no name attached to it and she thought it was inadequate.

Reply: The Golf Club admitted they had written the report on the assumption that what was presented to them was adequate. They now realise that they need to employ a flood expert.

Question: M Christie asked why a 5 metre high bund was thought necessary, albeit that the perimeter tapers down from this height. Surely you will take in more material than is required? Where is the drainage for water, will it overflow and where will it go?

Reply: The Golf Club replied that the surrounding ditches will hold the water off the banded area and that 5 metres was deemed a suitable height.

Question: S Fergusson remarked that the same ditches that hold the water have in the past flooded further downstream.

Reply: The Golf Club reiterated that they would investigate the flood risk in more detail. The existing land drains are blocked with soil and the Golf Club have not been able to maintain them.

Question: B. Richards noted that there is an expectation that climate change will result in increased rainfall and suggested that this should be taken into account when making plans.

Question: G. Dodden asked the Golf Club whether, should their plans not come to fruition, the Golf Club would cease to operate?

Reply: The Golf Club stated that they were not relying on this scheme to stay in business, but yes they were doing it to finance maintenance at no cost to their members. However, Cllr Hopkins interrupted and suggested that the financial affairs of the Club were not a public matter for discussion at this meeting.

Question: C. Pugh asked if the proposals had been put to the Golf Club members?

Reply: M. Clapp responded by saying not at this point. This matter is due to be discussed at a board meeting which would also explore other areas to increase funds.

Question: A. De Haviland noted that as part of the planning statement new jobs and opportunities were mentioned. How many jobs would be available for local residents, for how long a period and at what level?

Reply: The Golf Club stated that during the contracting period they would be employing an extra two staff for maintenance. There may be more if the second phase of their project (the short hole course) comes to fruition.

TRANSPORTATION.

Question: D. Cole has suggested that the road width at various points along the Enmore road was barely 15 ft and often there is barely enough room for 2 vehicles travelling in opposite directions. Vehicles were forced onto the verge. The roads in general are in a poor state of repair and Somerset Council is cutting back services including road maintenance. Would the Golf Club then organise contractors to repair the road surface following completion of the project?

Reply: The Golf Club were not sure of the impact of the vehicle movements and would need to examine guidelines

Question: S. Hucker then read out a very detailed report he had prepared regarding road widths along the Enmore Road and the average width of 6 & 8 wheeled lorries. A 6 wheeled lorry would in effect take up 64% of the road width. He also then calculated the total journeys to carry 190,000 tonnes of soil to the site and make a return journey. These range from 20,000 lorry journeys for 8 wheeled vehicles to 25,340 for 6 wheeled vehicles. (All figures approximations.) He concluded that the roads were not capable of carrying such loads.

Reply: The Golf Club promised to take on board what had been stated.

Question: C. Bowditch said that due to the width of the road there were only 2 or 3 passing places along the Enmore Road and one of which was at the top of her drive where farm vehicles etc pull in to let other vehicles pass. Would the Golf Club repair my drive as a result of damage caused by their planning project should it be passed?

Reply: The Golf Club promised to take on board what had been stated.

P. Dodden reiterated that the Golf Club were worried about the health & safety of their members - what about the health and safety of the villagers in our village?

Question: J. Hex added to the issue of the road width in Enmore. He stated that it was not only vehicles that used the road. As there were no footpaths, pedestrians were forced to walk in the road as at some points the verges were too narrow. Also horses and cyclists frequently used the road- there was the possibility an accident would happen any time. What about the safety of all road users?

J. Pound added that due to the potholes on the edges of Enmore Road cyclists were forced to ride towards the centre of the road. The ongoing repair of the road is unlikely to happen in the present economic climate

R. Leighton (Durlleigh Parish Council) also commented he was very concerned about the amount of heavy traffic along the Durlleigh Road. What was there to stop lorries coming from Cannington or Nether Stowey (new development) trying to use the short cut of Skimmerton Lane?

