

**Stansted  
Downs**

**559573 163119 1 May 2012**

**TM/12/01290/FL**

**Proposal:** Diverted access road to permitted hotel on land to the west of South Ash Road. The relocation of the existing driving range on land to the east of South Ash Road. A European Tour Performance Institute(ETPI) driving range building. A 9 hole golf course created utilising the cut from the hotel development. Chipping area and putting green. An underpass under South Ash Road. Areas of hard standing including car parking and access road. Diverted public rights of way. Associated reservoir and landscaping

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

**Applicant:** London Golf Club

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## **1. Description:**

- 1.1 The application site is in two sections, separated by a highway. This highway is referred to as Ash Lane and, further to the north, as South Ash Road. For the avoidance of doubt, this report will refer to this highway as Ash Lane/South Ash Road.
- 1.2 The development proposed comprises a number of different elements, which I will address in turn.
- 1.3 It is proposed to provide a diverted access road to both the permitted hotel on the land located to the west of Ash Lane/South Ash Road, and to land on the eastern side of Ash Lane/South Ash Road. The 5.3m wide vehicular access to the hotel would run along the northern edge of the existing driving range before skirting around its eastern edge. At the point where this access would turn south (i.e. to skirt around the eastern edge of the driving range), there would be located a turning to the east towards an underpass under Ash Lane/South Ash Road. This access would be 5.3m in width with a dedicated 2.0m footway and would lead through the underpass to a car park and driving range building (please see below). The application proposes the felling of a number of trees located on the western boundary of the land to the east of Ash Lane/South Ash Road and within a belt which runs from west to east across this part of the site, in order to facilitate the construction of the underpass and access. These trees are covered by a group TPO.
- 1.4 It is proposed to use a phased approach to the construction of the underpass, including temporarily diverting Ash Lane/South Ash Road through the land to the east of Ash Lane/South Ash Road during the period of construction of the underpass.

- 1.5 The driving range building as proposed would be located immediately to the north of the belt of trees which runs across the part of the site to the east of Ash Lane/South Ash Road. It would comprise a set of 10 driving range bays of 3.8m maximum height, located either side of a central building containing rooms used for coaching and analysis of golf technique. This building would be between 3.4 and 4.8m in height. To the south of the driving range building would be located a car park for 32 vehicles together with golf buggy and cycle parking. The submitted plans do not indicate that it is proposed to light the car park.
- 1.6 The land to the north of the golf driving range building is proposed to be used as a non-floodlit golf driving range, with a chipping practice area located to the east of this (towards the eastern boundary of the application site). A 9 hole golf course is proposed on land to the east of Ash Lane/South Ash Road, within the area to the south of the aforementioned belt of trees. It is proposed that this would be constructed using material excavated in the course of constructing the permitted hotel, to be transported across Ash Lane/South Ash Road using a signalised plant crossing.
- 1.7 The information provided indicates that the alterations to the levels proposed in the formation of the 9 hole golf course and driving range will involve relatively localised alterations to the levels of land of between approximately 0.5 – 2m in order to create the fairways, tees, greens, bunkers and other features. The information as provided suggests that the levels of the more westerly parts of the site towards Ash Lane/South Ash Road will remain unaffected.
- 1.8 The application also seeks consent for:
- the diversion of the PROW which crosses the site;
  - the provision of a reservoir;
  - the installation of a comprehensive surface water drainage system comprising a series of below ground drainage pipes located underneath the driving range and 9 hole course, linked to the existing irrigation system which operates at the London Golf Club.
- 1.9 The application details that the driving range and 9 hole golf course would be operated as a complementary facility to the two existing 18 hole golf courses: as such it would be a managed open facility available to Members and not a public facility, although short term membership (12 – 18 months) solely for use of these facilities would be provided.
- 1.10 The application also details that on the occasions of major tournaments, parking would be provided on the proposed 9-hole golf course and additionally on the existing driving range (i.e. adjacent to the proposed diverted access route to the permitted hotel).

**2. Reason for reporting to Committee:**

2.1 As the application is locally controversial.

**3. The Site:**

3.1 The part of the site located on the western side of Ash Lane/South Ash Road is presently used as a driving range.

3.2 The land on the eastern side of the highway comprises two fields, used for the grazing of sheep. Mature vegetation is situated on a number of the boundaries of the site, and a belt of mature trees runs from east to west across the part of the site located to the east of Ash Lane/South Ash Road. This belt is subject to a TPO, and there are other TPO'd trees located within the boundaries.

3.3 The land slopes downhill from the southern boundary of the land to the east of Ash Lane/South Ash Road towards the north, with a change in levels of approximately 10m between the boundary and the northern extent of the copse immediately adjacent to the site. The section of the site between this point and the belt of trees which runs from west-to-east (immediately to the north of the proposed position of the underpass) is somewhat flatter, although it slopes relatively steeply downhill within the north eastern corner. The land to the north of the belt of trees slopes generally uphill from west to east, with a change in levels of approximately 7.5m.

3.4 The site is within the MGB, and sits at the top of the North Downs within a rolling landscape, largely characterised by open grazed fields enclosed by traditional hedges and peppered with copses and small areas of woodland.

3.5 The majority of the London Golf Club is located in Sevenoaks District, although all of the land subject to development now proposed is within Tonbridge and Malling Borough.

3.6 The submitted FRA indicates that the site falls within Flood Zone 1.

3.7 The ecological scoping survey submitted as part of application identifies the following:

- the hedgerows and woodland on site provide good habitat for nesting birds and the potential for bat roosting and foraging;
- the site may be used for foraging by barn owls but there are no suitable nesting sites;
- Dormice and reptiles are unlikely to be present on the site;
- an active badger sett is located in an existing tree belt. Fencing and signage is proposed to try to prevent people and dogs from straying from the footpath located in the vicinity of the badger sett;

- Common toads are likely to be present at the site;
- the impact on protected invertebrates is expected to be low;
- survey work of potential nearby water bodies either did not find that great crested newts were present or found that the water bodies had dried out.

#### 4. Planning History:

TM/00/00634/LB Grant 11 December 2000

Listed Building Application: partial demolition of chimney no.3 to a safe level and rebuild as existing using new and salvaged bricks

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/90/10176/FUL 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/90/10407/FUL Refuse 28 September 1990

Creation of vehicular access.

