
Appeal Decision

Site visit made on 23 August 2016

by Elizabeth Pleasant DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 September 2016

Appeal Ref: APP/G5180/W/3152323

Chelsfield Lakes Golf Centre, Court Road, Orpington, London Borough of Bromley BR6 9BX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Andrew Craven on behalf of Chelsfield Lakes Golf Centre against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/15/03067/FULL1, dated 9 July 2015, was refused by notice dated 23 February 2016.
 - The development proposed is provision of an adventure golf course with associated ornamental features, lighting, fencing and landscaping.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the development is taken from the application form. During the course of the application process the proposed lighting was removed from the application proposals. The Council based their decision on the application without the lighting and so shall I.

Application for costs

3. An application for costs was made by Mr Andrew Craven on behalf of Chelsfield Lakes Golf Centre against the Council of the London Borough of Bromley. This application is the subject of a separate Decision.

Main Issues

4. The main issues in this case are:
 - Whether the proposal would be inappropriate development in the Green Belt;
 - The effect of the development on the openness, character, appearance and purposes of the Green Belt; and
 - If the proposal is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other
-

considerations so as to amount to very special circumstances necessary to justify it.

Reasons

Inappropriate development

5. Paragraph 89 of the National Planning Policy Framework (the Framework) states that new buildings should be regarded as inappropriate development in the Green Belt subject to a number of exceptions. The provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries is included in these exceptions, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within the Green Belt.
6. Paragraph 90 of the Framework states that engineering operations are not inappropriate development in the Green Belt provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
7. Policy G1 of the London Borough of Bromley's Unitary Development Plan, 2006 pre-dates the Framework. It advises that buildings on land within the Green Belt are not inappropriate if they for "*essential facilities for outdoor sport and outdoor recreation and open air facilities and other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land within it*". Policy G1 is not therefore consistent with the Framework which refers to "*appropriate*" facilities and so I have applied the Green Belt policies in the Framework in this regard.
8. The creation of the adventure golf course would include the provision of two kiosk/storage facility buildings, the erection of perimeter fencing/gates and practice ground fencing/gates, bridge links, and a number of ornamental features, e.g. sunken pirate ship, barrels, treasure chest, etc, seating and litter bins. A "building" is defined in Section 336 of the Town and Country Planning Act, 1990 to include any structure or erection and it therefore includes all the facilities described above. The golf course would also involve engineering operations to form the water feature, sand features and footpaths.
9. The adventure golf course would provide outdoor recreation, however my conclusions on the next issue, its effect on Green Belt openness and purposes, will determine whether or not the development is inappropriate.

Green Belt Openness, Character, Appearance and Purposes

10. Paragraph 79 of the Framework indicates that openness is an essential characteristic of the Green Belt. The appeal site currently forms part of the practice area for Chelsfield Lakes Golf Centre. It is an open natural grassland area with a mown green and two small sand bunkers within it. There is a short width of high open netting hung between two poles adjoining its north western corner which prevent golf balls flying onto the neighbouring access road/car park.
11. The proposed development would introduce over 25 individual "buildings" onto this 0.38 hectare site where only a short section of open netting currently impinges on this natural and open area. Whilst individually each of these "buildings" would, by reason of their small scale, have a limited impact on the openness of the Green Belt, it is clear to me that cumulatively their impact

would be much greater. Furthermore, the proposed 2.4m perimeter fencing and gates, albeit incorporating an open mesh design, would by virtue of its height and extent further reduce the openness of the Green Belt.

12. The appeal site is located adjacent to the Orpington Bypass and is screened from it by trees and a bund. Having had regard to the Landscape and Visual Impact Assessment¹, I accept that there would be limited visibility of the appeal proposal from wider views outside of the Golf Centre; however it would be clearly visible from the access road and car park which would serve it. Currently the site retains an open and natural appearance. Whilst the engineering operations to form the water features and sand areas would not have any impact on the openness of the Green Belt, there is no doubt in my mind, that the overall extensive man made form of the appeal proposals, which would be visually consolidated by the proposed fencing, would have an urbanising effect on the overall character and appearance of what is currently an intrinsically rural and open site.
13. I conclude that the appeal proposal would not preserve Green Belt openness and would impact on the purpose of safeguarding the countryside from encroachment. Whilst the effects would be moderate, on the basis that the fundamental aim of Green Belt policy, as set out in paragraph 79 of the Framework, is to keep land permanently open, it would be sufficient to result in the development being inappropriate development in the Green Belt.

Other Matters

14. I have had regard to the other examples of adventure golf courses which have been provided by the appellant and approved in the Green Belt. From the information I have before me it would appear that the applications at Chislehurst and Cranfield relate to sites where there was already planning permission for some form of adventure golf course and they are not therefore directly comparable. Furthermore, I do not know the site specific characteristics. In any event, each case must be considered on its own merits and the existence of other adventure golf courses in the Green Belt does not justify the harm I have identified in the main issues set out above. I therefore give this consideration limited weight.
15. I understand the Golf Centre's endeavours to increase its Club Membership and widen its accessibility. However, I am mindful that the harm I have identified is permanent and there are likely to be other solutions which would not be inappropriate in this Green Belt location. I therefore give this consideration limited weight.

Conclusion

16. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. I have identified that the proposal would be inappropriate development and would have a moderately harmful effect on the openness of the Green Belt and the character and appearance of the area. The other considerations cited in support of the proposal carry only limited weight and taken together, do not outweigh the identified harm to the Green Belt. There

¹ Landscape and Visual Impact Assessment, Adventure Golf Course, Prepared by International Design Group.

are no very special circumstances to justify the proposed development, which conflict with Policy G1 of the UDP.

17. For the reasons given above and taking into account all other matters raised, I conclude that the appeal must be dismissed.

Elizabeth Pleasant

INSPECTOR