D. Parham added that by his calculations there would be a lorry every 6.5 minutes travelling to or from the Golf Club.

A. Stoye added that when the A38/ M5 roads have been closed traffic is guided through Enmore by SAT Navs. The associated noise/air pollution will only be increased with the lorries to and from the Golf Club. The Golf Club entrance is situated on a corner with poor visibility so lorries pulling out into traffic into a 40mph speed limit is far from ideal or safe. Furthermore, there is an important difference between the lorry movements needed for the Durlleigh Water Treatment works, which was for the public good and essential works, and a private enterprise that will only benefit the Golf Club.

J. Hex commented that at some point Haygrove School is being re-sited in Skimmerton Lane also creating more traffic.

Question: P. Warren is a member of Enmore Golf Club and wanted to state that in the past the drainage of the Golf course was appalling but has improved since the present management has been in place. Although he does not support the planning application he was grateful for all that the Golf Club board had done in the past.

Question: L. Wright asked how much money the Golf Club had put aside to repair the damage to the roads as a result of their planning application.

Reply: The Golf Club stated that they were not aware that that it was their responsibility to repair roads. They also added that they have taken on board and listened to all the comments and that they would approach Somerset Council to see what could be done. They added that the Golf Club is of value and should include the local community.

Question: A. De Haviland asked if they had considered initiatives to improve facilities for the local community not specifically golf-related and what provision was included for Enmore residents from this planning application?

Reply: The Golf Club stated that they wished to be part of the community of Enmore and will take on board all that they had heard this evening.

Question: L. Brailsford noted that she thought the Golf Club seemed surprised with the reactions they received from those present at the meeting. She added that it appeared the Golf Club had not consulted either the Golf Club members or the local community before presenting their planning application, they had commissioned a poor ecology report and flood risk assessment and that there appeared a lack of preparation in their application.

Cllr Hopkins asked whether, in the light of tonight's meeting, the Golf Club would consider amending their application in any way?

Reply: The Golf Club stated that they would need to have a board meeting and a further discussion about their plans and next steps. They then thanked the Parish Council for the opportunity to discuss the planning application and for everyone's input.

Cllr Hopkins then thanked all present for attending the meeting and that they were welcome to stay while the Parish Council had a discussion on their response to the planning authority. Most of those present chose to leave.

Cllr Hopkins then said that, as with the public meeting, he would split the Golf Club's application into three sections and each councillor would have the opportunity to comment on each aspect. Before moving to a discussion to determine the Parish Council response to the planning application, Councillors Hopkins and Comley reminded the Councillors of the relevant planning considerations and the factors which should not influence or be included in the response. These are as follows:

Valid OBJECTIONS on planning grounds:

- Traffic generation and road safety
- The impact of the building on its neighbours
- Effect on the landscape
- Compliance with national, regional and local planning policy and guidance
- The impact upon the character and appearance of the area or street including appropriateness of design, materials, landscaping etc
- Other environmental issues, such as noise

NON-MATERIAL PLANNING CONSIDERATIONS:

- Impact of development on property values
- Maintenance of a view from a private property
- Civil matter such as ownership
- Private rights of way and restrictive covenants
- The fact that development may already have begun

David added the following:

- The reasons or motives of the applicant in applying for PP
- Any likely profit to be made by the applicant
- Concerns about possible future development on the site
- Opposition to the principle of development if this has already been determined by an outline PP
- Matters controlled under other non-planning legislation

Cllr Comley declared an interest as he was a member of the Golf Club.

Cllr Fergusson declared an interest as he was also a member of the Golf Club and was a landowner adjoining the Golf Club.

GULLY

Cllr Hucker. The gully is an Ancient Packway as noted by South West Heritage and therefore ought to be protected. It was overflowing during the heavy rain; the water has now dissipated somewhat but if it was filled in where would the water go? There is a history of the stream overflowing resulting in flooding in Stone Hall Lane. To retain the ecology of the site requires no maintenance. By packing soil into the gully any remaining

trees not felled will die. He also commented on the noise and air pollution produced in the holding area while moving soil.

Cllr Hucker therefore **objected** to the planning application.

Cllr Jackson. The “gully” was part of the landscape and a long-standing feature; it is the last surviving part of the Packway with the footpath although evidence of the Packway can be seen through Enmore. The Golf Club would knowingly destroy a piece of heritage. (There is a probability that Revd Poole along with Wordsworth and Coleridge used the path thus it is a part of the history of Enmore). The Golf Club have not marked the footpath as they would prefer the public not to use it, the path itself being on the edge of the gully and leaving walkers exposed. As part of the Wilder Enmore scheme people are encouraged to use the footpath which is the only link from the top of Enmore to the bottom. The ecology of the packway represents the bottom end of the food chain and in summer is alive with birds and insects. Cllr Jackson therefore **objected** to the planning application.

Cllr Comley. Suggested that by walking in the gully am I walking on grass 400 years old? If the gully was filled in I would still be walking on 400 of history? The area is small. Cllr Comley therefore **did not object** to the planning application.

Cllr Fergusson. Agreed with Cllr Jackson. The initial application is full of inaccuracies and misleading statements. The argument that the gully is difficult to maintain and not sustainable is invalid as it does not need to be maintained by them. Cllr Fergusson therefore **objected** to the planning application.

Cllr Hubbard. The footpath appears on an OS map. The Packway is not designated but should be protected. Cllr Hubbard therefore **objected** to the planning application.

Cllr Hopkins. I do not think a strong enough submission has been made to warrant the infilling of the gully other than for commercial reasons. The gully is part of the original packway through the village and is of both historical and ecological importance. Hence my **objection**.

BUND

Cllr Hubbard. The Golf Club hasn't had the correct advice and the application should not proceed until they do. Cllr Hubbard **objected** to the planning application.

Cllr Fergusson. The rationale the Golf Club state that the bund will be left to nature. What nature do they think will use it? The bund is to be 5m in height for a practice area that is wet but does not flood. Cllr Fergusson **objected** to the planning application.

Cllr Comley. I have a small bund in my garden and it does have a variety of wildlife in it. That being said 5m seems too high. The Golf Club needs a better risk assessment and consideration should be given to the effect it might have on nearby properties. Cllr Comley therefore **objected** to the planning application.

Cllr Jackson. I visited the practice ground the same day as the packway following a heavy downpour. The 100 m mark was the only area wet underfoot. The Golf Club have not bothered to maintain the drainage system in place –if the drains were unblocked it would be a cheaper solution. Cllr Jackson therefore **objected** to the planning application.

Cllr Hucker. Why is there no drainage at 100m mark back to the club house? The bund is unnecessary and will not solve the problem. Cllr Hucker therefore **objected** to the planning application.

Cllr Hopkins. I am concerned about any potential issues that may result from the proposed bunding of the practice area. Cllr Hopkins therefore **objected** to the planning application.

TRANSPORTATION.

Cllr Hubbard. The increase in noise and air pollution on the roads due to the lorries and machinery is not acceptable. Cllr Hubbard therefore **objected** to the planning application.

Cllr Fergusson. Taken from p.18 of the Golf Club transport statement 'Enmore Park GC believes that these proposals will ensure that the process of delivering the new material in line with the CL.AIRE system is safe and conducted with minimal inconvenience to road users and the general public.' Clearly is not true. Cllr Fergusson therefore **objected** to the planning application.

Cllr Comley. With the A39 roadworks and the increased workforce at Hinkley Point the road would become more congested. The traffic increase in the Summer months with holiday makers would further increase. Cllr Comley therefore **objected** to the planning application as it stands.

Cllr Jackson. Over a 12 month period there would be on average supposedly 73 trucks a day. The 12 month period of construction is not viable as no account has been taken of weather. The width of Enmore Road and the 2 pinch points along it do not allow cars to pass so lorries will cause congestion. The development on the A39 West of Bridgwater would add to this congestion. Together with the emissions from lorries and the degradation of the road from their constant journeys to and fro it is not viable. Cllr Jackson therefore **objected** to the planning application.

Cllr Hucker. I am worried about how properties along Enmore Road, including my own, will be affected by the lorry movement (irrelevant to this vote.) Cllr Hucker therefore **objected** to the planning application.

Cllr Hopkins. My main concern is regarding the potential highway issues arising from the movement of the proposed substantial amount of material along the Enmore Road together with the safety of other road users – pedestrians, horse riders, cyclists. Cllr Hopkins therefore **objected** to the planning application.

Accordingly, it was resolved that the Parish Council's comments on this planning application would object to the Golf Club's proposals, reflecting the concerns expressed at this meeting.