

**Stansted
Downs**

559573 163119 12 March 2010

TM/09/03149/FL

Proposal: 130 bed hotel plus spa, 20 staff bedrooms, ancillary restaurant and conference facilities, ballroom and health spa and associated parking and landscaping

Location: The London Golf Club South Ash Manor South Ash Road Ash Sevenoaks Kent TN15 7EN

Applicant: London Golf Club

1. Description:

1.1 The proposed hotel, In addition to the proposed 130 bedrooms and 20 staff bedrooms would also include the following facilities:

- Health spa including a swimming pool, gym, studio, creche and 11 treatment rooms
- A banquet room and an adjoining pre-function room
- Cocktail Lounge
- Speciality dining area (including a private dining area)
- Bistro/brasserie
- A café
- Lobby lounge and bar
- An area for retail
- Meeting rooms

1.2 The proposal would also provide underground garaging for 48 cars with a further 211 car parking spaces located at ground level to the north east of the proposed hotel.

1.3 The building in total would contain 18,306 sq m of floor space and has been designed with a central 'hub' where the hotel reception/lounge area would be located with arms spreading out to the north east, east, south east and north west from that central 'hub'.

1.4 The applicant describes the hotel as a number of interlinking building forms located around and extending beyond the central courtyard.

- 1.5 Due to the size and unusual shape of the proposed building it is difficult to provide specific dimensions of its overall size. However, the longest part of the proposed building would run in a north-west/ south east orientation and this would measure approximately 205 metres. The “width” of the building also varies, but the longest element measures approximately 100 metres and is orientated north-east to south- west.
- 1.6 The proposed hotel would be located within a natural dip in the existing sloping landscape. Due to the topography of the site and the size of the proposed hotel, terraces would be cut in to the natural slope to accommodate different parts of the proposed building.
- 1.7 Due to its overall size, the differing forms of the building and the changing land levels within the site, it is hard to prescribe a height figure for the building as a whole, as different elements of it vary greatly. However, the building varies between two and four storeys in height with the four storey element located at the lowest land level. This part of the building (the part that contains the banquet room, the lobby, lounge bar and some of the guest suites), measures 19.7 m high to ridge level.
- 1.8 The two storey entrance to the hotel and the two wings that run north-east from it (that provide some of the guest accommodation and the spa complex) stand between 10.7 and 13m in height above ground.
- 1.9 The main block of guest accommodation that would be located to the north-west of the hotel entrance varies greatly in terms of size, form and design and steps down the contours of the ground. The two storey elements of this part of the building stand 8.5m high and the three storey elements stand between 11.5m and 12.5 m high above ground level.
- 1.10 The hotel has not been designed with a single form or architectural style, but rather as groups of buildings linked together. The hotel reception, referred to by the applicant as the “main house” and the food and beverages areas has a formal neo-classical architectural style with a regular, formal rhythm of windows and other features. The two wings that run to the north east (to the front) of the main house adopt a similar design approach, although they are less elaborate in terms of detailing than the main house. The spa area has been designed in the same manner.
- 1.11 The body of guest accommodation located to the north-west of the main house takes a very different form and design to the rest of the hotel. This part of the hotel comprises a collection of structures that have the scale, size, and form of three storey town houses or two storey dwelling houses that are clustered together. This element of the hotel is far less formal in terms of form, design and architectural style than the other elements of the proposed hotel.

- 1.12 In terms of external finishes a wide range of materials is proposed that reflects the varying forms and architectural styles that would make up the proposed hotel. It is proposed to construct the external walls of the hotel from Old Kent multi bricks, reconstituted stone finishes to arches, columns, piers and lintels, ship-lap weatherboarding, rendered panels and Kent Ragstone. The pitched roof elements of the building would be clad with plain clay tiles. The window frames would either be of steel construction or made from painted timber.
- 1.13 In terms of landscaping, the main entrance courtyard would have a formal arrangement with a central water feature and a symmetrical layout. The large area located between the rear façade of the hotel and the golf course is indicated to have a less formal scheme of landscaping with terraces leading to grassed areas planted with trees and shrubs. The indicative plans show that the car park located to the north (front) of the hotel would contain a significant number of additional trees and shrubs within and surrounding it.
- 1.14 Access to the hotel would be via an existing access road located within the Golf Club grounds.
- 1.15 The applicant has submitted a detailed case in support of this application which will be considered in much more detail later on in this report. However the applicant has summarised the case of very special circumstances as follows:
- The London Golf Club would be placed on the international golfing stage as a named global event venue.
 - An on-site hotel is an essential pre-requisite to the London Golf Club becoming one of the premier golfing venues within both England and Europe.
 - There is a shortage of premier golf club sites in the South East of England that can host international golfing events.
 - The London Golf Club would be unique in the South East of England in offering an appropriately located site where international golfing events could be hosted with a hotel offered on site.
 - There is a demonstrated need for a hotel to be located on-site at the London Golf Club.
 - There is a lack of hotels in the locality to serve the need.
 - Existing hotels which are local to the Club are not of the high quality aspired to.
 - Kent lacks a 5 star, upmarket hotel and the proposal can meet this need.

- Existing hotels which are local to the Club are over-subscribed.
- Demand exists for the proposal.
- Significant benefits will come about as a result of the development, including economic, job opportunities, tourism and community benefits through junior, disabled and/or blind development and a Golf Academy.
- Should the development not be delivered, the significant economic, tourism and community benefits would not come about as a direct result of the hotel.

1.16 The applicant's submitted case concerning the economic and tourism impacts of the proposal has been scrutinised by hotel and tourism consultants appointed by the Borough Council.

2. Reason for reporting to Committee:

2.1 The proposal constitutes inappropriate development in terms of Green Belt policy and this has to be carefully considered against the potential wider benefits that the applicant considers outweigh the normal policy objections to the proposed development.

3. The Site:

3.1 The site is located within the Metropolitan Green Belt, on the west side of South Ash Road. The site of the proposed hotel is located within a small area of the London Golf Club that is situated within the Tonbridge and Malling Borough. The majority of the land within the London Golf Club is located within Sevenoaks District, with the existing club house being located approximately 450m to the north of the proposed hotel.

3.2 The golf club sits at the top of the North Downs within a rolling landscape, which is characterised by open grazed fields that are enclosed by traditional hedges and which are peppered with copses and small areas of woodland.

3.3 The M20 Motorway lies approximately 650m to the west of the proposed hotel.

4. Planning History:

TM/90/881 Grant with Conditions 25 October 1990

Use of land as two 18 hole golf courses, practice ground, access road, water features, bridleways and landscaping.

TM/90/576 Refuse 28 September 1990

Creation of vehicular access.

TM/90/1243 Grant with Conditions 7 December 1990

Outline Application for two-storey golf clubhouse of 2725 sq m floor area with car parking (as ancillary development to recently approved golf courses) including demolition of redundant agricultural buildings and landscaping cleared sites a

TM/90/1011 Refuse 3 December 1990

Deposition of soil, clay, chalk, sand and gravel.

TM/97/01874/FL Application Withdrawn 5 May 1998

change of use from residential to institutional use for members using club facilities together with minor extension of existing conservatory

TM/97/01875/LB Application Withdrawn 5 May 1998

Listed Building Consent: alterations and refurbishment with conservatory extension together with change of use

TM/98/00158/A10 Application Withdrawn 5 May 1998

Article 10 Consultation by Sevenoaks District Council for change of use from residential to institutional use for member using club facilities together with minor extension of existing conservatory

TM/98/00159/A10 Application Withdrawn 5 May 1998

Consultation by Sevenoaks District Council for Listed Building Consent to carry out alterations and refurbishment with conservatory extension together with change of use.

TM/98/00796/FL Grant With Conditions 29 December 1998

change of use to office facilities for The Manor House with conversion and change of use to offices for The Barn

TM/98/00797/LB Grant With Conditions 29 December 1998

Listed Building Application: Refurbishment of Manor House and conversion of barn to offices.

TM/98/01009/A10 Grant With Conditions 5 January 1999

Consultation by Sevenoaks District Council for Listed Building Application for refurbishment of Manor House and conversion of barn to offices.

