

18th December 2021

Dear Mr Adam Hill

Appeal Reference APP/W1850/W/21/3281572

I stand by my submission of 8th December 2019 and 27th February 2021, attached below.

There is reference in the appeal that the planning applications "Is long and complicated". I agree, hence my notes from two years ago and earlier this year. [REDACTED]

I would draw your attention to "The Boss" which can be found on YouTube where CEO of Wyldcrest, Alfie Best was televised, in August 2021, as the undercover boss.

Alfie Best, CEO Wyldcrest, states a significant amount of information as to his strategic plan, some of which I have listed below; Wyldcrest business is founded on Caravan Parks not Golf Clubs

- States 91 Parks & 16,000 residents currently
- Business worth £750 - £800m
- Business Objective is now to be the **"World's Largest Park Operator"**
- Alfie Best further quote "Park owner estates were 'static caravans but now categorised as 'Park home bungalows'"
- Goal is to double residential parks within the next 2 years.

This is a rural location; no village shop, post office, petrol station within 6 miles.

As a resident, I am concerned over our wildlife, light pollution, noise etc. If, this change is granted to Caravan status, then I see further appeals under 191008 [application for 14 lodges – denied], 193480 [application to install six lodges – denied]. This green field area could be totally devastated!

I trust you have faith in the local council for the decisions they have made in refusing applications but also that you will require that enforcement act on the outstanding actions.

Kind regards

Sacha Treadwell
Field House Cottage
Upper Sapey
WR6 6XT

27th February 2021

Application for planning permission at Upper Sapey; nine hole golf course 203925 but will include some information on 193263 and 062255.

Purpose of Feedback: Objection to the application; submitted by "Sacha Treadwell". The current application states:

"Change of use of land to caravan site for three caravans (retro planning application)".

Summary:

062255/F [Construction of 4 No, Holiday Chalets] was Approved with a number of conditions. These further applications, namely; 193263 ["Removal of Condition 2 in connection with application 062255/F and variation of siting, design and external decking areas of chalet nos 1,3 and 4 retrospective".] – Declined and the new application 203925; just appears to be refusing to accept the original conditions that they did not follow. As stated, in their application the chalets are in situ but now they want to change them to "caravans".

In the refusal to 193263, the Herefordshire planning response stated "The proposed roof terrace to Chalet 4 is considered unacceptable by virtue of its siting, incongruous design and materials....." Nothing is going to change! So should enforcement not ensure that the current site conforms rather than consider further applications for them to try and negate their original responsibility?

Planning Application 203925 Submission Notes:

The application states the following:

"To regularise the use of the Site this planning application seeks permission for the change of use for the stationing of the three "caravans". The application is retrospective as the "caravans" are already in place, however, the Council will be able to apply conditions relating to occupancy, siting and also for the colour of any replacement caravan to remain brown.

Comment – Surely you/Enforcement have the powers anyway?

"If granted, the permission would represent a fresh chapter in the planning history for the Site, which is complicated and includes many modifications over the years since the original permission was granted in 2006. The fresh permission would be an opportunity for the Council to consolidate the various amendments into one permission".

Comment – Isn't each one based on its' own representation/merits? Therefore a decline is a decline and an approval is an approval! I didn't know that you could consolidate something that was not agreed! Or am I missing something?

Further information

“The stationing of caravans involves a material change of use in planning terms.

Many golf courses need to add to the facilities that they offer to be sustainable, and Sapey is no exception.

The Council have previously accepted the principle of providing lodges at this location, and in other such locations. The original concept at Sapey was to provide lodges that would be constructed in situ, but that concept was changed to envisage the use of lodges that were manufactured off site, and then positioned at the site. Lodges that are prefabricated elsewhere, are more generally known as caravans. Such lodges are provided by a number of UK manufacturers, such as Omar”.

Comment: Yes, of which they don't currently comply with planning previously granted!

Material Considerations

“Sapey Golf Club was purchased to avoid it being closed, and the golf club was rescued. It is fortunate that it has been purchased by a large group of companies that can afford to cover losses in the short term. A major element of what those companies provide is caravan sites.

The Council had accepted a change in the concept of how the lodges were to be provided, and hence caravans were purchased and provided. However, the Council had imposed a restrictive condition that does not really seem to recognise that caravans do come in a variety of designs, have different features to what caravans may have had historically, and will periodically be replaced.

The applicant has been struggling to persuade the Council of the acceptability of the caravans, whilst other businesses running caravan sites have the normal freedoms to station them”.

Comment: [REDACTED]

Lodge 4 whether a lodge, chalet or caravan etc.. it is not deemed suitable due to ecology, light pollution, Natural England etc.,.