TM/90/10571/OUT 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/90/10705/FUL 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/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/09/03149/FL Approved 9 June 2011

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

TM/09/03251/A10 Application Not 15 January 2010  
Proceeded With

Article 10 Consultation by Sevenoaks District Council for 130 bed hotel plus spa,  
20 staff bedrooms, ancillary restaurant and conference facilities, ballroom and  
health spa with associated parking and landscaping

TM/10/00789/FL Application Withdrawn

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

TM/11/03455/RD Pending Consideration

Details submitted pursuant to condition 7 (archaeology); 8 (contamination); 9  
(surface water); 10 (scheme of sustainable measures and achievement of  
BREEAM "very good" standard) and 13 (foul water) of planning permission  
TM/09/03149/FL: 130 bedroom hotel plus spa, 20 staff bedrooms, ancillary  
restaurant and conference facilities, ballroom and health spa and associated  
parking and landscaping

TM/12/00004/FL Pending Consideration

Variation of condition 10 of planning approval TM/09/03149/FL (130 bed hotel plus spa, 20 staff bedrooms, ancillary restaurant and conference facilities, ballroom and health spa and associated parking and landscaping) to alter the timing of submission of the final certification regarding the achievement of a BREEAM "very good" rating from prior to first occupation of the hotel to within 12 months of the first occupation of the hotel.

TM/12/00324/RD Approved 4 July 2012

Details submitted pursuant to conditions 3 (soft landscaping); and 12 (lighting) of planning permission TM/09/03149/FL: 130 bedroom hotel plus spa, 20 staff bedrooms, ancillary restaurant and conference facilities, ballroom and health spa and associated parking and landscaping

TM/12/00497/FL Pending Consideration

Variation of condition 2 of planning approval TM/09/03149/FL (130 bed hotel plus spa, 20 staff bedrooms, ancillary restaurant and conference facilities, ballroom and health spa and associated parking and landscaping) to alter the timing of submission of details of external materials from prior to the commencement of any development to prior to the commencement of the construction of the hotel building

TM/12/01399/EASC screening opinion EIA 12 July 2012  
not required

Request for Screening Opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 for: a diverted access road to a permitted hotel on land to the west of South Ash Road; the relocation of the existing driving range on land to the east of South Ash Road; a European Tour Performance Institute (ETPI) driving range building; a 9 hole golf course created utilising the cut from the hotel development; an underpass under South Ash Road; areas of hardsurfacing including roadway and car parking; diverted public rights of way; and associated reservoir and landscaping

## **5. Consultees:**

### **5.1 Stansted PC:**

"Stansted Parish Council objects strongly to this application.

The site is in the metropolitan green belt, where there is a presumption against development. The Parish Council considers that no need for development has been demonstrated. The principles of the green belt have been upheld in the latest planning legislation.

The Parish Council questions the necessity for this proposed development, especially the driving range, associated building and car park. The Club already has a driving range. If the existing driving range building is unsuitable, could it not be re-constructed or moved to an alternative position? There are adequate car parks already, which could be used and golfers with their buggies would be able to access the 9 hole course by means of the planned underpass. In the view of the Parish Council, even if permission was given for a 9 hole course, these elements of the proposal are unnecessarily duplicating existing facilities.

The site is currently largely open farmland. The application states that it is grade 3b but in actual fact a part of it is grade 3a. It is used for grazing and hay. The latter especially supports the local equestrian economy. The proposed development would contribute little local employment, if any.

The houses which overlook the site have a view over this open countryside. Although there is no right to a view, the residents will experience loss of their amenity should the golf course, associated building and car park be built. The application mentions screening but this takes some time to grow and in any case their outlook of open countryside would be lost. It is proposed to contour the landscape for the 9 hole course, which will alter the character of the land.

The building and car park would be intrusive in the landscape. The built elements of the application are close to South Ash Manor, a sixteenth century listed building. The buildings and car park of the existing 18 hole golf courses on the west side of South Ash Road (largely within Sevenoaks District Council's area) are invisible to passers by, as these were built well within the site, in a natural dip in the landscape. Consideration at the time was also given to the relative positions of the Manor House and adjoining cottages.

The applicant hopes that an additional course would attract additional club membership. This in itself would attract additional traffic. Although the main entrance in Stansted Lane would remain the access for members, it is felt extra traffic would be generated in South Ash Road, as it is the main approach to the London Golf Club for people coming from the local areas to the north. Parish councillors are concerned about the re-siting of the approach road to the proposed hotel, which has planning consent but which has not yet been built. It questions why the siting of the road under this application was not incorporated into the application for the hotel in the first place. The Parish Council feels that to site the access road so close to South Ash Road will be distracting to motorists using South Ash Road, especially at night. Headlights would be glimpsed through the hedges, causing confusion and possibly accidents.

There is concern over the public right of way. Moving it would impact on the adjoining farmland and would possibly encourage people to stray onto this land. Planting on the bridleway would not be enough to protect users and again this would close in the open nature of the land.



Although the application must be considered on its own merit as submitted, there is concern that even though lighting is not incorporated into this application, granting of permission and subsequent construction might lead to a further application for lighting to maximise the use of the driving range in winter. There is also concern that should the golf course fail, as has happened elsewhere, the land would then be considered as brownfield and would be open to other forms of development.

The Parish Council supports the views of other agencies that there would be no improvement in bio-diversity.

The site is close to a historic flying field from WWII.

An application for an 18 hole pay and play course on the same site was submitted in 1995 and was eventually withdrawn. There were many objections, including Sevenoaks District Council, Stansted, Ash-cum-Ridley and West Kingsdown Parish Councils and many local residents.

In the view of the Parish Council, nothing that could be offered by the applicant could compensate for loss of the green belt on this sensitive site”.

#### 5.2 Sevenoaks District Council:

“No objections in principle are raised to this scheme providing officers are happy that the design, location and scale of the proposed driving range would not cause greater harm to the character and openness of the MGB than the facilities it replaces. I would also wish to draw attention to the comments of Hartley PC in respect of the Section 106 Agreement”.

