

Deputy Chief Executive and
Director of Community and Planning Services:
Kristen Paterson



Pedham Place Golf Centre Ltd
C/O Mr John Fortune
Micklepage Leigh Studio
Nuthurst
Horsham
RH13 6RG

SE/08/03351/FUL
Valid on 14th January 2009

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
ORDER 1995

REFUSAL OF PLANNING PERMISSION

Site : Pedham Place Golf Centre Ltd London Road Swanley Kent BR8
8PP

Development : Erection of two storey clubhouse.

Sevenoaks District Council, as the District Planning Authority, pursuant to powers in the above mentioned Act and Order, HEREBY REFUSES PLANNING PERMISSION for the development described above, FOR THE FOLLOWING REASON(S) :-

- 1) The land lies within the Metropolitan Green Belt where strict policies of restraint apply. The proposal would be inappropriate development harmful to the maintenance of the character of the Green Belt and to its openness. The Council does not consider that the special circumstances put forward in this case are sufficient to justify overriding PPG2 and supporting guidance in PPS7, PPG17, and policy SP5 of the South East Plan.

Kristen Paterson
Community and Planning Services Director

DATED THIS: 20th day of July 2009

RECOMMENDATION NOTE

REFERENCE:	08/03351	DATE:	26/06/2009
SUBJECT:	Appraisal – Full Application	NAME:	Samuel Batchelor
ADDRESS:	Pedham Place Golf Centre Ltd, London Road, Swanley, Kent, BR8 8PP		

Proposal

Erection of two storey clubhouse.

Planning History

SE/90/00053/HIST - (Outline) Construction of 27 hole golf course and associated club house. Golf Driving range and 9 hole pitch and putt golf course, as amended by letters and revised drawings received 26/4/90 and 30/4/90. – Granted 06/06/1990

SE/93/00185/HIST - Details of golf course layout pursuant to conditions 12 and 7 (part) of planning permission SE/90/0053 – Granted 29/06/1993

SE/93/00346/HIST - Details of golf driving range and parking pursuant to Outline Planning Permission SE/90/0053 – Granted 29/06/1993

SE/93/00343/HIST - Details of access pursuant to conditions 7 and 8 of Outline Planning Permission SE/90/0053, and landscaping details pursuant to condition 4, as amended by letters and revised drawings received 11/6/93 & 6/7/93. – Granted 09/07/1993

SE/94/01349/HIST - Details of surfacing, land levels and landscaping pursuant to conditions 2, 3 and 4 of planning permission SE/93/0346. – Granted 07/10/1994

SE/96/00556/HIST - Details of materials pursuant to condition 1 of planning permission SE/93/346, as amended by letter dated 16th May 1996. – Granted 22/05/1996

SE/96/00285/HIST - Erection of driving range amenity building. – Granted 30/05/1996


SE/96/00294/HIST - Erection of portakabin accommodation to serve golf driving range - 2 year temporary permission amplified by additional plans received 20.3.96. – Granted 30/05/1996

SE/96/01113/HIST - Details of lighting pursuant to condition 17 of permission SE/90/0053. – Granted 15/08/1996

SE/98/02401/HIST - Extending permission for golf centre temporary club house building for a further 3 years. – Granted 28/01/1999

Policies

Regional Plan: SP5, CC1, CC4, CC8, C3, C4, NRM5, NRM11



Sevenoaks District Local Plan: EN1, EN4A, EN6, EN7
Other: PPS1, PPG2, PPS7, PPS9, PPG17, PPS23

Constraints (eg: AONB, Green Belt,)

Green Belt
AONB
SLA

Publicity Expires:

16/07/2009

Representations

3 letters of support received. Reasons for support include:

- site would be easier to use;
- better toilet facilities;
- bigger facilities will attract more people, more often;
- more opportunity to take up the sport;
- temporary buildings near end of useable life;
- asset to local community;
- can be used by non-golfers – i.e. ramblers;
- good accessibility; and
- clubhouse would not be seen;

Parish / Town Council

Farningham Parish Council object to this proposal on the grounds of the visual impact of a two storey building on the landscape. It is felt that its size is too large in this location.

Consultations

Thames Water – No objection.

Southern Water - It would appear that the interests of Southern Water are unaffected, as the site lies outside our area for water supply and wastewater, and therefore I have no comments to make on this occasion.

Environment Agency – No objection subject to conditions in their correspondence being attached to any permission.

Environmental Health – Raised concerns with regard to the areas history of contamination and ground gases. Has seen comments from EA and is satisfied that approval subject to conditions are acceptable. Also suggests certain informatives with regard to food and health and safety.

