



Appeal Decision

Inquiry held on 5-8 November 2024

Site visit made on 7 November 2024

by S Wilkinson BA, BPI, Dip LA, MBA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09/12/2024

Appeal Ref: APP/M3645/W/24/3347340

Godstone Golf Club, Rooks Nest, Godstone, Surrey, RH9 8BY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Streete Court Leisure Limited against the decision of Tandridge District Council.
 - The application Ref is TA/2023/626.
 - The development proposed is Restoration of former M25 works compound to create new 300 yard practice ground with 8 covered bays and teaching studio, new practice bunker, grass practice tee and short game area, provision of conveyance swales and three attenuation ponds. Associated ecological enhancements including the planting of 4,049 sqm of wildflower meadow and 2,440 trees.
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Decision

1. The appeal is allowed and planning permission is granted for the restoration of the former M25 works compound to create new 300 yard practice ground with 8 covered bays and teaching studio, new practice bunker, grass practice tee and short game area, provision of conveyance swales and three attenuation ponds. Associated ecological enhancements including the planting of 4,049 sqm of wildflower meadow and 2,440 trees. at Godstone Golf Club Rooks Nest, Godstone, RH9 8BY in accordance with the terms of the application, Ref TA/2023/626, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. I have included in the banner heading a revised description of development from that included in the application form. This more accurately reflects the proposed development before me.
3. The Development Plan comprises the Tandridge Core Strategy 2008 (CS), the Local Plan Part 2 2014 (LP), the Surrey Waste Local Plan 2019-2033 and the Surrey Mineral Core Strategy Development Plan Document 2011 (DPD), the Surrey Minerals Site Restoration Plan and the Aggregates Recycling Joint DPD for the Minerals Waste Plans 2013.
4. Following the Examination in Public the Inspector's final report on the new draft local plan identified that it was not sound and should not be adopted. Accordingly, the Council has not proceeded to adoption. It is agreed by the main parties that the plan's draft policies should be given no weight in this appeal.

5. The site lies in a Minerals Safeguarding Area for sand. During consideration of the application the County Council as Minerals Authority confirmed that they do not have an objection to the appeal scheme. Accordingly, this matter is not an issue for this decision.
6. The Council's decision letter identifies three reasons for refusal. In advance of the Inquiry, it indicated that it did not intend to defend its third reason which relates to the impacts of the proposed scheme on the site's biodiversity. I address this matter later in this decision.

Main Issues

7. The appeal scheme raises three issues:
 - Whether or not the appeal scheme is inappropriate development and the effect of the proposal on openness and the purposes of including land within the Green Belt,
 - The effect of the scheme on the landscape character and appearance of the area, and
 - Whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations such as to provide the very special circumstances required to justify development in the Green Belt.
8. These matters will be considered as part of the overall planning balance.

Reasons

Recent planning history

9. The appeal site, comprises 5.6ha, was purchased as grazing land in 2006 by the appellant who owns the Godstone golf course to its east. Since 2012 the site has been used as a highway depot, allowed by Statutory Instrument¹. There is no evidence before me that the creation of the depot involved engineering works other than the removal and storage of the topsoil on site and the creation of an attenuation pond in the south-west corner of the site.
10. Contractors occupying this site have changed since 2012 and it appears there have been several periods of vacancy during this time. The site is currently occupied by contractors working on behalf of Highways England. Whilst it may have been the intention of the first occupier in 2012 and a later occupier in 2021 to restore the site as evidenced by the Council² this was not carried out.
11. The Council has on several occasions attempted to clarify the intention of the site owners in respect of restoration on the cessation of the current use but it appears that no response was received. The detailed evidence from the interested party is instructive in this regard.
12. However, the Order is clear that there are no specific requirements for the restoration of the site on completion of the operation as a highway depot. This existing use is lawful and establishes the baseline against which the impact of the appeal scheme should be assessed.

¹ Town and Country Planning (General Permitted Development) (England) Order 1995 as amended. Article 3, Schedule 2 Part 9B-Development Relating to Roads

² Mr Thurlow Rebuttal

13. The current operations occupy around two thirds of the site area and include limited areas of hardstanding, open storage of waste material, bunding comprising remnant top soil, parking areas, offices, refectory and several caravans used for workers accommodation.
14. Two applications for planning permission for golf practice facilities on the site were refused by the Council in October 2019 and January 2023³. Two CLUs establishing that the creation of the compound and the siting of temporary buildings in 2016 and 2021 respectively⁴ were both determined as lawful operations.