#### 5.3 Hartley PC:

“Hartley Parish Council has recently been consulted on the above application and has no objection to the application although it would like to see the existing Section 106 Agreement in relation to the hotel development (community benefits offering use of the facilities to juniors), extended to cover the whole local area. In addition to this, the Council would like to express its disappointment that no agreement has been reached to improve South Ash Road”.

#### 5.4 West Kingsdown PC:

“The site is on open land in the green belt. The application seeks to extend golfing activities, including a driving range building on to a new site on the Stansted side of South Ash Road.

PC has always objected to developments in the green belt that contain buildings.

Recommendation: PC should object as follows:-

The Parish Council objects to the proposal on the grounds that it conflicts with green belt policies, particularly openness which is a key feature of the landscape in this location.

The proposal is not sustainable. Bearing in mind the very limited bus service, employees will have to travel to work by car”.

#### 5.5 Ash-Cum-Ridley PC:

“The prospect of the proposed extension of golf development on the land adjacent to South Ash is most depressing for us and for all the local people to whom we have spoken.

To us it feels like urbanisation, not just of the Green Belt, but of such an attractive and rural area - such a rarity as the influence of SE London is being increasingly felt.

Perhaps, with a detailed knowledge and understanding of planning rules and policies, many proposed developments can find some basis for justification. But surely planning decisions should also reflect the emotions and feelings of local people seeking to protect priceless local assets - in this case an increasingly rare and beautiful piece of traditional rural English countryside, which, when gone, will disappear forever.

Please make a decision on this application which takes an enlightened long-term view and which also takes account of heart as well as head”.

#### 5.6 KCC Highways:

“From reading the TA it is evident that this proposal is an additional ancillary facility to the London Golf Club. It is not intended that this will be a pay and play service attracting a wider 'audience' and the 9 hole course and swing coaching schools will be available to members only. This aspect can be conditioned. It is not expected that membership will increase by more than 100 as result of these enhanced facilities and additional morning peak hour trip attractions are expected to be of the order of 15 trips (11 arrivals and 4 departures). It is evident that any increases in traffic movement will be of very low significance in terms of the capacities of nearby junctions (Table 6-2, page 22 of the TA); namely the London Golf Club access and the A20/Stansted Lane junction. In summary I do not consider that there are any grounds to recommend a refusal to this proposal with respect to day to day traffic impact matters. The management of major events at the London Golf Club will be largely unchanged by these proposals.

If approved the biggest involvement with the highway authority will be the proposed underpass to South Ash Road. This work will require legal

agreements to establish design checking and traffic management cost procedures, work methodologies, public liability issues, bonds against bankruptcy, extents of final ownership and future maintenance costs and if required management procedures. Whilst the applicant and the applicant's agents have shown a high level of design and procedural thought that has already been put into this aspect of the proposal, giving confidence to the commitment and ability to provide this feature; the applicant will need to formally approach the Highway Authority to obtain the necessary legal agreements and permissions to undertake the work. If this application is approved the planning authority may wish to condition that the final appearance of the rebuilt sections of South Ash Road are established to its satisfaction".

5.7 KCC PROW Officer: "It has been mentioned in the application to divert the paths under the Town and Country Planning Act, and I will therefore have no objection to this application".

5.8 EA:

"We have no objection to the proposal provided that the conditions within this letter are imposed on any planning permission granted:

Condition: No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved by the Local Planning Authority.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

Full details of the proposed surface water system should be submitted at the detailed design stage in order to discharge the condition recommended below. The reservoir should be suitably sized; we recommend that storage is provided to accommodate the 1 in 100 year storm 20% climate change event. However the details are unclear on the capacity on the newly proposed reservoir and calculations on how they propose to successfully fill it i.e will the measures outlined in the sustainability statement mean no water will be drawn upon from public water supplies or raw water direct from groundwater sources? It would be useful to see if the newly created reservoir meets the existing and future water demands of the golf course's requirements. We note that there is a tendency for a "low spot" at Ash Lane to flood during intense rainfall events. This should be alleviated where possible. The provision of a cut off drain will alleviate flooding along the length of the road but it is understood that the flow will be directed north to the low point where there are known problems. Infrastructure within this area should be oversized where possible to provide storage and reduce the risk of flooding here.

Further, the Darent catchment is assessed as heavily 'over abstracted'\* and 'over licensed'\* therefore we fully support and encourage the wide ranging steps and

investment taken by the applicant to incorporate sustainable abstractions into their business, minimising the impact on the water environment, especially; the rainwater harvesting schemes, winter water storage reservoir, collection & treatment for reuse of water from surrounding road networks and to hold and recycle greywater.

For information \*Over abstracted - Existing abstraction is causing unacceptable environmental impact at low flows. \*Over licensed - Current actual abstraction is resulting in no water available at low flows and has the potential to cause unacceptable environmental impact”.

#### 5.9 KCC Archaeology:

“The site lies within an area which contains some evidence for human activity from the early prehistoric period onwards. Several early prehistoric flints have been identified in this site and associated remains may be located. The application is supported by an Archaeological Deskbased Assessment by CgMs and formal archaeological investigations have taken place within other areas of the Golf Club recently by Canterbury Archaeological Trust.

There seems to be a degree of historic landscape surviving on this eastern side, with an area of shaws and field boundaries which are partly identifiable on the OS Field Drawings (c.1800). These field boundaries could be of some antiquity and may be associated with South Ash Manor. It would be preferable to retain these boundaries in full. I recommend that the applicant reviews their proposals and considers ways in which they can retain these historic landscape boundaries (shaws and hedgerows).

On the basis of present information held on the HER I suggest there is potential for archaeological remains and a formal programme of archaeological investigation and recording would be appropriate. I recommend the following conditions are placed on any forthcoming consent:

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic landscape recording work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of historic landscape interest are properly examined and recorded”.

#### 5.10 Natural England:

“Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England does not object in principle to the proposed development. On the basis of the additional information on bats we have received, our advice is that the proposed development would be unlikely to affect a European Protected Species.

However, we would expect to see more specific detail on the proposals within the Biodiversity Mitigation and Enhancement plan to provide confidence that biodiversity mitigation and enhancements across the site has been fully addressed. Habitats will need to be robust in order to adjust to the increased activity that would result from a change of use to a golf course. In addition no management plan to address biodiversity and the environment during both the construction and operating phases across the golf course has been submitted.