TM/98/01070/A10 Grant With Conditions 5 January 1999

Article 10 consultation by Sevenoaks District Council for change of use to office facilities for the Manor House with conversion and change of use to offices for the Barn

TM/99/00314/RD Grant 12 April 1999

details of landscaping submitted pursuant to condition 3 of permission TM/98/00796/FL: change of use to office facilities for the Manor House with conversion and change of use to offices for The Barn

TM/99/00315/RD Grant 29 April 1999

details of gates submitted pursuant to condition 5 of permission TM/98/00796/FL: change of use to office facilities for The Manor House with conversion and change of use to offices for The Barn

TM/99/00316/RD Grant 12 April 1999

details of lighting submitted pursuant to condition 6 of permission TM/98/00796/FL: change of use to office facilities for The Manor with conversion and change of use to offices for The Barn

TM/99/00317/LRD Grant 26 March 1999

details of joinery for the stables submitted pursuant to condition 3 of consent TM/98/00797/LB: Listed Building Application for refurbishment of Manor House and conversion of barn to offices

TM/00/01214/A10 No Objection 20 November 2000

Article 10 Consultation by Sevenoaks District Council for partial demolition of chimney no.3 to a safe level and rebuild as existing using new and salvaged bricks (SE/00/01017/ADJ)

TM/02/01509/FL Grant With Conditions 11 November 2002

Construction of single storey covered driving bays and practice area

TM/09/01914/EASC screening opinion EIA 11 August 2009
not required

Request for Screening Opinion under Regulation 5 of Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 for spa hotel up to 114 bedrooms and 100 space car park

TM/10/00789/FL Application Withdrawn

Temporary erection of a marquee from 01 March to 31 December during 2010 and 2011

5. Consultees:

- 5.1 Stansted PC: No objection in principle to the application. The Council is, however, concerned over the impact of noise and lighting on the South Ash Road and in particular on 1 and 2 Bouts Cottages and request that conditions are imposed to ameliorate this impact as far as possible. The Council also makes the point that all traffic should use the main entrance to the golf club at all times and that no entrance, whether permanent or temporary, will be allowed onto South Ash Road.

Concern was expressed that the presence of the hotel might encourage major events and confirmation is sought of the number of times a year it is proposed to hold such major events that would necessitate the implementation of the one way traffic system.

- 5.2 Ash-cum-Ridley PC (Sevenoaks District): The PC has always supported the London Golf Club but in this instance we ask you to reject this application as inappropriate development in the Green Belt, in a Special Landscape Area due to the harm the development would do to the openness of the Green Belt and its designation as a SLA.

- The need is not established and there appears to be no guarantee of acquiring major tournaments.
- The requirement of PPS 7 that development does not detract from the attractiveness of the surrounding countryside is not fulfilled and the case for very special circumstances is not made out.
- The development is close to two cottages that have covenants preventing commercial development.
- The exchange of grass for tarmac in the car park is particularly offensive.

- The additional information supplied is not persuasive in overturning the previously raised objections.

Should permission be granted, the PC requests that consideration be given to imposing conditions to control the following:

- There will be no access from Ash Lane.
- The implementation of a landscape planting scheme to conceal the development and construction from Ash Lane and the adjacent cottages.
- That building of the development does not commence until the landscaping has been completed.

5.3 West Kingsdown PC (Sevenoaks District): The PC objects to the application for the following reasons:

- The proposal conflicts with Green Belt policies, particularly with regard to openness and landscape.
- The proposal would place an inevitable burden on the existing network of country lanes. Road widening and general upgrading would have an urbanising effect on this quiet rural landscape.

5.4 Hartley PC (Sevenoaks district): The PC objects to the application on the grounds that the proposed development would be contrary to Green belt policies.

5.5 Sevenoaks District Council: The Council objects for the following reasons:

- The proposal would be contrary to the provisions of PPG 2 insofar as the development would represent inappropriate development. The openness of the Green belt is considered to be its most important attribute, which would be severely damaged by this proposal. The size, design, location, bulk and mass of the proposed scheme would be seriously harmful to the openness and visual amenities of the Green Belt.
- The VSC relies on demand for the development rather than a demonstrated need and some of the supporting information appears to be less than convincing to justify this development in this location with contradictory information provided in support of the scheme. Clearly from the supporting evidence there is no guarantee that such facilities would result in major events being located at this club, simply that it may then be possible. The financial and other benefits referred to therefore are not considered compelling.
- The site lies within a SLA. A development of this nature and scale would be harmful to the character and appearance of the area contrary to national, regional and local policies designed to protect such landscapes.

- The proposed development would be contrary to the provisions of PPS 7 insofar as the location, scale and form of the scheme would be harmful to and detract from the character of the surrounding countryside.
- In respect of the impact upon the highway network, objection is not raised subject to the provision that all vehicular traffic uses the existing access and that no new access is created.

5.6 DHH: Environmental Protection: During the construction phase, the hours of working (including deliveries) should be restricted to normal working hours.

5.6.1 Food and Safety: The applicant will need to ensure that WC and sanitary facilities comply with British Standards and codes of practice.

5.6.2 Contamination: The potential for contamination should be considered. If the LPA is minded to grant planning permission, then this should be subject to a standard land contamination condition.

5.7 Kent Highway Services: No objections to the proposed development in respect of highway matters, but recommend the use of conditions concerning parking, turning and loading arrangements associated with the development.

5.8 KCC (Archaeology): The application site lies within an Area of Archaeological Potential relating to several findspots of Palaeolithic, Mesolithic and Neolithic flint implements along with Eoliths. One such findspot is recorded on the site of the proposed hotel itself, with others in the vicinity. The number of finds recorded in this area indicates that there could be potentially sensitive and important archaeological remains present. Although the site may have been disturbed by the landscaping of the golf course, important archaeological remains survive in areas where the ground was built up or ground reduction was less severe.

Comparison of current maps with early Ordnance Survey maps show that the layout of fields in the vicinity of the proposed hotel, particularly to the east, has changed little since at least the 19th century. We would prefer the decision on this application to be guided by a Historic Landscape Assessment that pulls together the information on visual impact with a historic landscape dimension.

Archaeological remains could be encountered during the extensive groundworks proposed and if it is decided to determine the application at this stage then a suitably worded condition should be used.

5.9 EA: No objection subject to the use of conditions concerning the issues of surface water drainage and contamination

5.10 CPRE: The CPRE raises an objection to the application on the grounds that it is not compatible with current Government guidance. The developer appears unaware of strategic Green Belt guidance and a lack of understanding of AONB

constraints on development. There are major sites suitable for hotels to the north of the A2 in Kent, on a number of approved development sites which are located outside the Green Belt and AONB.

5.11 Private Representations (including responses to site and press notices):
4/0X/9S/5R. The five letters raising objections to the proposed development, do so for the following reasons:

- The proposal makes a mockery of Green Belt policy with such a major impact on the local environment including the AONB.
- The proposal would seriously impact upon the outlook from the neighbouring residential properties.
- The proposal would be very visible from the road.
- The hotel would bring little benefit to the local community, being marketed at the top end of society.
- The noise and air pollution from terraces, the service road and car parks that form part of this development would be detrimental to the amenity of adjacent residential properties.
- The proposal would drive wildlife away from the local area.
- The proposal would put additional pressure upon the local highway network including Ash Lane.
- It would have little effective benefit on the ability of the golf club to attract additional major tournaments.

5.11.2 The 9 letters expressing support for the application includes one from a local resident. The remaining ones have been submitted by the following organisations: Shepherd Neame, Redlibbets Golf Club, Locate in Kent, the English Golf Union, Visit London, Dame Kelly Holmes Legacy Trust, The Leader of KCC and the PGA European Tour. The reasons stated for supporting the application are as follows:

- The development would secure the continued presence of world class golf tournaments for the County and such events have a notable financial effect within the local community.
- The proposal would redress a shortage of hotel beds in the district.
- The proposal would encourage visitors to Kent.
- The hotel would aid the club to bid for high profile golfing events. The provision of a top quality hotel is often a pre-requisite for investing stakeholder in tournaments.