KCC Ecology – Initially raised concerns about surveys conducted. They were actually done in 2003/2004 so are not appropriate for this application due to changes that could have occurred over time. Concerns include:

- potential for badgers;
- potential for bats; and
- potential for Great Crested Newts.

None of which are adequately covered by the 2003/2004 surveys. After having discussions with the applicant's ecologist and receiving a new April 2009 survey the KCC Ecologist was satisfied that ecology and biodiversity issues had been adequately covered and withdrew her concerns. She recommends approval subject to conditions.

KCC Sports Development Unit – Supports the development. Relevant points include:

- golf is now becoming a more inclusive sport so appropriate facilities are required;
- Pedham Place currently has substandard facilities and this would be a vast improvement;
- the clubhouse maybe necessary to support viability of centre in the longer term – i.e. as user numbers grow users will demand bigger and better facilities; and
- accommodation on site is becoming more common and can help deter crime something affecting many sports centres in the country as well as the county. An on site present can drastically reduce repair/damage budgets.

APPRAISAL

Description of Site

The application site relates to Pedham Place Golf Centre, Swanley and more specifically the built area of the site currently home to a collection of mobile/temporary units forming the club house, offices and toilets.

Description of Proposal


The applicant wishes to remove the existing temporary set up and replace this with a purpose built clubhouse comprising office and staff space, changing rooms, toilets, a bar/restaurant and a one bed stewards accommodation. The development will be spread over two floors.

Principle Issues *(List all main policies / guidance below and judge application against the criteria.)*

The main policies / guidance that apply in this case is PPG2, PPS7 and PPG17. Other policies apply and are listed above. The main issues in determining this application are whether the development is appropriate for the Green Belt and what the impacts are on the character and openness of the Green Belt. If the development is considered inappropriate it will be necessary to discuss whether there are any very special circumstances that would outweigh the harm to the Green Belt and any other harm. Other potential harm could include an impact on the character and amenity of the local area, an impact on ecology or harm from land contamination.

Is the development appropriate in the Green Belt in principle?

PPG2 states that there is a general presumption against inappropriate development within the Green Belt. Such development should not be approved, except in very special circumstances. Inappropriate development is, by definition, harmful to the



Green Belt. The construction of new buildings inside the Green Belt is inappropriate unless, amongst other things, it is for essential facilities for outdoor sport and outdoor recreation.

Policy SR10 elaborated on this further, stating floor space figures amongst other things that would be acceptable for golf courses in the Green Belt. This policy has not been saved however. Paragraph 3.5 of PPG2 goes on to explain a little further what essential facilities could be. They include buildings such as changing rooms. In this instance the applicant is proposing a sizeable building with range of facilities which range from the obviously essential – changing rooms, reception, toilets – to the more questionable stewards accommodation and bar/restaurant.

In justifying this development in Green Belt terms the applicant has mentioned that there are other approved golf course clubhouses with similar facilities in the district and in the Green Belt. It is also claimed that the facilities are essential but the planning statement offers little explanation on this other than the building meets local needs based on 12 years operational experience and by referring to out-of-date local plan policy – i.e. policies GB2 and SP10.

In helping to determine whether the proposal is appropriate in the Green Belt I have referred to PPG2, PPS7 and PPG17, looked into the sites history, checked other planning applications relating to golf courses in the district and looked at other examples nationally.

As mentioned above PPG2 allows for essential facilities for outdoor sport and recreation and Paragraph 3.5 of PPG2 states “essential facilities should be genuinely required for uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. Possible examples of such facilities include small changing rooms...for outdoor sport”.

Paragraph 30 of PPG17 states “planning permission should be granted in Green Belts for proposals to establish or to modernise essential facilities for outdoor sport and recreation where the openness of the Green Belt is maintained. Development should be the minimum necessary and nonessential facilities (e.g. additional function rooms or indoor leisure) should be treated as inappropriate development. Very special circumstances which outweigh the harm to the Green Belt will need to be demonstrated if such inappropriate development is to be permitted”.

Paragraph 26 of PPS7 states that “planning authorities should aim to secure environmental improvements and maximise a range of beneficial uses of this (rural) land, whilst reducing potential conflicts between neighbouring land uses. This should include...facilitating the provision of appropriate sport and recreation facilities.”