Background

15. The appeal scheme is designed to extend the visitor offer of the existing golf course through the provision of new practice facilities designed to attract a more diverse group of players to increase participation. These facilities would replace existing practice facilities on the course which are limited in scale and which raise safety concerns given both their location in relation to access and the layout of the course.
16. The proposed practice ground would have eight covered tee bays and a swing studio in a built structure measuring between 3.37-4.25metres (m) height around 5-8m depth and 30m length located by Rooks Nest access. The proposed practice ground would broadly be a level surface at around 116mAOD of around 300m with greens tilted at various heights and spaced at various distances from the tee bays to allow variation for practice shots. There would also be a short game area comprising a single green and bunkers to the west of the bays to support practice in chipping and putting.
17. Each teeing bay would be designed to include digital information allowing golfers to practice and understand their shot profile through a screen projected on to the inside of the front of each bay. The privacy afforded by the scheme is designed to encourage under represented groups intimidated by more 'open' practice areas in full view of other players. Practice could be enhanced through a range of digital programmes which allow golfers to 'enter' championship courses such as that in Wentworth.
18. The proposed level practice surface could demonstrate the optimal shot for each golf club in contrast to a practice area comprising a sloping surface which would either accentuate or diminish the shot length. The length of the practice area is determined by the maximum drive for an average club player which is around 300yards. These considerations have influenced the location of the practice area within the site.

Whether the proposals are inappropriate development

19. The appeal site lies in the Metropolitan Green Belt south of the boundary of the Surrey Hills Area of Outstanding Natural Beauty (AONB). The site comprises a shallow depression bounded on its west and southern edges by the A22 and A25 roads respectively. The profile of the site is at variance with the surrounding rolling topography and may indicate a history of mineral working. The site is accessed by Rooks Farm Road which runs along the site's northern

³ TA/2019/530 and 2022/686

⁴ TA/2016/1929 and 2021/654

- edge which serves a small employment site and the car park to Godstone Golf Course which lies adjacent to the site's eastern boundary.
20. The National Planning Policy Framework, (the Framework) identifies that the fundamental aim of Green Belt policy is the prevention of urban sprawl by keeping land permanently open and that the essential characteristic of Green Belts is their openness and permanence. Paragraph 153 of the Framework requires that substantial weight is given to any harm to the Green Belt. Policy DP10 is consistent with Paragraphs 153, 154 and 155 of the Framework in resisting inappropriate development unless very special circumstances prevail.
 21. Paragraph 154 recognises that the construction of new buildings in the Green Belt is inappropriate although there are several exceptions which include the provision of appropriate facilities for outdoor sport and recreation (154b) as long as they preserve openness. Other forms of development are identified in paragraph 155b) as not inappropriate such as engineering operations providing, they preserve the openness of the Green Belt.
 22. Case law has determined that the definition of openness is open ended relying on both spatial and visual impacts.
 23. Existing site levels vary from around 110m AOD to 116mAOD and although there is a slight decline in levels from north to south there is a marked difference between the centre of the site and the edges which are embanked and well wooded. An area of woodland on the eastern edge of the site lies within a Tree Preservation Order.
 24. The creation of the practice area resulting in a large area of level ground requires the importation of 195,000 cubic metres (cu.m.) of arisings taken from building projects from around the Country. This is an engineering operation. The appeal scheme involves the grading of the site from its southern and eastern edges from around 109.5m AOD to 116.5m AOD at its northern edge. Given the dimensions of the proposed practice area the gradients at the southern edge of the site would be steeper than those on the western edge which would vary from around 1:3.5 to 1:6 respectively.
 25. The practice area tee bays and swing studio would lie around 1m above Rookery Park Road and are designed to avoid surface water flooding arising from the fields to the north.
 26. The scale of recontouring and the raising of landform across the whole site in comparison to its existing shallow profile would adversely impact on the openness of the site. The fact that only limited views would be available and that the affected area amount to only 5.6ha does not alter my conclusions on this point. The scheme would result in limited harm to the openness of the Green Belt through the importation of a large volume of material resulting in significant remodelling to create the practice area.
 27. The decision of an Inspector colleague on a similar scheme at Cherry Lodge Golf Club⁵ does not alter my conclusion. Whilst that scheme involved the importation of a larger amount of spoil it was required to remodel 10 of the 18 holes thereby limiting the extent of physical change to existing landform with limited impacts on openness. In contrast, the actual baseline for assessment of

⁵ APP/G5180/A/12/2174431

the effects of this appeal scheme for the assessment of openness is the existing landform.