This proposal presents the opportunity to incorporate features into the design which are beneficial to wildlife such as the incorporation of roosting opportunities for bats, the installation of bird nest boxes or the use of native species in the landscape planting, wildflower meadow mixtures in the rough grass.

We recommend that should the Council be minded to grant planning permission, implementations of measures to enhance the biodiversity of the site are secured from the applicant. This is in accordance with Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'. Biodiversity 2020: A strategy for England's wildlife and ecosystem services and Making Space for Nature (2010) also provide strong drivers for the inclusion of biodiversity enhancements through the planning process".

#### 5.11 Kent Wildlife Trust:

"I welcome the precautionary mitigation and broad enhancement proposals contained in the Mitigation and Enhancement Report (2265/05) and Bat Survey Report (2265/R06). They certainly provide the basis of a satisfactory biodiversity enhancement strategy. Many of the recommendations find expression in the landscape planting drawings. However, I've been unable to uncover any land management objectives and prescriptions for the on-going monitoring and maintenance of biodiversity assets.

In conclusion, I'm prepared to withdraw the Trust's holding objection and raise no objection to the grant of planning permission, subject to the imposition of conditions and/or legal agreements to secure:

- implementation of the ecological and landscape prescriptions contained in the submitted statements and drawings;

- the submission, for subsequent approval, of a landscape management and maintenance regime demonstrating how biodiversity enhancement objectives for the site will be secured over the long term”.

5.12 Kent Downs AONB Unit:

“We support the views of Natural England and recommend that you refer to the KDAONB Management Plan and Landscaper Design Handbook as this is so close to the boundary of the AONB. There are limited views out from the AONB over the site so our observations are limited to the impact of the proposal on the landscape of the setting. There is already considerable deleterious landscape impact from the existing Golf Course and we would advise that in the event of further planning permission being granted limited changes in land contouring and indigenous species only are used for planting. The introduction of ‘hazards’ such as ponds should also be carefully designed to maximise biodiversity opportunities. (The KDAONB Management Plan Biodiversity policies would apply if it was within the KDAONB)”.

5.13 DHH: No objections.

5.14 Private Reps including Site and Press Notices (27/0X/16R/2S):

- 2 letters have been received supporting the proposal from The European Tour, on the grounds that it would provide improved sporting facilities and strengthen the venue’s ability to host international events;
- 16 letters have been received objecting to the proposal on the following grounds:
  - harm to the character of the area;
  - potential for light pollution;
  - contrary to MGB policy;
  - insufficient VSCs;
  - danger to users of PROWs;
  - harm to bio-diversity;
  - loss of agricultural land;
- 1 of the letters of objection is from the London Green Belt Council which objected on grounds of harm to the MGB;
- a petition with 102 signatures objecting to the proposal has also been received.

## **6. Determining Issues:**

6.1 The most relevant planning policy framework against which the proposal falls to be addressed includes the following policies within the NPPF and the adopted Development Plan:

- NPPF:
  - General principles regarding sustainable development and the presumption in favour of sustainable development (paragraphs 1 – 14);
  - Core planning principles (paragraph 17);
  - Decision taking in the determination of planning applications (186, 187, 196, 197 and 203 – 206);
  - 28 (prosperous rural economies), 32 and 35 (highway safety and parking), 56 – 66 (design), 73 (opportunities for sport and recreation) 79, 80, 87 – 90 (all MGB), 109, 113, 114, 117 and 118 (biodiversity and pollution), 112 (use of agricultural land) and 141 (impact on heritage assets).
- TMB CS: Policies CP1, CP3, CP9, CP14 and CP24;
- TMB MDE DPD: Policies SQ1, NE2, NE3, DC5 and SQ8.

6.2 As set out in Section 1.0 to this report, the proposed development comprises several key components, including:

- the undertaking of extensive engineering operations to:
  - alter the levels of the land to create the driving range and 9 hole golf course;
  - provide the underpass underneath Ash Lane/South Ash Road to link the existing golf course site with the field to the east of this highway;
- the construction of a new building;
- the change in the use of land from agricultural to that of a 9 hole golf course and driving range.

6.3 MGB, and to a lesser extent designated countryside policy, varies in respect of the different component parts of the proposal. The following section therefore assesses the different elements of the proposal against MGB and countryside policy, before reaching a conclusion in respect of the overall compliance with these policies.

MGB

- 6.4 TMBCS Policy CP3 sets out that national MGB policy will be applied to those parts of the Borough designated as such. Paragraph 90 of the NPPF details that engineering operations are not inappropriate development provided they preserve the openness of the MGB and do not conflict with the five stated purposes of including land in the Green Belt, which are set out at paragraph 80 of the NPPF and include assisting “in safeguarding the countryside from encroachment”. The paragraph does not address whether material changes in the use of land are appropriate development or not. Paragraph 81 details that once MGBs have been defined LPAs should plan positively to enhance the beneficial use of the MGB, for example through looking to provide opportunities for outdoor sport and recreation.
- 6.5 The engineering operations which are proposed in respect of the creation of the access road to the hotel and the underpass beneath Ash Lane/South Ash Road, which include lowering the levels of land by up to 7m, the provision of relatively steep (1 in 3) engineered slopes and the construction of retaining walls and elevated highway will, in my opinion, conflict with the stated purpose of safeguarding the countryside from encroachment. As such, although care has been taken in the design of underpass through minimising the size of the retaining walls and the use of soft landscaping to the slopes, I consider that the engineering operations involved in the provision of the underpass would comprise inappropriate development within the MGB: paragraph 87 of the NPPF states that inappropriate development is by definition harmful to the MGB and should not be approved except in Very Special Circumstances [“VSC”].
- 6.6 In terms of the actual harm caused to the openness of the MGB as a result of these particular engineering operations (including the formation of retaining walls), any impact will, in my opinion, be relatively localised in visual terms and will largely be below the existing levels of the land (as a result of the excavation required in order to facilitate its construction). As a result of this, I consider that the degree of actual harm which would arise as a result of the engineering operations to the openness of the MGB is relatively localised and modest.
- 6.7 The applicants have estimated that the engineering operations involved in the provision of the 9 hole golf course and driving range will involve the deposition of 24,000 cubic m of material to the part of the site to the east of Ash Lane/South Ash Road, with the information provided as part of the application indicating relatively localised alterations to the existing levels of land of between 0.5 to approximately 2m in order to create the features associated with the 9 hole course and driving range. Although this is a considerable amount of material to be deposited at the site and there will be localised changes to topography, I am of the opinion that these engineering operations will not conflict with the purposes of including land in the MGB as set out at Paragraph 80 of the NPPF, including in assisting in safeguarding the countryside from encroachment.