Given these statements I have applied what I consider a common sense approach to “essential facilities” whilst also referring to other cases in and out of the district. To operate a pay and play facility I would consider that all that was necessary would be a reception/office so people can pay to play and space can be provided for the general

day-to-day running of the site, changing facilities (for obvious sporting reasons) and toilets (a basic human need). The other aspects do not appear to be essential:

- Stewards flat – the golf course is located just off Junction 3 of the M25 and is within easy reach of Swanley and therefore London. It is not essential for accommodation for a steward on site given that they could live within a short distance of the site.
- Bar and restaurant – Whilst I understand that bars and possibly dining facilities are available at other golf clubs (especially because of the historical social and or middle/upper-class aspect of golfing) I do not consider these facilities essential to the running of the course. In a Green Belt location they need careful consideration and it has just not been demonstrated to me that these aspects of the building are essential.
- Other office, club and staff space – as mentioned above a pay and play golf course needs minimal building space to operate. The extra rooms for this kind of space in the building just seem to be additional and no real argument has been made for this additional space over what I consider to be essential.

As mentioned the applicant has made reference to other Green Belt golf courses in the district. I have found many applications and the following are some examples for comparison:

- Westerham Golf Club Ltd. – Approved in 1997 (SE/97/01548/HIST) this golf club received approval for a very large golf clubhouse that included accommodation and bar/restaurant facilities. There is limited Green Belt debate with this application however and nothing to suggest that the development was considered appropriate in the Green Belt.
- Panthurst Farm, Hubbards Hill, Weald – Approved in 1993 this application (SE/93/01431/HIST) saw the approval of a golf clubhouse which was very large. This proposal included 2 sets of accommodation but again there is nothing in the file to indicate that the development was considered appropriate in the Green Belt.
- Edenbridge Golf & Country Club – Application for conversion of part of existing clubhouse to managers flat in 2000 (SE/00/02596). No real Green Belt discussion so unable to clarify if considered appropriate or inappropriate. Approval was conditioned stating flat can only be used by an employee of the golf club and it was for a conversion which can be appropriate in the Green Belt.
- South Ash Manor Golf Club – No accommodation in the original planning application (SE/91/00948) for the clubhouse and nothing to indicate that residential accommodation at this property has been provided. Lengthy discussion on Green Belt and size of the clubhouse proposed. Arguments in favour of the development do not seem to tie in with other, albeit limited, discussions on essential outdoor sport and recreation facilities.
- Redlibbets Golf Club – Planning permission was granted in 1996 but no record can be found of the planning decision. Unable to clarify whether there was any discussion on Green Belt issues or whether any managers accommodation was proposed.

Most of the above cases were also approved before the current PPG2 guidance and before the first Local Plan of 1994, Therefore there are no comparable or relevant policies and I can only give these application little weight

On DC Practice there was a case in Brentwood BC (Brentwood BC 8/5/96 DCS No. 041-554-165) where a clubhouse was proposed for a pay and play golf course. An inspector agreed that this type of course would only need a pay and starters office, limited changing facilities and toilets. The club room and kitchen proposed were not essential. DC Practice also offers the following guidance on clubhouses:


"Problems can occur when a proposed sports clubhouse is also a social one i.e. when activities are to go on into the evening, there is to be a licensed bar, functions are to be held and so on. In rural situations the issues may include the bulk of the building and the traffic generated. In suburban locations it is noise and disturbance issues that predominate. The argument that a clubhouse facility with a social club aspect is essential to the viability of a club and indeed adds to the community facilities in an area, is a particularly persuasive aspect of the planning debate. However an inspector may observe that it would be unreasonable to make a distinction between sports and social functions.

Where there are demonstrable amenity problems much can be done to mitigate impact by conditions, as with normal club uses, and the flexibility of siting that most sports grounds offer can also provide a solution. The fact that a new building is proposed also offers considerable scope for avoiding amenity impact by negotiation with the local planning authority. The location of car parking and service access is often critically important both from the amenity and traffic viewpoint. In practice very few sports clubhouse proposals are refused or dismissed on appeal.

In (Solihull M.B.C. 20/1/00 DCS No.046-509-242) two schemes involved the demolition of an existing clubhouse, erection of new, retention of squash courts, construction of astroturf hockey pitch, floodlit tennis courts, two grass soccer pitches on land within the green belt. Following a call-in, the S.O.S accepted an inspector's recommendation to refuse permission. Notwithstanding support from the local authority and parish council, both schemes involved inappropriate development. The degree of harm would be considerable in terms of openness even though traffic generation and impact on a conservation area were acceptable."

The applicant has stated that the golf course stages some golfing events and has given the volume of users from last year. There is nothing within the documents provided however to show how frequently these events occur and why a dining room and bar facility of the proposed size is essential. Why they are needed to make the golf course viable? The applicant has attempted to justify the stewards accommodation to prevent crime but this is an attempt at very special circumstances and does not make this aspect of the proposal essential. It will be discussed further on.

Given the guidance in both PPG2 and PPG17, the age of previous golf clubhouse applications in the District, and in relation to current policy and other guidance I



consider that certain aspects of the proposed clubhouse are not essential and therefore conclude that the development is inappropriate in the Green Belt.