Principle of development :

In your recent delegated officer's report it was stated that:

“The principle of four holiday chalets in this location has been accepted through the grant of planning permission in 2006 (Ref: DCNC2006/2165). At that time the proposals were for accommodation in connection with the golf course, however subsequent variation of condition applications (Refs: P141812/F, P160272/F and P160273/F) have permitted the chalets to be used for holiday accommodation which is not purely in connection with the golf course, albeit with holiday occupancy restrictions attached. “

Comment: Based on holiday occupancy restrictions in place, do these extend to contract ground staff (JJB) using the “holiday” lodges for overnight stays?

Equally does it extend for the premises been booked for 200 adults to participate in adult parties between hours of 7pm to 12pm, not sure this brings the level of level of income to the community that they have referred too.

Conclusion:

There are a number of points that raise concern which are mostly consolidated below:

- 062255 then 193263 – Compliance has not been met hence this latest application should not be considered.
- Material change for caravans whereby stating many golf courses need to add to their facilities! Where is the marketing/business plan? Why the change from Chalets/Lodges to Caravans when they are still in place, with no intention of changing?
- Retrospective to allow roof terrace – why does this change make a difference to the Declined application, the reasons remain the same, light pollution etc?
- Under Material Considerations, Wyldecrest saw an opportunity to purchase a “loss leading” golf club at a reduced value [REDACTED] “A major element of what those companies provide is caravan sites”; [REDACTED]
[REDACTED] Another Saltmarshe within 5 miles!
- The basis on approving any construction on the 9 hole has been for holiday occupancy only. Even this does not appear to be adhered too.

In short, in my opinion, this application is a potential way to overturn previous applications to then circumnavigate further applications (as previously seen applications to erect six then 14 lodges – 193480 & 191008 respectively) to try to develop both the nine and 18 hole golf course, hence I firmly object.

Sacha Treadwell

8th December 2019

Application for planning permission at Upper Sapey 9 hole golf course **193263 but will include some information on the recent 193480**

Purpose of Feedback: **Objection to the application**; submitted by “Sacha Treadwell”. This application states

“Removal of condition 2 (approved drawing numbers) in connection with application 062255/F and variation of siting, design and external decking areas of chalet nos. 1, 3 and 4 (retrospective)”.

Summary:

I wholly appreciate the planning officers' attention to the various applications made by Upper Sapey Golf Course need to be managed in isolation; however as a community we need to look at the overall applications and the impact. This objection is going to relate, in a number of ways!

Fundamentally, as a local community we want the business to succeed but not at the detriment of the community of which I don't think the business owner is truly looking at – just a **“cash cow caravan park!”**

DCN06225/F	The original planning application for the four lodges in 2016.
1906171	On review of the 14 lodges there was a requirement to amend DCN06225/F as not compliant with original plans – not wood but plastic clad, not in correct situ, larger balconies – This non-material application has been denied hence a new application 193263 as a full application. They have not complied with the original planning.
191008	14 lodges on the 9 hole golf course denied based on ecology, light, noise pollution etc and neighbour concerns
193480	Is a pending application to install a further six lodges on the same site. Transport has now rejected within their comments.
193263	Connected report from Highways on the site with objection which references directly with 191008. Quote <i>“The detailed ecology information requested to support a previous similar application 191008 does not appear to have been supplied in support of this new application”</i> (J Brisset) – this was stated on 18 th October 2019.

As part of the community we want everyone to succeed but with the right ethical premise. I think there are a few questions for planning which are:

- Why purchase this business when not viable? Where is the business and marketing plan?
- Why send out petitions on 22nd November and in their words use the word [REDACTED] and increase in membership/ further development/closure?
- Why send out another on 6th December to retrospectively try and comply with DPA
- When the brand of Wyldecrest is about “caravan parks” using Section 73 to 'vary' the original permission for changes to the design and layout of the 4 cabins?
- I understand that under section 73 we can make an objection to design, layout, noise, overlooking? My understanding is that whilst a full planning application is required it is limited to the consideration of changes? Thus the whole process has to start afresh?
- Excuse me, for being not fully understanding this whole process but, I fail to see how they can reasonably expect to receive S73 consent to 'remove' condition 2 of the original consent completely. Condition 2 defines the planning permission and requires development to be carried out in accordance with the approved plans. To apply to remove that condition is essentially an application to have a blanket planning consent to build whatever they please.
- From the notes the design and access statement suggests that they suggest that the holiday chalets are not of fixed design and could be replaced at a later date with different structures without the need for planning consent – Is this correct??

My overall concerns will be listed below, but fundamentally they have not adhered to the original planning and to apply for retrospective change could be significant.

My points:

There are a significant amount of points that I wish to raise; which will be covered under the following titles:

- Justification
- Light pollution

- Waste
- Transport/Highways report
- Natural England report
- Local Parish Report
- Conclusion

Justification:

None – 1 lodge has already been rejected, the others not to spec or situ? Trees have been cut down without authority.

Light pollution:

Quote from the Upper Sapey Golf Club website of their current lodges: *“The full glass front fascia with feature lighting creates a light and airy feel”*

There is no street lighting in the area, and at night it is the darkest place. The current balcony closest to the road is like a beacon, lighting can be seen from public footpaths and the road as not compliant with original plans.

Waste:

No information has been provided for the management of waste water for the four lodges, believed to be insufficient – evaluation needs to be considered?

Further to this from the plans the waste would need to be pumped upland?

The chemicals used to treat the hot tubs would also place a significant load on any package treatment plant and reduce its ability to treat the waste water.

“Don’t allow rainwater, groundwater or large volumes of water (such as those from a swimming pool or Jacuzzi) into the plant. Chlorine kills the bacteria and the excessive water will increase the flow rate through the plant, not allowing sufficient treatment time.”

<http://www.keepprocess.com/doanddents.html>

There is therefore a very real concern of groundwater contamination and / or pollution of Sapey Brook, which supports a wide and varied range of flora and fauna.

Transport/Highways report:

Under 193480, Transport has objected to the six further lodges, which retrospectively should apply to the current four.

Under 193263, a Highways report has been uploaded which simply states that there is pedestrian access via the traffic light system, however, it is known that vehicles park on the 9 hole golf course constantly and why wouldn’t you if not policed? The original track into the 9 hole golf course has extended over the last 18 months.

“It is noted upon review of the previous permission that the chalets are not accessed by a vehicular access and the pedestrian crossing is via a signalised facility on the B4203. This amendment does not appear to change that situation and as such there are no highways implications to the proposal.” (M Lewis- noted 31/10/19)

I still think from a health and safety perspective that the following should be looked at based on no policing:

- Access
- Visibility

Access:

This has been explained in the submission that all parking will be at the main Upper Sapey Golf course whereby the 94 parking spaces need to accommodate staff and the golfers of which the car park is generally full by 8.30am most mornings. With the four currently boasting;

"The open plan design of the lodges lends itself to a sociable gathering of friends or family and the three lodges (two 3-bed and one 2-bed) can be booked together to sleep up to 16 adults. Linen and towels are provided to ensure a comfortable stay and a refreshments welcome basket will settle you in with your first cuppa after your journey. Each lodge has its own hot tub on the decking for your enjoyment day or evening, whatever the weather!"

Just assuming this equates to two people sharing a car then eight spaces taken, then staff and by Upper Sapey Golf Course petition request it states membership has gone up, so surely they are going to further lack in parking?

The access to the lodges facilitates the width of vehicles, I understand this is a requirement for the development, but can you really believe that vehicles will not be parked outside each lodge based on distance and availability? Again who will police this?

Visibility:

Visibility could be deemed as relatively clear entering and exiting the main golf course however it is clear to assume that holiday makers/residents will drive to the accommodation to either drop off luggage or shopping. The entrance is sufficient for this; however on exiting the 9 hole site, visibility is hazardous. Furthermore, this is not included within planning and how will it be policed?

Natural England report:

Previously related to application 191008 - they stated that they have *"no comment to this application"* but also stated that *"they have not assessed the application for impacts on protected species"*.

"Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us any further consultations regarding this development, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us."

Local Parish Council

North Bromyard Group Parish Council have objected to this application albeit I believe it has been posted under the wrong application i.e. six lodge application 193480, however it will be replicated as their concerns are the same as the local community

Conclusion:

The properties have not been constructed in correct situ, planning has not been complied with. Enforcement need to be involved as per the Parish Council recommendation.

The mass concern is giving S73 consent to 'remove' condition 2 of the original consent completely. Condition 2 defines the planning permission and requires development to be carried out in accordance with the approved plans. To apply to remove that condition is essentially an application to have a blanket planning consent to build whatever they please.

I am a resident and want to protect the environment and our local community, I/we that will object to this, are not planning consultants, but we are intelligent people, we need your support to stop this now as we know which way this is going with intensions, for example, the 9 hole has not been maintained for the last two years, ha ha, why? Could it be to another Residential Caravan Park?

Why are the funds and revenue not showing? This site is intended to be change of use.

Sacha Treadwell