- 6.8 Paragraph 89 of the NPPF details that the erection of new buildings which comprise “appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the MGB and does not conflict with the purposes of including land within it” are one of the exceptions to the stated policy that the construction of new buildings in the MGB is inappropriate. I am of the opinion that a building to be used to provide bays from which golfers can drive balls, together with associated analysis rooms and ancillary office, maintenance and changing facilities can be considered to be appropriate for outdoor sport. Although I would not normally expect the extent of facilities as proposed within this particular building, especially the rooms indicated for “physical training” and “therapy diagnostic”, to be provided at the majority of golf courses or driving ranges, having regard to the nature of the London Golf Club I consider that these facilities can be considered to be appropriate in this instance.
- 6.9 I will address the design of the proposed driving range building in further detail in subsequent sections of this Report, although in summary care has been taken to design and site the building in order to minimise its impact on the MGB. It is my conclusion that the building as proposed, together with the associated car parking, will preserve the openness of the MGB and does not conflict with the purposes of including land within it.
- 6.10 I consider that the proposal, when assessed as a whole, will comprise inappropriate development within the MGB, predominantly as a result of the engineering operations associated with the provision of the underpass beneath Ash Lane/South Ash Road. As such, the proposal is by definition harmful to the MGB. However, I consider that the actual degree of harm caused to openness is modest, and the proposal will largely serve to preserve the openness of the MGB and conform with the purposes of including land within it.
- 6.11 Nevertheless, in accordance with paragraph 87 and 88 of the NPPF, given my conclusions that the proposal is inappropriate development and will cause modest harm to openness, it is necessary to assess whether there are VSC which clearly outweigh the degree of harm caused to the openness of the MGB, and indeed any other harm.
- 6.12 The applicants have put forward a detailed case of VSC, as summarised below:
- the existing golf driving range facilities are orientated such that they face the prevailing wind and sun;
  - the existing driving range, putting and chipping facilities are of a poor quality and do not equate with the facilities provided at other golf courses which are considered to be of comparable quality and standing as the London Golf Club;
  - the proposed facilities will be “exceptional” in terms of providing overall improvement to an individual’s golf game;

- the proposed facilities will be unique in comparison to other golf clubs within the UK;
- this proposal will be likely to increase membership of the London Golf Club and the chances of the Club hosting international golf events, which may provide further benefits to the wider area and region;
- through the existing Section 106 Agreement which has been signed as part of planning permission TM/09/03149/FL the improved facilities will be available to juniors at Poulton Wood Golf Club.

6.13 A number of the points put forward by the applicants as VSC in support of this application echo those propounded in respect of the planning application for the new hotel under reference TM/09/03149/FL, particularly in respect of the improved chances of hosting international golf events and the consequent benefits which this may provide to the wider area. However, despite this, I consider that the benefits which are likely to arise as a result of the development, particularly in respect of the opportunity for the wider community to practice golf, will clearly outweigh the modest level of harm to the openness of the MGB: the facilities would be suitable for use by those who are not experienced enough to utilise the 18 hole courses, and the Golf Club has indicated that specific memberships will be offered for the 9 hole course and practice facilities, in addition to the arrangements under the Section 106 Agreement associated with the hotel permission.

6.14 Accordingly, I am of the opinion that the proposal will accord with TMBCS Policy CP3 and the relevant national planning policy as set out in the NPPF.

Designated countryside policy

6.15 TMBCS Policy CP14 states that development in the countryside will be restricted to that detailed in that policy, including “predominantly open recreation uses together with associated essential built infrastructure”. The proposed use of the site for a driving range and 9 hole golf course will be a predominantly open recreational use and, for the reasons detailed above, I am of the opinion that the proposed building, access road and associated engineering operations can be considered to comprise associated essential built infrastructure. For these reasons, it is my opinion that the proposal conforms with adopted designated countryside policy.

Loss of agricultural land

- 6.16 TMBCS Policy CP9 states that development of the best and most versatile agricultural land (DEFRA Grades 1, 2 and 3a) will not be proposed in the LDF unless there is an overriding need for that development. Paragraph 112 of the NPPF states:

“Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality”.

- 6.17 The application includes an Agricultural Land Classification report dated November 1995 which, it states, was used by the Ministry of Agriculture, Fisheries and Food in its assessment of agricultural land. This report identifies that the majority of the application site is classified as Defra Grade 3b, with only a relatively small section (which broadly corresponds with the extent of the proposed Hole 3 on the 9 hole course) to be sub-Grade 3a. Accordingly, as the proposal accords with TMBCS Policy CP3 over the vast majority of the site, I do not consider that this would amount to a reason to refuse planning permission for the proposal.

Design of building and impact of proposal on the character of the area

- 6.18 The application is accompanied by a comprehensive Landscape and Visual Impact Assessment. This identifies that, due to the topography and mature vegetation features and belts of the application site and surrounding area, longer distances vistas of the site are limited, but it is visible from a number of locations within the immediate vicinity, including from PROWs which cross and bound the site to the east, from the immediate surrounding highway network and from some residences. Case Officers have walked and driven the surrounding PROW and highway network and concur with the conclusions as to the where the site is visible from.
- 6.19 My assessment of these material considerations focuses firstly on the impact of the development within the vicinity of the proposed underpass, access road, parking area and golf driving range building where the majority of the engineering and construction work would be concentrated (as is the majority of the proposed tree removal) before assessing the visual impact of the works proposed in terms of the development as a whole.
- 6.20 The application is accompanied by a comprehensive Arboricultural Assessment. It is proposed to remove 33 trees within the existing area of woodland near the western boundary with Ash Lane/South Ash Road (including two sizeable oak standard trees) and a further 14 trees (8 no. hawthorn, 2 no. hazel and 4 no. ash) within the belt of trees which runs across the site from east to west. Of these trees, the Assessment has categorised that the majority are in such a structural

condition that they would (in the absence of any management intervention) be lost within 10 years, with others being of limited individual quality which would have a relatively minor impact on the overall character and appearance of the woodland belts. The two standard oaks are mature and of impressive appearance. However, the Assessment (which included the undertaking of resistograph tests) has identified that both have been badly damaged at their bases through impacts with vehicles travelling along Ash Lane/South Ash Road and subsequent decay and degradation of wood strength which has put one tree into a state of decline and resulted in the future longevity of the other being dramatically reduced. Protection measures are proposed for the trees which would remain, including the belt of trees which runs across the site and the woodland to the western boundary. The Assessment also identifies the opportunity for the management and rejuvenation of the existing collections of trees, together with additional planting and landscaping.