28. Whilst that decision identified that the proposed tee bays were consistent with the exceptions as defined by Paragraph 154 b) these involved a redevelopment and extension of the existing tee bay building and not a completely new structure as is the case with this appeal. However I acknowledge that in this case the new tee bays would have limited impact on openness.
29. The Council refers to the potential adverse impacts on openness from the additional activity and traffic movement arising from the appeal scheme. No evidence was presented to justify this concern and accordingly I discount this.
30. Given the scale of the proposed engineering operation and its impact on the site's existing land form, I conclude that the proposed scheme would be inappropriate development but resulting in only limited harm to the openness of the Green Belt and conflicts with Paragraph 143c). The appeal scheme conflicts with policies DP10 and DP13 of the LP Part 2 and Paragraphs 154 and 155 of the Framework.

Landscape character and appearance

Landscape effects

31. The appeal site lies in the National Character Area, Wealden Greensand (NCA 140) and the Surrey Landscape Character Assessment (LCA). Within this the site lies in the Greensand Valley Landscape Type GV4 and specifically within the Merstham to Clackett Lane Greensand Valley. This is a linear strip of land lying between the Surrey Hills AONB and the Low Weald. It is an area characterised by its undulating form, varied land uses including agriculture, quarries, road corridors, golf courses and settlements. Woodland blocks are recognised as a feature of the area.
32. Policies CSP18 and DP7 seek to protect valuable environmental assets and to integrate landscape into development, retain trees and require that development respects local character, setting and context. It is common ground between the parties that the site does not lie in a valued landscape as defined by Paragraph 180a of the Framework.
33. Immediately north of the appeal site is an employment hub and to the north the Palmers Wood oilfield and to the south along the A25 the Knight Farm Garden Centre.
34. The landscape type has a range of attributes which include enabling views of the North Downs scarp slope and Greensand Hills and include a varied pattern of woodland across the valley floors. However, the enclosure of the site formed by its well wooded and steep boundaries limits the extent to which it contributes to these attributes.
35. The area surrounding the site comprises undulating topography with clumps of trees and fields marked by boundary hedgerows. For example, the field immediately to the south of the site rises from both the A25 and the A22 from around 110m AOD to around 116m AOD. This is similar to the proposed change in levels for the appeal site.

36. The form of remodelling proposed would be consistent with the prevailing topography in the local area. Whilst the gradients proposed on the southern edge of the appeal site are steep they are limited in extent. Although the creation of the level practice area would be at variance with the prevailing undulating topography it would be consistent with the existing golf course which lies immediately to the east.
37. When assessed against the requirements of the Landscape Institute's Technical Guidance Note (TGN 02/21) I find that the site has a low value given its current use. Given the existing landform the site has a medium susceptibility to accommodate the proposed scheme and given its landscape context which includes the existing golf course this results in neutral impacts.
38. The Council acknowledges that the scale of landscape impacts would be localised with harm arising from the appeal scheme being read as a different land parcel from that of the neighbouring golf course. However, the nature of the proposed land form would be limited scale and the proposed landform would not conflict with policies CSP18 and DP7.