- The development would be a much needed and welcome addition to north Kent and provides a great location for visitors coming into the area.
- The addition of the hotel would enable further charity/community work to be undertaken.
- The club currently plays an important role in the local economy and is a great asset for the marketing of Kent as a quality location. The planned hotel would further enhance the existing offer.
- The County Council is committed to boosting the local economy of Kent and that includes welcoming further tourist and visitor accommodation, as well as the creation of new employment opportunities that come with it.
- The spin off to the local economy from enticing visitors to Kent as either sports participants or spectators to stay longer and spend time and money in the County should not be underestimated.
- It is essential to have a good availability of high end hotel facilities and the proposed development would help address the current shortage of such accommodation in this part of Kent.

6. Determining Issues:

6.1 The main issues to consider with a development of this nature relate to its principle and its impact upon the character of the immediate and wider rural landscape. Accordingly, this section of the report is structured in a way that initially considers current Government guidance and adopted planning policies that relate to the principle of the development, before considering planning policies concerning other, more detailed, aspects of the proposed development.

6.2 PPG 2 (Green Belts) states at paragraph 3.1 that there is a general presumption against inappropriate development within the Green Belt and that such development should not be allowed except in very special circumstances. Paragraph 3.2 of PPG 2 states:

“ Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very Special Circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”

6.3 Policy EC 7 of PPS 4 (Planning for Sustainable Economic Growth) relates specifically to tourism in rural localities. This states;

“Local planning authorities should, through their local development framework:...wherever possible, locate tourist and visitor facilities in existing or

replacement buildings, particularly where they are located outside existing settlements. Facilities requiring new buildings in the countryside should, where possible, be provided in, or close to, service centres or villages but may be justified in other locations where the required facilities are required in conjunction with a particular countryside attraction and there are no suitable existing buildings or developed sites available for re-use”.

6.4 PPS 7 (Sustainable Development in Rural Areas) paragraph 15 states:

“Planning policies should provide a positive framework for facilitating sustainable development that supports traditional land based activities and makes the most of new leisure and recreational opportunities that require a countryside location. Planning authorities should continue to ensure that the quality and character of the wider countryside is protected and, where possible, enhanced.”

6.5 Paragraphs 2.4 and 2.5 of the Government’s Good Practice Guide on Planning for Tourism considers the local value of tourism. It states that tourism can bring many broader benefits that will contribute to the economic and social well being of local communities. It can:

- Be the focus of regeneration of urban and rural areas
- Provide a catalyst for growth in an area, raising its profile and stabilising out-migration
- Provide opportunities for retraining the resident workforce
- Support and enhance local services and facilities such as shops, and pubs, particularly in rural areas;
- Support a broader and more vibrant and active community by attracting arts, sports or cultural events; and
- Aid diversification within the rural economy

6.6 The component make-up of the Development Plan has changed during the lifetime of this application in so far as the status of the South East Plan is concerned. For the purposes of determining the current application, the Development Plan consists of the following documents:

- The South East Plan: This still exists but following a recent High Court ruling, its intended abolition by the current Government under the forthcoming Localism Bill is a material consideration which can be considered by local planning authorities and planning inspectors when making decisions.
- The Tonbridge and Malling Borough Core Strategy 2007 (TMBCS)

- The Tonbridge and Malling Borough Development Land Allocations DPD 2008 (DLA DPD)
 - The Tonbridge and Malling Borough Managing Development and the Environment DPD (2010) (MDE DPD)
- 6.7 Policy C 4 of the South East Plan relates to landscape and countryside management outside nationally designated landscapes. It states that positive and high quality management of the region's open countryside will be encouraged. It also states that local authorities should develop policies to ensure that all development respects and enhances local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided.
- 6.8 Policy TRS 2 relates to rural tourism. It states that opportunities to promote tourism should be encouraged where they provide jobs for local residents and are of a scale and type appropriate to their location.
- 6.9 Policies CC4 and NRM11 require all proposals to incorporate to sustainable design and construction techniques, be energy efficient and make use of renewable energy.
- 6.10 Turning to local planning policies, policy CP 1 of the TMBCS is a high level policy that requires all proposals for new development to result in a high quality sustainable environment. It lists a number of criteria that proposals need to meet to achieve this requirement. Some of the criteria are not relevant to this particular proposal as they relate to housing development. However, the relevant criteria are set out as follows:
- Provision will be made for employment and other development to meet the needs of existing and future residents of the Borough in line with local studies aimed at informing the need for and form of development required.
 - The need for development will be balanced against the need to protect and enhance the natural and built environment. In selecting locations for development and determining applications, the quality of the natural and historic environment, the countryside, residential amenity and land, air and water quality will be preserved and wherever possible, enhanced.
 - The Borough Council will seek to minimise waste generation reduce the need to travel and minimise water and energy consumption. Proposals shall have regard to the need to provide 10% of the energy requirements to be generated on site from alternative energy sources and the potential for water recycling.
 - Development will minimise the risk of crime and should make appropriate provision for the infrastructure necessary to serve new development including social, leisure, cultural and community facilities.

6.11 Policy CP 2 of the TMBCS is also a high level policy and relates to sustainable transport. Developments that are likely to generate a significant number of trips should meet the following criteria:

“ (a) be well located relative to public transport, cycle and pedestrian routes with good access to local service centres;

(b) minimise the need to travel through the implementation of Travel Plans and the provision of local services and facilities;

(c) either provide or make use of and if necessary enhance, a choice of transport modes, including public transport, cycling and walking;

(d) be compatible with the character and capacity of the highway network in terms of the volume and nature of traffic generated;

(e) provide for any necessary enhancements to the safety of the highway network and capacity of transport infrastructure whilst avoiding road improvements that significantly harm the natural or historic environment or the character of the area; and,

(f) ensure accessibility for all, including elderly people, people with disabilities and others with restricted mobility.”

6.12 CP 3 of the TMBCS requires proposals to accord with national Green Belt policy.

6.13 Policy CP 14 of the TMBCS relates to developments outside the settlement confines of established villages and towns. Like PPG 2, it lists types of developments that are considered to be acceptable within the countryside, one of which is development for which a rural location *is essential*. Whether or not the proposed development is considered to fall within this particular category will be discussed later in this report. However Policy CP 14 also states that within the Green Belt, inappropriate development which is otherwise acceptable within the terms of this policy will still need to be justified by a case of very special circumstances.

6.14 Policy CP24 of the TMBCS requires all development proposals to be well designed and of a high quality in terms of detailing and use of appropriate materials. Proposals must, by virtue of scale, layout, siting, character and appearance be designed to respect the site and its surroundings.

6.15 Policy SQ1 of the MDE-DPD states that proposals for development will be required to reflect the local distinctiveness, condition and sensitivity to change of the local area. All new development should protect, conserve and, where possible, enhance the character and local distinctiveness of the area including its historical and architectural interest, and the prevailing level of tranquillity.

6.16 Also of relevance is policy DC 5 of the MDE-DPD as this relates to tourism and leisure related development. It states that in the rural areas proposals for tourism and leisure facilities will be permitted where they meet a number of criteria. These are:

- The proposal must not detract from the character of the locality.
- The proposal being appropriately located and existing buildings are re-used where possible.
- The proposal must support the local economy
- The amount of any new built development is directly related to the proposed use and the minimum required to serve this purpose.
- The proposal must avoid the irreversible loss of the best and most versatile agricultural land and must not result in the fragmentation or severance of viable agricultural unit.
- Full account is taken of any bio-diversity interests.
- The proposal is adequately served by the public highway network and there are no hazards to road safety.
- Suitable provision is made for the protection and, where practicable, the enhancement of the existing rights of way network which are affected by the proposal
- There is no unacceptable adverse impact arising from lighting, traffic generation or activity at unsocial hours or noise.

6.17 Policy DC6 of the MDE DPD refers to developments that are in the vicinity or are served by rural lanes. It states that permission will only be granted where the development conserves and, where appropriate, enhances the value of the lane and any proposed alterations to the lane are the minimum necessary to serve the proposal in terms of highway safety.