- 6.21 Case Officers have visited the site and confirm agreement with the findings of the Assessment in terms of the health and categorisation of the trees. I consider that although the loss of the trees as a result of the proposal would be unfortunate (particularly in the case of the standard oaks), the most significant trees which would be lost are structurally unhealthy (in the long term) and the proposal would largely allow for the retention of the tree belts. It is also proposed to undertake considerable additional tree planting, particularly to the north-western and eastern boundaries of the site. A detailed landscaping strategy and plan has been provided as part of the application, including numbers and densities of plants: this can be secured by Condition.
- 6.22 Paragraph 58 of the NPPF requires that development satisfies a number of aims in achieving high quality design. I am of the opinion that the building as proposed is of an innovative and high quality design and would be sited within the site so that it is relatively well screened when viewed over longer distances from the south by the existing belt of trees which runs across the site. I have detailed my considerations previously that the proposed underpass has been carefully designed so as to minimise its visual impact but it will still appear as an engineered feature, particularly until soft landscaping has the opportunity to mature.
- 6.23 My assessment of the visual impact of the loss of trees, construction of the building, formation of the parking area and provision of the underpass is that this will alter the appearance of this part of the site through the introduction of engineered features and a reduction in the number of trees. However, I am satisfied that considerable efforts have been made to minimise the impact of such change through careful design of the underpass and the driving range building, and that the visual impact will be limited to the immediate area. On balance, I am of the opinion that the proposed development of the underpass, driving range building and other associated works (including the removal of trees) within this part of the site will not be materially harmful to the landscape or character of the area.

I have recommended to Members a number of Conditions to ensure the appropriate detailed design and landscaping of the underpass, tree protection measures, etc.

6.24 It is my opinion that the proposed development, when taken as a whole, will alter the character of the area and the landscape: at present the site comprises a relatively open arable agricultural field with strong and mature vegetation features, including hedgerows at some boundaries, tree belts and areas of coppiced trees, whereas the proposal will alter this character so that it more closely resembles the existing golf course on the western side of Ash Lane/South Ash Road through:

- localised alterations to the topography of the site to create golfing features such as fairways, tees, bunkers etc;
- associated changes to the vegetation of the site through the planting of areas of shrubs and trees between the golfing features, additional tree planting to the north-westerly and southern part of the eastern boundary;
- the provision of the driving range building, car parking and underpass.

6.25 However, I consider that, although there will be a change in the character and appearance of the application site, this will not be materially harmful to the character of the area or the wider landscape. In reaching this conclusion I have had regard to the objections made to the proposal on visual harm, and particularly that the openness of the traditional agricultural fields will be replaced by an extension of the existing golf course.

6.26 However, it is my opinion that the golfing features such as tees, fairways and bunkers can be appropriate in visual terms within rural settings given the location of many golf courses within the countryside (i.e. outside settlements) and, due to the close location of the existing golf courses, will not appear as alien in the locality as they could if the development were proposed on a site which was well away from such existing facilities. Members are also advised that the existing golf courses incorporate significant amounts of gorse planting, which has resulted in a rather heathland appearance with copses of mature trees. Although I do not consider heathlands to be a common landscape feature within this part of north-west Kent, I would suggest to Members that such an approach can be visually less intrusive in the landscape when compared with highly manicured golf courses. The detailed landscaping scheme submitted for this application site proposes such planting. The relative openness of the site will be maintained, and (as detailed above) views of the site (and accordingly the features which are proposed) will be confined to relatively short distances.

6.27 It is my opinion that the relationship between South Ash Manor and the proposed development is such that the setting of this LB will be preserved.

6.28 Overall, I am of the opinion that the proposal is acceptable in terms of its visual impact and effect on the character of the landscape and area.

PROW

6.29 At present, public footpath SD257 runs through the golf course, to the north of South Ash Manor where it meets Ash Lane/South Ash Road. 60m to the north of this point, on the opposite side of Ash Lane/South Ash Road, the Restricted Byway MR221A runs from west to east across the application site where it meets the Byway MR200 (which runs from north to south along the eastern boundary of the application site). This crosses the application site, in the proposed location of the golf driving range.

6.30 An application has also been made under Section 257 of the Town and Country Planning Act 1990 to divert approximately 300m of the public footpath SD257 and all of Restricted Byway MR221A so that the designated PROW follows the proposed access through the underpass and then runs from west to east across the site (immediately to the north of the existing tree belt and to the south of the proposed driving range building), to a point where it would join Byway MR200 (i.e. approximately 260m from the current point where the two Byways meet).

6.31 Section 257 of the Town and Country Planning Act allows by Order, subject to provisions, the stopping up existing PROWs (footpaths, bridleways and Byways) and their replacement with alternative PROWs in order to facilitate the carrying out of development for which planning permission has been granted (i.e. the application before Members). The effect of diverting the PROW is a material consideration to the determination of the application for planning permission. In the event that Members were to resolve to grant permission, advertisement of the Order to divert the PROW would progress.

6.32 Members are advised that the current PROW arrangements total 608m in length, and provide a route to Byway MR200 adjacent to the existing golf clubhouse along an access to Ash Lane/South Ash Road. As such it is necessary to cross Ash Lane/South Ash Road and walk along approximately 60m of this highway to Restricted Byway MR221: there are no pedestrian walkways or pavements at this point.