Visual effects

39. The visual effects of the proposed scheme would be limited in extent. A series of viewpoints around the perimeter of the site, from Flower Bridge to its north and from just south of the A25 ascribe the visual envelope of the site.
40. Given the height and depth of the well treed boundaries the site's visibility is limited. During the site visit the only feature which could be seen is the white clad office/refractory block located towards the northern section of the site. Its visibility derives entirely from its bulk and colour.
41. Whilst the extent of deciduous tree cover varies with the seasons, I am satisfied that even in winter months the extent of any harms arising from the limited glimpses of the proposed practice area and tee bays from around the site would be negligible. The teebay building would be seen in the context of the practice area and would harmonise with the whole site which would be seen as a broad fairway.
42. From the bridge on Flower Lane over the A22 the site is hidden by the extensive tree canopy on the site's eastern and northern edges. Whilst the site visit did not include a view from the AONB I am satisfied that by a combination of both distance and the degree of enclosure the appeal scheme would not be seen from the Surrey Hills AONB; accordingly, there would be no harm to this National Landscape.
43. For car passengers on the A22, the speed of traffic combined with the degree of tree cover would limit any views into the site.
44. Rook Farm Road is a private access road without footways from where four viewpoints were identified. Apart from around the entrance views into the site views would be limited by the thick belt of trees. However, this is a private road without footways and any visual harm arising is accorded limited weight.
45. The mitigation planting includes the planting of 2,400 trees. This would provide a further band of screening of the practice area and teebays.

Conclusions

46. Given the size of the appeal site there would be no adverse impacts on the NCA and LCA and the Surrey Hills AONB. The extent of remodelling of the site would have only localised effects on landform and would be consistent with the existing golf course to the east which would be read as a single parcel of land.
47. Where views of the site could be obtained these would be limited in extent and would not result in adverse impacts for the receptor.
48. Golf courses are recognised as a feature in Landscape Type GV4 and the creation of the practice area would be consistent with this. In conclusion, I find that the appeal scheme would respect local character, setting and context and would not conflict with policies CSP18 and DP7.

Other Matters

Impacts on biodiversity

49. The Council's third reason for refusal relates to insufficient information being provided to allow an assessment of the impacts of the appeal scheme on the biodiversity of the site. Whilst the appellant team had completed walk over surveys in advance of the first application for planning permission in 2021 additional surveys had not been completed since this date.
50. Since the lodging of the appeal, further surveys have been carried out which identify that there are no European Protected Habitats and Species and that the site has minimal biodiversity value.
51. From the survey evidence I am satisfied that the site's biodiversity is limited and that the appeal scheme would not have adverse effects on existing biodiversity. As part of the mitigation the appeal scheme includes a scheme of ecological works with a Biodiversity Net Gain of 149%. This would be achieved through the creation of additional wetland habitat, 375 metres of open drainage swale, rough grass areas and tree planting blocks.
52. The appeal scheme would not conflict with policies CSP17 and LP Part 2 DP19 which seek to conserve and enhance the natural environment. The appeal scheme would accord with Paragraph 180e) which requires the provision of net gains for biodiversity.

Designated Heritage asset

53. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty requiring a decision maker, to have special regard to the desirability of preserving listed buildings or their setting or any features of architectural or historic interest which they possess. The Framework defines 'setting' as the surroundings in which a heritage asset is experienced.
54. Historic England's guidance (The Setting of Heritage Assets, Planning Note 3) advises that the setting itself is not a heritage asset. Its importance lies in what it contributes to the significance of the heritage asset or the ability to appreciate the significance of that asset.
55. The appeal site lies around 100 metres from the Grade II listed Rooks Nest, described in the listing description as Street Court School. This is a former country house dating from the 1760s which has been used during the last century as a private school. The building reflects phases of development particularly those undertaken by a previous occupant, Sir Giles Gilbert Scott. It

retains important external and internal features including an Ionic portico, a stone paved entrance hall with egg and dart mouldings and an ornamental staircase. The building is used by the golf club for offices and storage.

56. The asset is set back and away from the boundary of the appeal site with limited visibility due to the location of the tree belt on the site's eastern boundary.
57. Historic mapping identifies that the asset's setting comprised historic parkland, Rooks Nest Park, created to a design which may have been influenced by Capability Brown. The parkland extended around the building and now includes the existing golf course and the appeal site. The setting has been largely compromised by the location of the commercial buildings on the western edge of the asset and substantial changes to the parklands which occurred on the dualling of the A22 and when the house was occupied as a school and later as a football academy. However, an existing ornamental lake lying immediately to the north of the asset together with open pasture to the north and east inform its original parkland setting.
58. I recognise the importance of published guidance on how the cumulative effects of change could affect how the significance of a heritage asset is appreciated⁶. Whilst there may have been a functional relationship between the asset and the site its significance can still be appreciated from its wider setting comprising the existing golf course, land to the north and from the A25 road to the south.
59. Paragraph 205 of the Framework requires that great weight must be given to the protection of this designated heritage asset and given the duties of the decision maker under S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 special regard is to be had to the desirability of preserving the building and its setting.
60. There would be no harm to the fabric of the building itself arising from the appeal scheme. Whilst the site may have formed part of the parkland to Rook's Nest it is not possible to make a clear assessment of how the site's use as grazing land before 2012 could have contributed to the asset's parkland setting, despite the historical functional relationship.
61. Given this planning context the appeal site does not presently contribute to the setting of the asset. The nature and form of the appeal scheme would have no harmful impact on the asset's setting despite the proposed change in levels across the site which would still be around 4metres below that of the asset and with limited intervisibility due to the existing deep tree belt on the appeal site's eastern edge.