6.18 Before considering the merits of the application I can confirm that the site of the hotel is *not* located within the Kent Downs Area of Outstanding Natural Beauty or a SLA. The SLA designation within the Tonbridge and Malling area was deleted when the Core Strategy was adopted in 2007.

6.19 Turning to the matter of principle, the proposed development does not fall within any of the categories of development specified within paragraph 3.4 of PPG 2 as being appropriate within the Green Belt. Accordingly, the proposal is considered to be inappropriate development, which, by definition is harmful to the Green Belt. Therefore, planning permission should only be granted if a case of very special

circumstances can be identified that clearly outweighs the harm caused to the Green Belt by this inappropriate development, and any other harm.

- 6.20 In addition to the harm caused by the inappropriateness of this development, other potential harm must be considered such as the impact upon the openness or the visual amenity of the Green Belt, for example.
- 6.21 Whilst the hotel has been designed in a way that seeks to break up its bulk and mass by having different sections of it leading from a central hub (rather than, for example, as a single monolithic slab), the proposal is none-the-less, a very large building in the Green Belt. It would, therefore, in my opinion, be likely to cause some erosion of the openness of the Green Belt by virtue of its scale, mass and size.
- 6.22 The building would be located approximately 40 metres to the west of Ash Lane at its nearest point. Along the golf course boundary of Ash Lane in this locality two separate mature hedgerows are located. One adjoins the back edge of the carriageway and is a mixed deciduous hedge that stands approximately 3m tall. A second, taller, row of trees is located immediately behind the roadside hedge and is also formed by a mixture of species. Even in mid winter these hedgerows provide a substantial screen to this part of the golf course which severely restricts casual views of the location of the proposed hotel. In light of the location and height of the existing hedgerows along this section of Ash Lane and the distance that the hotel building would be set back from the road, I consider that the building and its associated car park would not appear visually prominent when viewed from this particular public highway.
- 6.23 Stansted Lane also borders onto the golf course and is itself also bordered by mature hedgerows. From much of this lane, the hotel building would be screened not only by this hedge, but also by the area of woodland that is located immediately to the south of the proposed hotel building. Part of the building would be clearly visible from the junction of Stansted Lane with the access road serving the golf club, but it would be seen in the far distance and obscured by groups of trees and the fact that part of the building would sit within a dip in the landscape would reduce its impact.
- 6.24 Parts of the golf course (some holes) are currently visible from the M20 motorway located over 600 metres to the west of the proposed hotel. However, the motorway runs broadly parallel to the golf course and views of the hotel would be gained at oblique angles rather than appearing directly in front of vehicles using the motorway. The undulating topography of the landscape and the existing tree belts and woodland within the golf course also serve to significantly soften the impact of the proposed hotel when viewed from the M20.
- 6.25 PROW 234/SD257 (a public footpath) runs through the London Golf Club in an east/west direction, to the north of the proposed hotel. The building would be clearly visible from part of this footpath (as is shown on the applicant's submitted

Landscape and Visual Impact Assessment). However, the building would be located within a dip in the landscape and is unlikely to be seen, from the public footpath, to rise above the existing tree line and hedgerows that currently frame the views towards the site of the proposed hotel from this footpath. Existing structures within the golf course, such as the club house and driving range buildings are located much closer to and are more visually prominent from this public right of way.

- 6.26 The submitted supplementary visual assessment also suggests that a small section of the roof of the proposed building would be visible from PROW MR217 (bridleway), located approximately 500m to the east of the proposed hotel. However, I do not consider that the proposal would cause significant detriment to the visual amenities of the locality when viewed from this PROW due to its distance away from the site of the proposed hotel and that only a small part of its roof would be visible.
- 6.27 The proposed hotel is, in itself, of an interesting form and design. The central 'hub' of the hotel (the main house, food and beverage areas), takes a very formal neo-classical architectural style featuring strong symmetry and a regular order of features such as windows and doors. The main house (which has only its front and rear elevations exposed), is highly detailed, including triangular pediments to the roof form, which reflects the importance of this central part of the hotel. The two wings that extend forward of the front elevation of the main house (to form the entrance courtyard) also take a formal style of architecture, with a regular order of openings, but which are also subservient in terms of form and design to the main house.
- 6.28 The health spa element also adopts a formal style and would appear as a series of linked buildings, although they do vary in terms of their detailed design and pattern of openings.
- 6.29 Major hotels, by their very nature, provide a wide range of accommodation and services which require a considerable amount of room to accommodate them and a trade-off has to be made between the height and the spread of the building. In this particular case, I consider an acceptable balance has been struck between these two factors given the site specific characteristics of topography, existing available screening and the proposed siting of the hotel.
- 6.30 The palette of materials to be used on these elements of the hotel would be Ragstone for ground level walls, reconstituted stone, Wealden stock (red/brown) brickwork and shiplap cladding. The roofs would be clad with plain clay tiles. Whilst this palette of materials is considered to be acceptable in the context of this particular proposal, given the form and design of the building, I consider there is scope to use more than just one type of pitched roof material.

- 6.31 The 'guest wing' of the hotel located to the north west of the main house takes a radically different form and detailed design to the other parts of the building. This has a much less ordered form than the classically inspired parts of the hotel, appearing as a series of connected or terraced dwellings. These vary in height (between 8.5m and 12.5m) and step down following the topography of the site. The materials to be used for this part of the building would consist of a combination of brick with shiplap boarding above, brick with rendered walls above, or just rendered. The roofs would be clad with plain clay tiles. The use of the materials combined with the design of the building produce very clear vertical separations between different parts of the proposed building, which emphasises the less formal design of this part of the hotel and further breaks up its mass as well.
- 6.32 The applicant suggests that the form and design of the hotel takes reference from the buildings in the vicinity and the wider locality as well. There are no buildings of a comparable size in the immediate locality. The size of the hotel is dictated, to a degree, by the quality and range of accommodation it intends to offer its guests and which it would be financially viable to provide in the opinion of the applicant. The second matter will be discussed in more detail later in this report. The lack of similar sized buildings in the immediate vicinity is a consequence of the specific nature of the proposed building and because the site is located within a predominantly open rural area. In this instance, I believe the acceptability of the building's form and design needs to be considered in its immediate context, rather than by comparison to other buildings as it would not be seen in such a context. Even the existing club house within the London Golf Club, that lies approximately 500 metres north of the proposed hotel, would not be seen in the same context as the proposed hotel due to the distance separating these buildings.
- 6.33 It is apparent that in selecting the site of the proposed hotel and developing its design, regard has been had to the topography and character of the landscape it would be located within. The proposed building does not take a standard corporate hotel form and design. The hotel is intended to complement the golf course it would be located within and has been designed accordingly. Some elements of the hotel are tall (some elements are nearly 20 metres in height), responding to the different land levels across the site of the hotel. However, the building as a whole, because of its siting, the nature and form of the surrounding landscape and the approach to design, would not appear visually prominent within, or dominate the local and wider countryside.
- 6.34 The mass of the building has been broken up through the use of different interconnected elements that help to reduce its impact upon the locality. The use of classical architectural forms and ones more traditionally associated with this rural locality combine in the proposal to create a building that would be of a high quality in terms of its design and would not appear as a visual intrusion within the wider landscape, in my opinion.

- 6.35 A detailed landscaping scheme has not been submitted with the application, although the indicative drawings show that a significant amount of additional planting would take place around the proposed hotel building. While additional planting would assist in softening the impact of the proposed hotel, I am satisfied that the proposed building and its parking and access arrangements would not cause significant detriment to the character of the landscape or the visual amenity of the Metropolitan Green Belt.
- 6.36 In light of the above, in the context of PPG 2, I consider the harm caused by the proposed development upon the Green Belt is that caused by its inappropriate nature and upon the openness of the Green Belt in light of the scale and size of the proposal. The extent of actual visual harm caused by the proposal is likely to be relatively limited for the reasons specified earlier in this report.
- 6.37 I now turn to the case of very special circumstances submitted by the applicant.
- 6.38 A need for a high quality hotel in this part of west Kent is a material factor in this case. In terms of background, a study undertaken in the neighbouring Sevenoaks District in 2007 (by Sevenoaks District Council) concluded that a need exists for additional hotel provision in the area. While the application site lies within Tonbridge and Malling Borough, it is very close to the boundary with Sevenoaks and it is reasonable, therefore, to conclude that a need for additional hotels would extend to the area of the application site.
- 6.39 This Council's appointed hotel and leisure consultants have scrutinised the applicant's submitted case and, on the issue of need, they consider that the proposal would address that need but also that a hotel of this nature would become a destination resort that would create its own need/demand due to the range of facilities on offer as well as the intended quality of the hotel.
- 6.40 The applicant considers that the proposal would put the golf course on the international golfing stage becoming a global venue for high profile golfing tournaments. The golf club is of a very high standard and has, in the recent past hosted major golf events (the European Open in 2008 and 2009). The two courses within the golf club were designed by Jack Nicklaus a world renowned golfer and golf course designer with the aim of hosting golfing competitions.
- 6.41 The applicant has submitted evidence that the club has lost potential corporate events due to a lack of hotel accommodation on site and that this could severely harm the club's ability to host major tournaments in the future such as the Solheim Cup (the ladies' equivalent to the Ryder Cup).
- 6.42 There is, therefore, a case that a need has been identified for additional hotel accommodation in this general area. There is also a lack of quality golf hotels in the south-east region. Whilst the loss of potential business for the Golf Club is not a matter that on its own amounts to very special circumstances, it does illustrate that an unmet demand for hotel accommodation does exist, both generally and for

this specific purpose, for which there is some legitimate policy support (policy DC 5 and the Government's Good practice guide, for example) to be weighed against other considerations.

- 6.43 The proposed development would create (if it is implemented as described in the supporting documents) a world class golf resort that could possibly, and in time, come to compete with others such as Celtic Manor in Wales, The Belfry and Gleneagles. It is this calibre of resort to which the applicants aspire. Whilst this may take time to develop, the proposal would be a significant tourist destination not only within the Borough, but also within Kent as a whole and the wider south east.
- 6.44 In dealing with such a proposal in the Green Belt the question arises as to whether an alternative golf course may provide a suitable or better location for such a hotel. However, wherever a hotel of this type would be located, it will inevitably be in the countryside and, in many locations, within the Green Belt. The London Golf Club is regarded as a very high quality golf course, and there are few of such quality within the county. There is, therefore, a certain inevitability that if such a scheme is to be promoted it will be in a Green Belt location. The issue is whether the advantages amount to very special circumstances to enable such a project to be agreeable.
- 6.45 The applicant has, against this background, considered a number of alternative sites to locate the golf club hotel complex, including the former Stocks Nightclub, Tower Industrial Estate, Invicta Business Park, Woodlands Garden Centre, Battersea Dogs Home (Brands Hatch) and the Barnfield Park gypsy site. All of the other sites have been discounted for various reasons including that the sites are unavailable, distance away from the golf club, access issues and that the sites are not necessarily immediately, nor may not ever become, available or that they are not large enough to accommodate the whole range of hotel facilities. It must also be borne in mind that many of the alternative sites are also located within the Metropolitan Green Belt and in the case of the Tower Garage, former Stocks Nightclub and Invicta Business Park, are also located within the Kent Downs Area of Outstanding Natural Beauty. Furthermore, whilst the Tower Garage and Invicta Business Park sites are subject to policy M1 of the DLA DPD which allows in principle for their redevelopment, strict control has to be exercised under this policy concerning the height and size of replacement buildings. Another crucial point is that the hotel is intended to serve and work in conjunction with the golf club (although it will also cater for weddings, conferences and visitors making use of the health and fitness centre). Locating a high quality hotel off-site, therefore, would have its own drawbacks and fail to create the synergy that could exist between the golf club and hotel.
- 6.46 The applicant has submitted an economic case in support of the proposal. This seeks to demonstrate that the proposal is financially viable and will generate income and employment that would be of benefit to the local and wider

community. As in all cases financial data needs to be treated with some degree of caution as the final costs of a development or the revenue derived from it will almost inevitably differ from the projected or predicted data submitted with an application. However, the methodology used by the applicant that underlies their case appears to be generally sound. The applicant has used data that assumes very good occupancy and room rates compared to those that have been achieved at local hotels or other golf resort hotels. This has been tested by this Council's consultants and revised (additional) data has been forthcoming from the applicants. This demonstrates that the project has a level of robustness that will enable it to work in the face of lower performance and higher costs; the economic benefits of the project would also seem to remain significant even at the revised (reduced) levels of operational performance.

- 6.47 It is apparent that the proposed hotel is predicted to generate a significant economic impact in the local and wider economy, although our consultants consider the amount likely to be generated to be somewhat lower than the figures presented by the applicant.
- 6.48 The applicant considers that in the first year of operation 272 jobs would be created, which would rise to 317 by the end of the fourth year of operation. The Council's appointed hotel and leisure consultants consider the proposal to be more likely to achieve 190 jobs initially, rising to 257 by the fourth year. However our consultants do not consider the assumptions made by the applicant to be unreasonable given the variables at play in making these assessments. Whichever set of figures is used, it is clear that the hotel would create a significant number of jobs.
- 6.49 The economic impact of the proposed development has also been considered as a monetary value using an accepted model of assessment. The economic impacts are broken down into the categories of "on-site expenditure impacts" and "off-site expenditure impacts". The former consists of direct impacts (hotel revenues), indirect impacts (such as the hotel purchases from suppliers, and induced impacts which are created by the consumption expenditure of the hotel and its suppliers. Off-site expenditure is spending by guests/visitors within the local community. Taking these factors into account, the applicant has calculated that the economic impacts of the proposed development amount to £21m by the end of the fourth year following commencement of operation. Our hotel consultants consider that a more realistic figure is £14m for the same timescale.
- 6.50 The Council's appointed hotel consultants have concluded that there is no doubt that such a major development could have beneficial economic impacts including employment benefits, but note that this will depend upon the assumptions used to calculate the perceived economic benefits.

- 6.51 The applicant has also stressed that all of the existing 112 suppliers that the Golf Club currently buys from are based in Kent (including Bexley). The applicant considers that the proposed development would result in current suppliers being provided with more business and that additional suppliers will be recruited.
- 6.52 The proposed development, by integrating a high quality hotel and with a similar quality of golf course could act as a catalyst for promoting the wider area to tourists. The hotel is likely to accommodate guests who will want to make use of it as a base to explore the wider locality in addition to making use of the facilities offered by the proposal and the existing golf club hence the potential value of off site expenditure.
- 6.53 The economic value of tourism to Tonbridge and Malling Borough must not be under estimated. The recent Cambridge Model results, produced by Tourism South East, indicate that the annual value of tourism to the Borough is £149M supporting over 2,200 full-time equivalent jobs. This represents an increase on the previous results produced in 2006, showing the growth of the tourism market. In this context, the potential economic impact of the proposed development would be approximately 10% of the tourism sector as a whole for the Borough, a significant contribution.
- 6.54 The applicant has pointed out that in 2009 when the club hosted the European Open, it attracted 93,000 spectators who contributed to expenditure in the local economy. The applicant has submitted information concerning the economic impact that the Ryder Cup had on Ireland in 2006 when the K Club (The Kildare Hotel and Country Club) hosted this event. The conclusion was that this event generated 143 million Euros of direct expenditure to the Irish economy, with 128 million Euros being invested in the Kildare/Dublin area. Whilst there is no guarantee that the London Golf club would host a major tournament if the hotel is located within the course grounds, the development would improve the opportunities for the golf club to host major tournaments in the future, which would themselves be economic benefits to the economy.
- 6.55 Whilst it is difficult to predict the actual financial outcome of a particular development, it is apparent that using appropriate assessment models and techniques, the proposed development is likely to generate a significant economic benefit for the local and wider area.
- 6.56 There is a specific issue to consider regarding the number of rooms within the proposed hotel. Whilst the hotel is significant in terms of its overall size and range of facilities offered, the provision of 130 guest rooms is at the lower end when compared with other high calibre 4 and 5 * golf hotels. The applicants' agents have indicated that the scale of hotel is the minimum required to attract the level of golf related events and is probably the minimum for an efficient branded hotel operation. They also state that the existing hotels in the surrounding area can cater for additional, exceptional demand (such as when the golf course would host

a major tournament, for example), and do not foresee needing to apply for planning permission to extend the hotel at a future date. Of course, should this application be successful and further applications be submitted in the future to increase the number of bedrooms within it, they would have to be considered on their individual merits, in accordance with the relevant planning policies at that time.