Impact upon the openness and character of the Green Belt

Most developments in the Green Belt are adding to the built form and therefore increasing bulk, volume and/or floor space. This means that there is an inevitable impact on the openness of the Green Belt which could also affect its character. In this instance the applicant appears to be creating a footprint that is not too dissimilar to that which already exists. They are however introducing a second story. The applicant has provided much information on the impact of this proposal – including plans and photographs – and I agree that what will be seen of the building will be small. The development in a sense is hidden between other structures and the formation of the land. It will be built in a dip.

The impact that this proposal will have on the openness and character of the Green Belt because of the hidden nature of the proposal is small but a lot different to the current situation where none of the temporary buildings can be seen. As the applicant is providing some nonessential facilities too this increase in bulk can be considered unnecessary. Comparing the proposal to the existing situation and what could be achieved without the nonessential facilities I consider that there is unacceptable harm to character and openness of the Green Belt.

Very special circumstances


The applicant has attempted to justify the proposal in Green Belt terms in the planning statement. Here are some of the main points:

- Outline planning permission has already been approved and implemented;
- The proposal complies with Structure Plan policy and Local Plan policy;
- The structure is screened from public views;
- There will be no highway safety issues;

In addition to this the applicant has provided evidence of recent robberies at the site claiming that stewards accommodation is necessary to prevent such crime in the future. They have also claimed to have contacted all of the golf clubs in the District and each one has similar facilities.

The Structure Plan and Local Plan policies that the applicant has referred to have not been saved and are not material considerations. The overriding planning policy therefore is PPG2 and PPG17 and these have been discussed above. The proposal is considered inappropriate based on the guidance in these policy documents. The structure is screened from the public to a certain degree but this is also discussed above and it is considered that there will be harm to the openness and character of the Green Belt. It is not considered that this development will create any highways safety concerns.

The golf course was approved in 1990 as an outline permission and certain conditions for reserved matter details were attached to that permission. Condition 18 of that permission states that the stewards accommodation should be occupied solely by an



employee of the golf course. Condition 1 required details of the buildings to be submitted and condition 3 required those details to be submitted before three years from the date of the permission. The details of the building were submitted and approved but did not include any stewards accommodation. Seeing as this proposal was not built, did not include stewards accommodation when submitted and the time for submission of reserved matters has now expired means that this argument holds little weight.

Finally the applicant has made reference to other golf courses and their clubhouses. Nearly all golf courses in the district are in the Green Belt and the overview of planning applications above has shown that a lot of them have stewards accommodation, a bar/restaurant aspect, and are quite large. I could not find anything within these applications that justified the developments or made claims that they were appropriate. They would have also been based on older, superseded planning policy. Because of this I think they hold little weight in this application which based on the guidance and information to hand is inappropriate in the Green Belt.

Impact on the character and appearance of the surrounding area

The golf course was approved in 1990 and according to the applicant it became fully operational in 1996. Since the grant of planning permission there have been various planning permissions and detail approvals which has led to smorgasbord of development, mostly temporary cabins, at the site. The existing arrangement is unsightly and this proposal will be an attempt at cleaning up the appearance of the site. It is not the most attractive building however and given the areas Green Belt and AONB designations the design of the building is not particularly special. There will be limited views of the new building but as it is considered to cause harm the character of the Green Belt it will cause harm to the character and appearance of the local area.

Ecology issues

The original information submitted with the application was carried out in 2003/2004. This is some 6 years ago and it is obvious that over this time many things could have changed. Some species could have moved on, some could have spread to the site and there could be new habitats in some of the existing structures. This issue was explained to the applicant and new information was sent in. The applicant's new survey concluded that there were no habitats or opportunity for inhabitation for protected species.

The KCC Ecologist is satisfied with the survey but recommends that the mitigation measures suggested by the applicant as an area of caution should be conditioned on any approval.

Land contamination

According to both the Council's environmental health team and the Environment Agency the golf course was built on an area of land with a history of land filling. This raises many concerns about the potential impact to users of the land from contaminants. Both parties agree that conditions would be sufficient to alleviate concerns on any planning permission.

Other issues (*Refer to Consultees / Residents responses and impact on any neighbours if not covered above*).

None.

Conclusion (*Refer to reasons for applying or not applying any unusual or particularly restricting conditions.*)

The proposed development is inappropriate in the Green Belt and the justification/very special circumstances put forward by the applicant do not outweigh the harm caused. With regard to the above discussion I recommend that planning permission be refused.

Recommendation

Refuse.

Signed:

Case officer:

SB

Date:

26/6/09,

Signed:

Team Manager:

Date: