

ENMORE PARISH COUNCIL

Minutes of the meeting held on Friday 22nd November 2024 at 7.30pm in Enmore Memorial Hall

Attendance: Cllr. Hopkins, Cllr Jackson Cllr Comley, Cllr Fergusson, Cllr Hucker, Cllr Hubbard Clerk: D. McIlroy, RFO: A. Stoye. Members of the public.

1. Apologies were received from Mr. D Rice

2. It was noted that Cllrs Comley and Fergusson are current members of Enmore Park Golf Club (EPGC).

Cllr Hopkins welcomed all to the meeting and explained that there was only one item on the agenda and that was to discuss Enmore Parish Council's response to the recent notification of EPGC's appeal to the Secretary of State regarding their planning application which was refused in February 2024 by Somerset Planning Department.

He stated that he would separate the meeting into general comments from the public, look at the specific issues for the refusal and consequent appeal, and then take the views of the councillors present.

Cllr Hopkins suggested that, as the original planning application was split into two parts: infilling of the 'gully' or 'ancient packway' and the building of the bund on the practice green, comments should be taken in that order.

Therefore, he first welcomed any comments regarding the infilling of the gully.

M. Ingram noted that EPGC wants to fill the gully in as it was in a poor state of repair but he suggested that it was in this state as no effort had been made by the club to maintain it and hadn't done so for some years.

J. Pound noted that the reason for the refusal to infill the gully was that it was an historic feature and asset. In order for the local planning authority (LPA) to agree to the proposal it would have to be seen that filling it would be of greater benefit than the asset itself.

Also EPGC admitted that the safety issues concerning the gully could be dealt with by fencing the area off. If this was the case, why does it need to be filled?

Cllr Hopkins then referred to the LPA points for refusal and the responses given by EPGC. D. McIlroy was asked to read out these statements to members of the public

Point 1.

EPGC maintains that the golf club's land is not parkland/wood but maintained grassland.

A. Stoye remarked that the very name suggests that the club is built on parkland, and it was originally part of the park of nearby Enmore Castle.

R. Littman argued that for the club to say that there were no decaying trees/ wood was simply not true as they were clearly visible.

M. Christie remarked that while there were no grazing livestock or farmed animals, deer can be seen in the area grazing.

Cllr Hucker remarked there were decaying timbers in the gully which had not been adequately maintained.

Cllr Jackson stated that the Ecological service were unhappy with the information they had received from EPGC in the original application and that no new information had been given in the appeal, nor had information specifically requested been supplied.

Cllr Comley had no comment to make.

Cllr Fergusson thought that the use of dead wood as a health and safety issue was not a valid excuse.

Cllr Hubbard reminded all that the parkland is a mass of paths which pre-date the golf club and that the public right of way, which is the only way from upper Enmore to the Enmore Memorial Hall, was now above the gully leaving users very exposed to being hit by stray golf balls.

Point 2.

EPGC maintains that there is no badger activity and is not a functional habitat for them due to the daytime activity taking place.

S. Tottle commented that she could not see how the golfers would discourage wildlife as badgers are nocturnal animals and would avoid the area during the day.

A. Stoye remarked that the initial survey had been undertaken at a specific time of the year and had not been repeated in a different season.

Cllr Comley had no comment to make.

Cllr Fergusson stated that the ecology report for the practice ground has not been recorded and wonders if one had been done by the club and noted that there had been old badger activity in the gully.

Cllr Jackson remarked that insufficient information had been submitted with the original application and that no further new information had been provided by EPGC for the appeal.

Point 3/4.

EPGC maintains that the gully is health and safety risk

M. Christie suggested that the use of health and safety issues was a misnomer as the club had said that the area could be fenced off to avoid accidents and, in his view, the use of such a large quantity of earth to fill it appeared ridiculous.

A. de Haviland noted that no health and safety records had been produced by EPGC and that she wondered who the health and safety representative was for the club and whether records could be made available to view.

J. Pound noted that, according to planning guidelines, developments should seek in the first instance to protect any trees present. In this case he believed up to 70 trees would be destroyed, contrary to planning policy.

M. Ingram noted that EPGC have done nothing to maintain the gully but are now saying it is unsafe.

Cllr Hubbard noted that all users of the golf course, green-keeping staff, players and the general public now have to walk up the exposed path between the 1st and 18th tees instead of walking safely through the gully which is no longer possible due to lack of maintenance.

Cllr Jackson agreed with Cllr Hubbard and said she felt there had been insufficient mapping of the whole area. EPGC admitted that there were bats around the area – which roost in trees.

Cllr Hubbard also expressed concern regarding the footpath- how long it was likely to be unusable- the club appeared to have no regard for walkers across the right of way.