Other considerations

62. The appellant's case is predicated on the range of benefits arising from each distinct element of the proposed scheme. I address these other considerations in turn.

⁶ Historic England GPA2

Economic

63. The economic benefits would be the creation of two full time jobs at the course. Furthermore, the appellant's assessment, based on a rudimentary set of assumptions⁷, identifies receipts derived from both direct and indirect taxation of around £96,300 per annum for the Exchequer arising from the scheme. Despite the broad assumptions underpinning these figures, I accept that the proposal could deliver a limited financial return to the public purse.
64. No argument was advanced by the appellant that without the appeal scheme the existing club would be unviable. There is a large number of 18 and 9 hole courses in close proximity to Godstone Golf course. Given the nature of each course they each present a unique offer for the golfing community and cumulatively demonstrate a considerable provision catering to local demand from golfers in the area.
65. Godstone Golf Club is identified as a 'Propriety' club⁸ which derives its income from membership and green fees. I acknowledge that enhancement of the practice facilities could increase the attractiveness of the club for a broader membership. The new income stream would benefit the club.

Social

66. The social benefits of the scheme reflect the drive towards the provision of sports facilities consistent with Paragraphs 96c) of the Framework. The benefits of the appeal scheme may lead to increased participation in golf through the quality of the practice facilities. I accept that despite the number of clubs in the local area the provision of a dedicated practice area would have particular social benefits which could encourage participation, particularly for those groups currently underrepresented in the sport. This represents benefits consistent with Paragraph 102 of the Framework which recognises the importance of sport and recreation to the health and well being of communities.

Environmental

67. The environmental benefits of the scheme would lead to the restoration of the existing site replacing what is a despoiled and degraded site with a scheme which includes a significant BNG. The proposed scheme would result in significant benefits to the site's biodiversity and would not adversely impact on the area's landscape and visual character. This would be consistent with Paragraph 150 of the Framework which requires the natural environment to provide for net gains in biodiversity.

Whether very special circumstances exist

68. I acknowledge that the appeal scheme would have some economic benefits consistent with Paragraph 85 of the Framework which requires that planning decisions should create the opportunities for businesses to invest, expand and adapt. However, these would be of a small scale and are accorded limited weight.
69. The social benefits derived from extending the range of practice facilities on the course represent an extension of facilities compared to those already existing

⁷ ID.8

⁸ Mr Smith PoE

and could improve access to golf for broader section of the community than at present. This benefit is accorded moderate weight.

70. In terms of the environmental benefits the appeal scheme would be a significant improvement in the restoration of the site to a function consistent with its landscape type, with Paragraph 150 of the Framework and consistent with Paragraph 180f) of the Framework which recognises the importance of remediation of despoiled and degraded land. This would be a significant public benefit which due to the possible impact of contaminants extends beyond the immediate confines of the site itself.
71. Overall, when considering these benefits, the appeal scheme would clearly outweigh the harm arising from the appeal scheme on the openness of the Green Belt and I conclude that very special circumstances exist.

Planning balance and conclusions

72. The appeal scheme includes economic, social and environmental benefits. These other considerations together clearly outweigh the limited harms arising from the volume of imported material on the openness of the Green Belt. Very special circumstances exist.
73. The appeal scheme would not result in landscape and visual harm. The landscape resulting from the appeal scheme would not conflict with policies DP7 and CSP18.
74. Whilst the Council maintains that the original intention of the temporary occupiers was to restore the land it is unclear how these intentions could be achieved through the planning process and whether its enforcement powers could achieve this. The Council's delay in taking initial steps in this process are instructive in this regard.
75. In contrast the appeal scheme reflects a considered approach to the integration of the site into its landscape context consistent with its neighbouring land use subject to a range of controls designed to ensure that there would be no legacy of environmental problems arising from the recent temporary uses. These matters would be addressed through the imposition of planning conditions. These provide a more comprehensive approach to remediation than those included in the outline programme of works suggested by recent temporary occupiers of this site.
76. Finally, the appeal scheme would restore the land to a use consistent with its landscape character. For the above reasons, the appeal is allowed and planning permission subject to the conditions included in the attached schedule is granted.