6.33 The proposed diverted route would be 675m length in total, although Members are advised that this includes a short length of route back towards Ash Lane/South Ash Road from the proposed car park area. The submitted drawings indicate that dedicated pedestrian footways would be provided along the proposed vehicular access to the driving range building and car park (through the underpass) to the eastern side of the application site.

6.34 I have set out previously that I consider that the development proposed would affect the appearance of this section of the site through the engineering works to create the underpass and the creation of the driving range building (despite it

being well designed). The proposed PROW route would involve walking through the underpass and alongside the car park and proposed driving range building and I am of the opinion that this will be (and will feel) markedly less rural than the current route. However, I also consider that this is balanced by the fact that the proposed route is likely to be safer for people using it as they would not need to travel along Ash Lane/South Ash Road.

- 6.35 I am of the opinion that, when assessed as part of the wider proposal before Members, the potential diversion of the PROW could be acceptable.

Safety of people using adjacent PROWs

- 6.36 A number of representations have made reference to the need to ensure that people using the surrounding PROW network (particularly the Byway which runs alongside the eastern boundary of the site) would not be harmed by golf balls. Holes 5, 6 and 7 and the chipping area are those in closest proximity to this Byway: holes 5 and 6 are aligned such that golfers would be hitting away from the Byway, and the very nature of “chipping” involves hitting the ball short distances at relatively low speeds onto a green (rather than driving a ball at velocity). Hole 7 would run parallel to the Byway with the tee positioned approximately 45m away and the closest point of the fairway approximately 30m away. It is proposed to provide additional mixed tree planting along this boundary. Although there will always be a degree of risk of an individual badly miss-hitting a drive so that it veered to the east, I am of the opinion that the distance of the fairway from the Byway combined with the proposed tree planting would serve to reduce this risk significantly. It is not proposed to erect netting at the site.

- 6.37 Representations have also raised the issue of horses being ridden by people along the Byway being “spooked” by noises from the proposed golf course. Whilst I understand that there is a potential risk of this occurring, I do not consider it to be sufficiently greater than the risk of “spooking” from other noises and activities within rural areas to warrant refusal of the proposal in its own right.

- 6.38 Members are advised that the KCC PROW Officer has not raised objections to the proposal.

Impact on residential amenity

- 6.39 I have given careful consideration to the objections which have been made in respect of the potential for residential amenity to be harmed through the proposal. The occupants of Harvest Cottage, located to the south east of the site, have raised particular concerns in respect of noise and a loss of privacy through the relationship of this dwelling to the tee to Hole 5. However, I am of the opinion that the distances of 30m and 60m from this dwelling to the edge of the application site and to the tee, respectively, combined with the proposed mixed tree planting is sufficient to prevent material harm to the privacy which the occupiers of this dwelling can expect to enjoy. I also consider that this relationship is such that the

proposal will not result in material harm being caused to amenity through the golfers striking the ball or talking, particularly as there are significant periods of time when tees are not being used.

6.40 I have reached the same conclusion in respect of the other residential properties located within the vicinity of the application site.

#### Highways

6.41 KHS has raised no objection to the proposal on highway safety grounds, subject to its operation on the basis of the information provided within the application (i.e. as a open managed rather than public facility).

6.42 Case officers have discussed at length the most appropriate ways in which to ensure that the temporary works involved in facilitating the temporary construction traffic arrangements and the detailed design and construction of the underpass are secured: the outcome of these discussions is reflected in the Conditions and Informatives drafted below.

#### Ecology, Archaeology and Drainage

6.43 Considerable information has been provided in respect of these considerations as part of the application, including surveys, proposed mitigation measures and, in the case of the latter, well developed drainage schemes. Having regard to the comments of NE, Kent Wildlife Trust, KCC Heritage and the EA, it is not considered that there are reasons to warrant refusal on these grounds, subject to the various Conditions and Informatives as detailed in the responses. These are reflected in my recommendation below.

#### Conclusion

6.44 The proposal before Members has been comprehensively developed and the application provides considerable detail, for example in terms of landscaping and levels of the land. The proposal has also generated a considerable level of objection and, in assessing this application, I have at all times considered these objections, particularly in terms of the visual impact of the development and accordance with MGB policy.

6.45 My conclusions are that the proposal will result in a change to the character of the application site, but this change will serve to maintain the open nature of the site, and the area from which it will be visible is relatively localised: accordingly, I do not consider that the development will be materially harmful in visual terms. I have also concluded that, although the proposal comprises inappropriate development within the MGB, the degree of harm which would be caused to openness is modest and there are VSC which outweigh this harm.



6.46 Subject to the imposition of Conditions, the County Council, NE and the Kent Wildlife Trust, the EA and KCC Archaeology have not objected to the proposal in terms of highway safety, biodiversity, drainage or archaeology, respectively: I have concluded that the proposal accords with the relevant national and Development Plan policies. Accordingly, subject to the Conditions set out below, I have recommended that planning permission be granted for the proposed development.

**7. Recommendation:**

7.1 **Grant Planning Permission** subject to the following:

**Conditions**

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

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

2 The golf driving range and 9 hole golf course shall only be available to members of the London Golf Club and shall not be operated as a public "pay and play" facility at any time.

Reason: The application was assessed on the basis of the information provided, having regard to highway safety in accordance with Tonbridge and Malling Borough Core Strategy Policy SQ8 and paragraphs 32 and 35 of the National Planning Policy Framework.

3 No development shall take place until written details and photographs of all materials to be used externally in the construction of the building have been submitted to and approved by the Local Planning Authority and samples of the materials shall be made available at the site for inspection by Officers of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character of the existing building in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58 and 61 of the National Planning Policy Framework (2012).

4 The materials to be used in the surfacing of the vehicular access roads, car park and other areas of hard surfacing shall be undertaken in accordance with approved plans Dwg No. 054124-3200 (Hard Materials General Arrangement) and Dwg No. 054124-3210 (Hard Landscape Palette) unless otherwise agreed in writing with the Local Planning Authority. The surfacing shall be undertaken in accordance with the approved details.

Reason: To ensure that the development does not harm the character of the existing building in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58 and 61 of the National Planning Policy Framework (2012).