- 6.57 It is also clear that there is a lot of support from tourism and local organisations for the proposed development as outlined earlier in this report. Support from such organisations for this proposal is not unexpected, due to the nature of the proposed development, but it represents clear backing from organisations concerned with the leisure and tourism sector. These must, of course, be balanced against those taking a contrary view of the proposal in considering the application in overall terms.
- 6.58 Another potential benefit is that the proposed development would open up further sport and leisure opportunities for local people who could make use of the spa/leisure facilities associated with the hotel. The applicant also cites other community benefits that would be derived from the proposed development. The owners of the hotel currently operate a golf academy for disabled persons at their golf club in Majorca and the applicant seeks to deliver a similar initiative at the London Golf Club. Indeed the existing club house is completely DDA compliant according to the applicant and the extensive foot and buggy paths through the golf course allow good access to the whole course for disabled golfers.
- 6.59 The applicant also intends to create a golf Academy/centre of excellence at the London Golf Club. This would be operated for the benefit of the wider community bringing golf to children of local schools, who may not necessarily have the means to be able to play golf. The applicant states that the hotel would offer a percentage of hotel room nights per year on a subsidised basis for Academy users. A number of teaching hours per year will also be offered by the club for local children as part of the Academy.
- 6.60 The applicant has indicated a willingness to enter into a planning agreement to provide further investment in programmes and facilities for golf development at the public golf course at Poulton Wood to foster the growth of opportunity for young people in golf. Such an initiative would be directly related to aspects of the proposal and an additional benefit to the wider community. It would allow young people to develop their golfing skills from a young age and with limited experience participate through the various skill levels on other local courses to end up playing a high level at, for instance, the London Golf Course.
- 6.61 The applicant also states that the provision of a hotel on this site will enable the golf club to host a greater number of charity events and generate significantly more money for charitable causes.

6.62 It is clear that current Government advice recognises the importance that rural tourism and leisure related developments play in supporting the rural economy and that these should be supported in appropriate locations.

6.63 In summary, the case of very special circumstances centres on:

- The economic benefits of the proposal in terms of job and revenue creation
- There is an identified need for additional hotel accommodation in this area
- There is a shortage of premier golf club sites in the South East of England that can host international golfing events
- The London Golf Club would be unique in the South East of England in offering an appropriately located site where international golfing events could be hosted with a hotel offered on site.
- The provision of the hotel would bring with it a number of community benefits: providing local people with greater access to sport/leisure facilities as well as operating a golf academy that will be open for children from all parts of the community.

6.64 These matters need to be carefully weighed against the harm that the development would cause to the Green Belt. In this case it is believed that whilst the development would erode the openness of the Green Belt due to its very existence, the actual physical impact upon the environment would be relatively contained for the reasons outlined above. Furthermore, the proposal would not conflict with three of the purposes of including land within the Green Belt. These are:

- To check the unrestricted sprawl of large built up areas;
- To prevent neighbouring towns from merging into one another; and
- To preserve the setting and special character of historic towns;

6.65 A further purpose of the identification of the green belt is to assist in urban regeneration, by encouraging the recycling of derelict land and other urban land. Whilst the proposal would not meet this objective, for the reasons specified above regarding the locational requirements of a high quality hotel attached to a golf club, it is unlikely that one would be located within an urban location or upon derelict land.

6.66 The final purpose is to assist in safeguarding the countryside from encroachment. There is no doubt that the proposal would indeed site a large building and associated car parking areas within what is currently a green field, the circumstances of the proposal are unusual. It is quite often said that to allow

inappropriate development could lead to similar developments occurring which would cause further encroachment and harm to the openness of the Green Belt. However, as with any case, each application for development has to be assessed on its own merits and because of the very particular (or “very special”) circumstances that apply here, the proposed development would not, in my view, set a precedent for other developments within the Green Belt.

- 6.67 In light of the above, I consider that in weighing the harm caused by this inappropriate development against its benefits, the balance is in favour of the proposal.
- 6.68 In terms of general countryside protection policies, PPS 7 states that most new tourist accommodation should be located within or close to towns and villages thereby allowing in some cases for the erection of new buildings in conjunction with established tourist or visitor attractions in the countryside. As a golf club with a championship course, the existing club attracts a number of visitors (both private and corporate) from across the south-east, the country and also from abroad. Indeed the club has hosted a major golf tournament twice in the recent past (2008 and 2009) that attracted thousands of visitors to the site from all over the world (The European Open). The applicant has stated that the inclusion of the hotel would enable the golf club to host more corporate events and golf tournaments thereby building upon its reputation as a high quality golf destination. The documents submitted by the applicant show that it has lost custom by not having hotel accommodation on site. In light of this and the consideration of the actual extent of physical impact of the proposed development upon the landscape, I am of the opinion that this is a case where the balance of considerations for providing a new building in the countryside in connection with an established tourist/visitor attraction is in favour of the proposal in terms of PPS 7 and policy CP 14 of the TMBCS.
- 6.69 In light of the detailed consideration of the built form of the proposal that has already taken place within this report (see paragraphs 6.17-6.30), I do not intend to revisit these issues in detail in the context of assessing compliance with policies CP 24 of the TMBCS and SQ 1 of the DLA DPD. However, for the reasons outlined earlier in this report, the development is considered to be appropriate in terms of its scale, siting, layout, form and detailed design and, therefore, complies with these policies.
- 6.70 The proposed above ground car parking area has been designed with substantial planting as part of the overall design. Whilst a detailed landscaping scheme has yet to be submitted, it is apparent that the impact of the car parking area would be softened by the intended landscaping, which would result in it not being a visually prominent element of the development.

- 6.71 The impact of the proposed development upon ecological interests has to be considered against the requirements of policy NE 3 of the MDE-DPD. This states that development that would adversely affect biodiversity or the value of wildlife habitats will only be permitted if appropriate mitigation and/or compensation measures are provided. Proposals must also make provision for the retention of the habitat and protection of its wildlife links.
- 6.72 The site is not located within a designated site (such as a SSSI for example). The initial ecological scoping report revealed that the site has potential for amphibians, reptiles and as a foraging habitat for bats.
- 6.73 Concerning Great Crested Newts, surveys were undertaken of six ponds located within the golf course. Four of these had an average score on the Habitat Suitability Index, one was excellent and one was poor. Subsequent torch surveys and egg searches were undertaken of each pond that revealed no evidence of the presence of Great Crested Newts. This was attributed to a number of factors including the presence of high walls around some of the ponds and the lack of suitable vegetation within and around their margins. It was also noted in the survey documents that all of the ponds are part of a wider linked irrigation system where the water is circulated around the site to water the golf course. All of the ponds have liners that extend well beyond the pond margins which eliminates opportunities for aquatic plants to colonise naturally.
- 6.74 However, during the surveys, the presence of Common Toads, Common Frogs and Smooth Newts were detected within the ponds located within the golf club. The proposed development would not require the removal of any of these ponds.
- 6.75 Concerning reptiles, the initial ecological scoping report undertaken by the applicant indicated that the site of the proposed hotel had a habitat with a high potential for reptiles. A subsequent desk top survey revealed no records of reptiles within 2km of the site. However, it is considered by the applicant's ecological survey team that the lack of records does not necessarily indicate the absence of species but could be a lack of recorders. Field surveys were then undertaken of the site using methodology that complies with English Nature guidelines. This consisted of laying out of artificial refugia (squares of roofing felt or corrugated iron) within the site and then checking them on at least 7 occasions for evidence of reptile populations. In addition to checking the artificial refugia, suitable basking habitat elsewhere within the site was also checked. The survey found no reptiles within the site. However the submitted ecological report comments that a negative result does not necessarily indicate an absence of species. It is considered that reptiles may be present in low number within the site. The report concludes that the proposed development it is unlikely to have any significant impact on possible local populations of reptiles.

- 6.76 The bat survey carried out revealed that there is moderate-low activity within the site. The majority of the activity (foraging and commuting) that was evident was associated with the trees and scrub around the site. No bat roosts were found within the survey area. The submitted ecological report concludes that as the tree and scrub will be retained around the site of the proposed hotel, the development will not have a direct impact upon the favoured foraging habitat for bats in this locality. The survey methodology undertaken complies with the guidance provided by Natural England.
- 6.77 In light of the above, the proposed development is considered to be acceptable in terms of its impact upon protected species and complies with policy NE 3 of the MDE-DPD and no mitigation/enhancement is considered to be required in this instance.
- 6.78 It is noted that KCC Archaeology has requested that the decision of this application be guided by a Historic Landscape Assessment. However, whilst the fields in the vicinity of the golf club may not have changed much since the 19th Century, the landscape within the confines of the London Club was altered during the creation of the two golf courses, which also included the provision of the access road, buggy paths, buildings and the creation of several large ponds. There is, therefore, little, if any, historic landscape left within the grounds of the London Golf Club and the application has to be assessed in this context. The visual impact of the proposed development upon the wider landscape outside the grounds of the Golf Club has already been considered in this report.
- 6.79 I note the comments of the local residents regarding noise, smell and general disturbance arising from the proposed hotel development. However, the DHH has not raised an objection to the proposed development. The proposed hotel would be located over 100 metres to the north of the nearest dwelling houses and a wooded copse stands between the houses and the location of the proposed hotel. Vehicles accessing the hotel would do so from the west, away from the nearest dwelling houses (Bouts Cottages) via the existing access to the golf club that is located in Stansted Lane, close to its junction with the A20. Whilst some noise and general disturbance would occur from the operation of the proposed hotel, I do not consider that it would cause such detriment to the amenity of the local residents that would justify a recommendation to refuse planning permission. However, detailed consideration will need to be given to external lighting of the hotel and I would recommend the use of a condition requiring details of such to be submitted for assessment.
- 6.80 One local resident is also concerned with the impact on the outlook from his property. However, due to the distance between this particular property and the proposed hotel and given that a mature woodland stands between them, I do not consider the outlook from the neighbouring property would be significantly harmed by the proposed development.

- 6.81 Turning to highway issues, Kent Highway Services has raised no objections to the proposed development. The development would be accessed via the existing access serving the golf course, which is located on Stansted Lane, close to its junction with the A20. This provides direct access to the M20, M25 and M26 motorways. Whilst the existing entrance to the golf club can also be reached by driving along South Ash Road before turning into Stansted Lane, it is likely that the majority of traffic would access the site via the A20, before turning into Stansted Lane, as this is a much more direct and easier route to negotiate, particularly, when approaching the site from the M20, M25 or M26 motorways.
- 6.82 The proposed development would not require any physical alterations to be undertaken to the rural lanes in the vicinity of the hotel in order to make the proposal safe in terms of highway safety. In light of this and that the access to the golf club site is located close to the primary highway network, I do not consider that the proposal would detract from the value of the existing network of rural lanes in the locality.
- 6.83 I note the comments of Sevenoaks DC and some of the Parish Councils that no new access should be formed to the hotel site from South Ash Road and have requested the use of a condition to stop this from happening. However, as South Ash Road is classified (C22), the formation of an access to the site from this highway would need to be the subject of a planning application. Therefore, a condition controlling such work is not necessary in this instance.
- 6.84 The applicant has submitted an interim travel plan that includes targets for reducing single occupancy car journeys to and from the site by staff, increasing staff cycling to and from the site and facilitating no car movement within the site. The applicant considers that detailed figures for these targets and the timetables for implementing them cannot be undertaken at this stage, as a full survey of the staff will need to be undertaken, once the hotel is operational. The applicant has suggested that a full travel plan could be submitted within 3 months of the occupation of the hotel. A condition could be imposed upon a grant of planning permission to require a travel plan to be undertaken and implemented in line with the targets outlined in the travel plan submitted with this application. It is envisaged that a car share scheme for employees would be set up and the golf club will register with the KCC Kentjourney scheme and promote the service to all staff.
- 6.85 Bus routes do operate along the A20 between Swanley and Borough Green. However, the nearest bus stop to the site is located 470m south east of the junction of Stansted Lane and the entrance to the golf club. The walk from the nearest bus stop to the golf club house is, therefore over 2km. In light of this and given the nature of golf, it is unlikely that customers using the proposed hotel in connection with the golf course would arrive by public transport, or indeed most other guests. However with certain golf functions (such as corporate golf days) or events, the incidence of car sharing is higher, and with larger parties attending golf

or other functions, coaches are used to transport guests to and from the site. The proposed development has, therefore, been designed to accommodate coach parking as well as a dropping off/picking up zone in front of the hotel's entrance. Furthermore, moped and motorcycle parking is also to be provided in the underground parking area to encourage this mode of transport instead of car travel for staff. Secure cycling storage would also be provided as well as showering and locker facilities for hotel staff.

- 6.86 With regard to the issue of sustainable construction, policy CP 1 of the TMBCS requires proposals to minimise water and energy consumption having regard to the need for 10% of the energy requirements to be generated on site from alternative energy sources and the potential for recycling water. Policy CC1 of the MDE-DPD provides further advice on this issue. Due to the nature and size of the proposed development, Policy CC 1 states that the policy NRM 11(i) of the South East Plan will apply. This policy reiterates the requirement of policy CP 1 in that developments should secure at least 10% of their energy from decentralised and renewable or low-carbon sources.
- 6.87 In this case the initial BREEAM assessment that has been undertaken of this proposal demonstrates that it would achieve a rating of at least "Very Good". The assessment states that it is anticipated that a Sustainable Drainage System (SUDS) will be made use of. Grey water and surface water run off will be harvested and used to irrigate the golf course. Solar hot water systems and ground source heat pumps are also being considered to provide a sufficient proportion of the hotel's energy requirements to meet the adopted planning policies. The applicant has also stated that the hotel would be built to the highest standards of energy efficiency. A condition can be used to ensure that the development is carried out in such a way to meet current policy requirements concerning sustainable construction.
- 6.88 In concluding on the planning merits of the proposal, it is considered that the benefits of the proposed development outweigh the extent of its potential impacts, in policy and practical terms. Accordingly, the development as a whole is considered, on balance, to be acceptable. I therefore recommend that planning permission be granted, subject to the application being referred to the Secretary of State as the application is a Departure from established Green Belt Development Plan policies. I would also recommend a number of conditions to control and manage the development, some of which arise from matters raised through consultations and the detailed matters covered in this report. Finally, I am also recommending that a planning agreement be negotiated to secure investment in golf development programs and facilities.