Conditions

77. I have considered the suggested conditions following the discussion at the Inquiry and the advice in both the Framework and the Government's Planning Practice Guidance. The conditions and wording set out in the schedule below broadly reflect that discussion and my considerations.
78. I have included the standard conditions regarding the 'life' of the permission, and the plans on which this decision is made for reasons of certainty.

79. I have imposed a condition requiring the submission of a scheme for the removal of all the existing plant, buildings and equipment to create the conditions to allow work to commence on the development of the appeal scheme.
80. Given the importance of the existing boundary tree belts to my assessment of the visual impacts of the proposed scheme, a condition is imposed which identifies tree protection measures in advance of works commencing.
81. A Landscape and Ecology Management Plan is required in advance of works commencing to ensure the protection of species and the enhancement of existing habitats on site. Whilst the more recent surveys of the site indicate that the site has a limited biodiversity value, the life of this permission could result in new species becoming established before the appeal scheme is implemented. However, the Council's suggestion that a reference is included in the condition to legal and funding mechanisms is unnecessary.
82. Given that the scheme would involve the importation of a large volume of arisings from building projects from across the Country a condition requiring details of a Construction Transport Management Plan is required in order to maintain highway safety on the surrounding roads. The Council's suggestion that the hours of operation should be limited is necessary and I have altered these to allow hours of work. This is designed to protect the living conditions of the neighbouring residential occupier.
83. The Environment Agency has concerns for how any contaminants from the current operations could adversely affect the site and surrounding land on implementation of the appeal scheme. The Agency suggested a four part condition which fully addresses this issue. I am satisfied that the suggested condition is comprehensive in scope. Whilst I recognise the appellant's initial wording had the advantage of brevity it would not fully address the issue which the Agency has raised and is to be preferred.
84. Linked to the concerns about contamination the Environment Agency advised that a condition in respect of surface water drainage should be specific in ensuring that there should be no discharge into land impacted by contamination and made ground. For this reason, I have imposed a short standalone condition to address these concerns.
85. I have imposed a condition requiring details of a Construction Environmental Management Plan. I have made an addition to account for dust emissions. I am satisfied that this will be sufficient to protect the surrounding environment and the living conditions of the neighbouring residential occupier during construction.
86. Consistent with the appeal scheme is a requirement for a landscaping condition requiring the submission of full details of hard and soft landscaping. The final design should reflect the site's location in the Metropolitan Green Belt is required.
87. Given the extensive land remodelling involved and the issues of surface water drainage in the appeal scheme a 'levels condition' for the location of the tee bays and swing studio is required. In order to protect the character and appearance of the area a condition is also required regarding the proposed materials required for the golf practice building.

88. Despite the provisions of the Environmental Protection Act 1990 and the requirements of Paragraph 194f) of the Framework the large amounts of imported material require a condition to both control and monitor the imported waste materials being brought to the site. This is required to give full effect to the intentions to fully restore the land.
89. Whilst it is not the intention of the appellant to provide flood lighting for the appeal scheme, lighting would be required around the proposed practice building. In order to ensure no harm arises to protected species and or their habitats a condition requiring full details of lighting is required.
90. I have imposed a condition ensuring that that access during the site clearance, scheme implementation and operational management of the appeal scheme shall be taken from that existing at the northern edge of the site. This would maintain highway safety.
91. In order to give effect to the appellant's intention that the appeal scheme will deliver the benefits of golf for those groups who currently experience low rates of participation I have imposed a condition requiring full details of a golf inclusion strategy.
92. Finally, a condition is required to secure an enhancement of the site's biodiversity in order to deliver the significant biodiversity net gain arising from this appeal scheme.