5 The landscaping and planting of the site shall be undertaken in accordance with the following approved plans, unless otherwise agreed in writing:

- Dwg No. 054124-3100 Boundary Planting Schedule;
- Dwg No. 054124-3101 Boundary Planting Plan 1 of 4;
- Dwg No. 054124-3102 Boundary Planting Plan 2 of 4;
- Dwg No. 054124-3103 Boundary Planting Plan 3 of 4;
- Dwg No. 054124-3104 Boundary Planting Plan 4 of 4;
- Dwg No. 054124-3105 Planting Schedule;
- Dwg No. 054124-3106 Planting Plan 1 of 3;
- Dwg No. 054124-3107 Planting Plan 2 of 3;
- Dwg No. 054124-3108 Planting Plan 3 of 3;
- Dwg No. 054124-3110 Soft Landscape Palette 1 of 4;
- Dwg No. 054124-3111 Soft Landscape Palette 2 of 4;
- Dwg No. 054124-3112 Soft Landscape Palette 3 of 4;
- Dwg No. 054124-3113 Soft Landscape Palette 4 of 4.

The landscaping and planting shall be undertaken in accordance with a timetable to be agreed in writing with the Local Planning Authority. Any trees, plants 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.

Reason: To ensure that the development does not harm the character of the area in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58 and 61 of the National Planning Policy Framework (2012).

- 6 The development hereby permitted shall be carried out in such a manner as to avoid damage to the existing trees, including their root system, or other planting to be retained as part of the landscaping and planting scheme by undertaking the measures set out at Section 4 and indicated on plan SJA TPP 12025-01 in the Arboricultural Implications Report dated April 2012 (Ref SJA air 12025-01).

Reason: To ensure that the development does not harm the character of the area in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58 and 61 of the National Planning Policy Framework (2012).

- 7 No development shall be commenced until a scheme for the provision of surface water drainage has been submitted to and approved by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal in accordance with paragraph 99 of the National Planning Policy Framework (2012).

- 8 The use shall not be commenced, nor the premises occupied, until the area shown on the approved plan as vehicle parking and turning space has been surfaced in accordance with Condition 4 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 as amended (or any order amending, revoking or re-enacting that Order) shall be carried out on that area of land or in such a position as to preclude its use.

Reason: The proposal was determined on the basis of the information provided as part of the application, having regard to the impact of the use on the highway network and the requirements of Policy SQ8 of the Managing Development and the Environment Development Plan Document and paragraphs 32 and 35 of the National Planning Policy Framework (2012).

- 9 The levels of the development hereby permitted shall be undertaken in accordance with approved plans Dwg No. 1239.405.03 Proposed Topography and Dwg No. 054124-3300 Masterplan Detail Area Levels Strategy unless otherwise agreed in writing with the Local Planning Authority.

Reason: The proposal was determined on the basis of the information provided as part of the application, having regard to the impact of the proposal on the character of the area and Metropolitan Green Belt in accordance with Policies CP1, CP3 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58, 61, 79, 80, 87 and 90 of the National Planning Policy Framework (2012).

- 10 No development shall take place until the applicants have secured the necessary consents from the Highway Authority in respect of:

- the temporary signalised plant crossing of Ash Lane/South Ash Road, and;
- the temporary diversion of Ash Lane/South Ash Road.

Reason: In the interests of highway safety in accordance with Policy SQ8 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraph 32 of the National Planning Policy Framework (2012).

- 11 No development shall be commenced until details of the construction of the underpass have been submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character of the area in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58 and 61 of the National Planning Policy Framework (2012).

- 12 None of the driving range, driving range building or golf course shall be first brought into use until details have been submitted to and approved by the Local Planning Authority of the planting and landscaping to reinstate the hedgerows, other vegetation and boundaries of the site adjacent to Ash Lane/South Ash Road following the completion of:

- temporary signalised plant crossing;
- temporary diversion of Ash Lane/South Ash Road;
- construction of the underpass.

The planting and landscaping shall be undertaken in accordance with a timetable to be agreed in writing with the Local Planning Authority. Any trees, plants 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.

Reason: To ensure that the development does not harm the character of the area in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58 and 61 of the National Planning Policy Framework (2012).

- 13 There shall be no lighting of the application site at any time and no lighting shall be installed in the car park or externally on the building hereby permitted at any time.

Reason: The proposal was determined on the basis of the information provided as part of the application, having regard to the impact of the proposal on the character of the area and Metropolitan Green Belt in accordance with Policies CP1, CP3 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58, 61, 79, 80, 87 and 90 of the National Planning Policy Framework (2012).

- 14 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic landscape recording work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of historic landscape interest are properly examined and recorded in accordance with paragraph 141 of the National Planning Policy Framework (2012).

- 15 The precautionary mitigation and enhancement measures for dormice, badgers, nesting birds, hedgehogs, common toads and bats as set out in the following documents shall be undertaken prior to and during the undertaking of the construction (as applicable to each measure as set out in the documents) and shall be maintained as such thereafter (as applicable to each measure as set out in the documents):

- Mitigation and Enhancement Report ref 2265/R05 received on 27.07.2012, and;
- Bat Survey Report ref 2265/R06 received on 20.08.2012.

Reason: in order to protect and enhance biodiversity in accordance with Policy NE3 of the Tonbridge and Malling Borough Managing Development and the Environment Development Management Document and paragraphs 109 and 118 of the National Planning Policy Framework (2012).

- 16 Prior to the commencement of development, details of a long-term biodiversity and landscape management and maintenance regime for the site shall be submitted to and approved in writing by the Local Planning Authority. Management and maintenance of the site shall be undertaken in accordance with the approved details.

Reason: in order to protect and enhance biodiversity in accordance with Policy NE3 of the Tonbridge and Malling Borough Managing Development and the Environment Development Management Document and paragraphs 109 and 118 of the National Planning Policy Framework (2012).

**Informatives**

1. The applicants are advised to have regard to the comments made by the Environment Agency in preparing the drainage details pursuant to Condition 7.
2. The applicants are advised that in addition to the requirements of approval of details under Conditions 11 and 12 from the Local Planning Authority, consent will also be required from the Highway Authority. The applicants are advised of the need to liaise closely with both Authorities when preparing these details.

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