7. Recommendation:

7.1 Grant Planning Permission in accordance with the following submitted details:

Design and Access Statement dated 15.12.2009, Report SEQUENTIAL ASSESSMENT dated 15.12.2009, Ecological Assessment dated 15.12.2009, Assessment SUSTAINABLE CONSTRUCTION dated 15.12.2009, Statement PLANNING dated 15.12.2009, Statement VERY SPECIAL CIRCUMSTANCES dated 15.12.2009, Archaeological Assessment dated 15.12.2009, Flood Risk Assessment dated 15.12.2009, Transport Assessment dated 15.12.2009, Travel Plan dated 15.12.2009, Assessment ECONOMIC IMPACT dated 15.12.2009, Assessment LANDSCAPE AND VISUAL AMENITY dated 15.12.2009, Assessment LANDSCAPE AND VISUAL AMENITY supplementary dated 12.03.2010, Supporting Statement SOLHEIM CUP dated 11.05.2010, Location Plan 991/P-100 PL2 dated 18.01.2010, Block Plan 991/P-101 PL2 dated 18.01.2010, Floor Plan 991/P-102 PL dated 15.12.2009, Floor Plan 991/P-103 PL dated 15.12.2009, Floor Plan 991/P-104 PL dated 15.12.2009, Floor Plan 991/P-105 PL dated 15.12.2009, Roof Plan 991/P-106 PL dated 15.12.2009, Floor Plan 991/P-110 PL dated 15.12.2009, Floor Plan 991/P-111 PL dated 15.12.2009, Floor Plan 991/P-112 PL dated 15.12.2009, Floor Plan 991/P-113 PL dated 15.12.2009, Roof Plan 991/P-114 PL dated 15.12.2009, Floor Plan 991/P-120 PL dated 15.12.2009, Floor Plan 991/P-121 PL dated 15.12.2009, Floor Plan 991/P-122 PL dated 15.12.2009, Floor Plan 991/P-123 PL dated 15.12.2009, Roof Plan 991/P-124 PL dated 15.12.2009, Floor Plan 991/P-130 PL dated 15.12.2009, Floor Plan 991/P-131 PL dated 15.12.2009, Floor Plan 991/P-132 PL dated 15.12.2009, Roof Plan 991/P-133 PL dated 15.12.2009, Floor Plan 991/P-140 PL dated 15.12.2009, Floor Plan 991/P-141 PL dated 15.12.2009, Floor Plan 991/P-142 PL dated 15.12.2009, Roof Plan 991/P-143 PL dated 15.12.2009, Floor Plan 991/P-150 PL dated 15.12.2009, Floor Plan 991/P-151 PL dated 15.12.2009, Roof Plan 991/P-152 PL dated 15.12.2009, Elevations 991/P-201 PL dated 15.12.2009, Elevations 991/P-202 PL dated 15.12.2009, Elevations 991/P-203 PL.1 dated 02.02.2010, Elevations 991/P-204 PL dated 02.02.2010, Elevations 991/P-205 PL dated 02.02.2010, Survey 991/P-002 PL dated 03.02.2010, Section 991/P-300 PL dated 03.02.2010, Elevations 991/P-200 PL dated 03.02.2010, Letter dated 18.05.2010, Letter dated 24.05.2010, Assessment ECONOMIC IMPACT dated 22.09.2010, Assessment FEASIBILITY dated 22.09.2010 and Letter dated 21.09.2010.

Subject to:

- Referral to the Secretary of State being a Departure from the Development Plan, and;
- The applicant entering into an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure investment in public golf development and facilities, and:

- The following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission. (Z013)

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

- 2 No development shall take place until details and samples of all materials to be used externally have been submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details. (D001)

Reason: To ensure that the development does not harm the character and appearance of the existing building or the visual amenity of the locality.

- 3 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping and boundary treatment, which shall include details of the surfacing material(s) to be used in the construction of the access road. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species, unless the Authority gives written consent to any variation. Any boundary fences or walls or similar structures as may be approved shall be erected before first occupation of the building to which they relate.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

- 4 The use shall not be commenced, nor the premises occupied, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space. (P004)

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking.

- 5 The use shall not be commenced, nor the premises occupied, until the area shown on the approved plan as loading and off-loading and turning space has been surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country

Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order) shall be carried out on that area of land or in such a position as to preclude its use. (P006)

Reason: Development without provision of adequate accommodation for the parking, loading, off-loading and turning of vehicles is likely to lead to hazardous conditions in the public highway.

- 6 The development hereby approved shall be built at the levels specified on drawing nos. 991/P-201 Rev PL, 991/P-202 Rev PL, 991/P-203 Rev PL.1, 991/P-204 Rev PL, 991/P-205 Rev PL, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not harm the visual amenity of the locality.

- 7 No development shall take place within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (including a timetable for such investigation) which has been submitted by the applicant and approved by the Local Planning Authority. (C002)

Reason: In the interests of archaeological research.

- 8 No development shall be commenced until:

(a) a site investigation has been undertaken to determine the nature and extent of any contamination, and

(b) the results of the investigation, together with an assessment by a competent person and details of a scheme to contain, treat or remove any contamination, as appropriate, have been submitted to and approved by the Local Planning Authority. The assessment and scheme shall have regard to the need to ensure that contaminants do not escape from the site to cause air and water pollution or pollution of adjoining land.

The scheme submitted pursuant to (b) shall include details of arrangements for responding to any discovery of unforeseen contamination during the undertaking of the development hereby permitted. Such arrangements shall include a requirement to notify the Local Planning Authority of the presence of any such unforeseen contamination.

Prior to the first occupation of the development or any part of the development hereby permitted

(c) the approved remediation scheme shall be fully implemented insofar as it relates to that part of the development which is to be occupied, and

(d) a Certificate shall be provided to the Local Planning Authority by a responsible person stating that remediation has been completed and the site is suitable for the permitted end use.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: In the interests of amenity and public safety. (N015)

- 9 No development shall take place until details of a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details. (D008)

Reason: In order to protect the quality of controlled waters in accordance with policy CP 1 of the Tonbridge and Malling Borough Core Strategy 2007.

- 10 Prior to the commencement of development, details of a scheme to demonstrate that the development hereby approved will incorporate appropriate measures to contribute to a sustainable environment and which achieves a "Very Good" rating on the BREEAM standards (or any national measure of sustainability for non-residential development that replaces that scheme) shall be submitted to the Local Planning Authority for approval. The scheme shall include measures to minimise waste generation, and to minimise water and energy consumption, having regard to the need for 10% of energy consumption requirements to be generated on-site from alternative energy sources and the potential for recycling water. The building shall not be occupied until the approved scheme has been implemented and a final certificate has been submitted to the local planning authority certifying that a BREEAM "very good" rating has been achieved in respect of this development.

Reason: In order to comply with policy CC1 of the Tonbridge and Malling Managing Development and the Environment Development Plan Document 2010.

- 11 Within three calendar months of the commencement of the use of the hotel, a Travel Plan shall be submitted in writing to and for the approval of the Local Planning Authority. The Travel plan will include details of specific targets to achieve, the timetable for achieving those targets and details of the ongoing monitoring and review of the Travel Plan's targets. The Travel Plan so approved shall be implemented within 3 calendar months of its approval and its requirements shall be maintained at all times thereafter.

Reason: In order to comply with policy CP 2 of the Tonbridge and Malling Borough Core Strategy 2007.

- 12 No development shall take place until details of external lighting have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details. (D008)

Reason: To ensure that the development does not harm the visual amenity of the locality in accordance with policy CP 24 of the Tonbridge and Malling Borough Core Strategy 2007 and policy SQ 1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document.

- 13 No development shall take place until details of foul water drainage have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details. (D008)

Reason: In order to prevent pollution of ground or other controlled waters in accordance with policy CP 1 of the Tonbridge and Malling Borough Core Strategy 2007.

- 14 None of the buildings hereby permitted shall be occupied until underground ducts have been installed by the developer to enable telephone, electricity and communal telephone services to be connected to any premises within the site without recourse to the erection of distribution poles and overhead lines and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order), no distribution pole or overhead line shall be erected within the area except with the express written consent of the Local Planning Authority. (E008)

Reason: In the interests of visual amenity in accordance with policy CP 24 of the Tonbridge and Malling Borough Core Strategy 2007 and policy SQ 1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document.

Informatives

- 1 The proposed development is within a road which has a formal street numbering scheme and it will be necessary for the Council to allocate number(s) to the new property/ies. To discuss the allocation of numbers you are asked to write to the Chief Solicitor, Tonbridge and Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ or telephone Trevor Bowen, Principal Legal Officer, on 01732 876039. To avoid difficulties, you are advised to do this as soon as possible and, in any event, not less than one month before the new properties are ready for occupation. (Q050)

- 2 The applicant is advised that the written approval of the Environment Agency is required under the Water Resources Act 1991 for any discharge of sewage or trade effluent into controlled waters and may be required for any discharge of sewage or trade effluent from buildings or fixed plant into or onto the ground or into waters that are not controlled waters. For further advice, the applicant is advised to contact the Environment Agency at: Permitting Support Centre, PO Box 4209, Sheffield, S99BS or by telephone: 08708 506506.
- 3 The applicant is advised that the use of more than one type of roof material for the pitched roof elements of the approved building may be acceptable.

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