Cllr Fergusson agreed with Cllr Hubbard and remarked EPGC were asked to provide new information and none had been given. EPGC maintains that they would improve the habitat by infilling the gully but he suggested that they were clearly doing it for financial gain.

Cllr Comley took the view that the top end of the gully posed insignificant hazards and that it was the lower end which clearly required attention. He suggested the view from the outside of the gully and the tunnel of trees the gully would look no different if it was infilled. He also commented that the clubhouse and golf course were constructed with planning permission, with the clubhouse built over the right of way, presumably with no issue.

Cllr Fergusson remarked that the vast majority of the trees were below the level of the gully and would therefore be destroyed.

Point 5.

EPGC maintains that the flood risk assessment (FRA) was only required for the practice ground and that the recent new FRA shows how displaced water would be within the boundary of EPGC.

D. Ayers commented that he had read the FRA and suggested that it still did not fully explain what would occur in extreme flooding. The gully is identified as a surface water drainage route which, due to lack of maintenance, was now obstructed.

S. Tottle remarked that some years ago she was pathways officer and regularly walked the route through the gully. There were steps which were built into the deep end and a drain took away excess water.

P. Ingram noted points from the Ecological study and suggested that EPGC was avoiding the issue of natural habitats and how animals migrate from one place to another. There is no evidence that EPGC will improve the environment and asked that the Parish Council note that no further information has been provided.

J. Pound noted that the previous application had been refused on the basis of the gully being a heritage asset and EPGC had not mentioned this at all in their appeal.

Cllrs Comley, Fergusson and Hubbard made no further comment.

Cllr Jackson echoed the point raised by J. Pound that the gully is in fact an 'ancient packway' as assessed by S.W. Heritage and that EPGC has not commented on it at all in their appeal. Cllr Jackson then stated that the gully contained leaf litter and wood which provided a high grade natural habitat. EPGC's wish to infill it with soil would therefore alter the habitat to a low grade one and she felt that the safety aspect was not a valid reason to fill it.

D. Ayers (who worked as a DEFRA regional manager with extensive flood risk assessment experience in the past) then read points from the FRA and suggested that the area may flood in the future and that proper mapping/ modelling would be required to ensure that water upstream of the main stream would not be a risk. EPGC maintains that water would be displaced within their grounds if the bund was in situ, but Mr Ayers asked what would happen to water upstream/ downstream of this area. He also remarked that the bund would block 90% of what was effectively a flood plain - not mentioned in the FRA. This would be likely to cause flooding upstream.

M. Christie remarked that there had been flooding at the bottom of Stone Hall lane in the past with damage to the properties there.

Cllr Comley thought that the FRA was unnecessary as, although there had been flooding in the lane 12 years ago, it had been caused by a fallen tree upstream.

Cllr Fergusson stated that the flooding was as a result of debris coming downstream and which created a dam.

Cllr Comley confirmed that the owners of properties in the area had taken measures to minimise the effect of surface water and prevent future flooding.

Cllr Fergusson remarked that the practice area does not flood and only has occasional evidence of surface water. EPGC therefore finds it difficult to use heavy machinery on it to collect golf balls. He considered that EPGC was inventing issues to justify the infilling and bunding, whereas in effect it was for a financial gain for the club.

Cllr Jackson suggested that flooding in the gully was caused by lack of maintenance to drainage. Standing water on the practice ground could be alleviated by maintained land drains.

Following this discussion all councillors wished to respond to the Secretary of State with regard to the appeal with objections. Cllr Hopkins is therefore to meet with D. McIlroy and draft a new objection which would then be circulated to councillors for their approval.

J. Pound asked if the inspector would consider the whole application for refusal as the transport issue was not given as grounds for refusal. He asked if the Parish Council could respond regarding these transport issues.

Cllr Jackson remarked that the original comment from Highways is still relevant as they requested a very detailed report. EPGC should have submitted an appropriate plan showing defined routes and assessment for traffic control with their application. This was not done as so in effect it was an invalid plan. She also stated CL:AIRE stipulate how CL:AIRE soil should be used, that it should not be for financial gain and none should be left over after work is completed. EPGC in their plan propose to keep a reserve pile of soil to use after work is completed (for levelling after the intial work has settled) but do not qualify how much.

Cllr Hopkins thanked all for attending. The Parish Council would now prepare their response to the appeal. Cllr Comley expressed his wish to be disassociated from this response.

There being no further business the meeting was closed at 8.45 pm

NEXT MEETING Tuesday January 7th 2024 at 6.30 pm.

(Note new start time for January and March meetings)

Signed:Date:

Chairman of Council