S Wilkinson

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall start not later than the expiration of 3 years from the date of this permission.
2. This decision refers to the following drawings and other documents submitted as part of the planning application:
 - i) GCR.Exist.02 C -Existing Site Plan
 - ii) GCR.Works.03 – Works and access plan
 - iii) GCR.Clear.04 B – Site Clearance Plan
 - iv) GCR.Layout.05 E – Practice Ground Layout
 - v) GCR.Grade.06 F – Proposed Grading Plan
 - vi) GCR.Land. 07F – Landscape Plan
 - vii) GCR.Drain 08 E – Drainage Plan
 - viii) GCR.Kier, 09 -Kier Infrastructure Layout
 - ix) GCR.Build.11 – Range Building Plans and elevations
 - x) GCR.BNG-Proposed 13 – Bio-diversity Nett Gain – Proposed Ecology
 - xi) GCR.TPO.14 – Tandridge TPO Alignment
 - xii) GCR.Abor- Ass.15 – Arboricultural Assessment Plan
 - xiii) GCR.X-sects.17 A – Cross-sections Plan and Photographic Montages dated April 2023

The development shall be carried out in accordance with these approved drawings.
3. No development shall take place until a scheme ('the Site Clearance Scheme') for the removal of all moveable plant, buildings and equipment and structures and hard surfaced areas associated with the pre-existing highway works compound use has been submitted to and approved in writing by the Local Planning Authority and the matters to be addressed in the submitted scheme shall be:
 - i. The phasing and timescale for completion of site clearance and demolition works within the overall development programme for the golf practice ground development;
 - ii. Identification of any works or development associated with the pre-existing highway works compound use that are to be retained permanently and incorporated into the golf practice ground development;
 - iii. Means of processing of site clearance and demolition arising identifying any materials to be retained on site and incorporated into the golf practice ground development;
 - iv. Storage areas for materials to be retained on site and incorporated into the golf practice ground development; and
 - v. Materials already stockpiled or otherwise present on the site that are to be incorporated into the golf practice ground development;

Thereafter, the 'Site Clearance Scheme', shall be carried out in full accordance with the details approved, including phasing and timescale.

4. No development shall take place until a scheme for the protection of the retained trees at all stages of the development, in accordance with BS 5837:2012, including a Tree Protection Plan(s) (TPP) and an Arboricultural Method Statement (AMS) has been submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPP and AMS:

- a) Location and installation of services/ utilities/ drainage.
- b) Details of demolition, site clearance, construction and any other works within the Root Protection Area (RPA) or that may impact on the retained trees.
- c) A full specification for the installation of boundary treatment works.
- d) A full specification for the construction of any roads, footpaths and parking areas within RPA's, including details of no-dig specification and extent of the areas of the roads, footpaths and parking areas to be constructed using a no-dig specification. Details shall include relevant sections through the relevant areas.
- e) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within RPAs is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
- f) A specification for protective fencing to safeguard trees during both demolition, site clearance and construction phases and a plan indicating the alignment of the protective fencing.
- g) A specification for ground protection within tree protection zones.
- h) Tree protection during demolition, site clearance and construction activities indicated on a TPP with demolition, site clearance and construction activities clearly identified as prohibited in this area.
- i) Details of site access, temporary parking, on-site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires during demolition, site clearance and construction phases of the development.
- j) Methodology and detailed assessment of root pruning.
- k) A schedule of arboricultural supervision and monitoring of activities within any RPA which is identified within the AMS. Details of such visits to be recorded and submitted to the Local Planning Authority within one month of completion of development.
- l) Methods to improve the rooting environment for retained and proposed trees and landscaping.

Thereafter, development shall be carried out in full accordance with the details approved.

5. No development shall take place until a Landscape and Ecology Management Plan (LEMP) covering demolition, site clearance and construction phases of development has been submitted to, and approved in writing by, the Local Planning Authority. This shall include:
- a. Description and evaluation of existing features or species to be managed, including adjacent trees and hedgerows and surface water features

- b. Known ecological constraints on site that might influence management
- c. Aims and objectives of management
- d. Appropriate management options for achieving aims and objectives
- e. Prescriptions for management actions, together with a plan of management compartments
- f. Preparation of a work schedule (including an annual work plan) capable of being rolled forward over the demolition, site clearance and construction phases of development
- g. Details of the body or organisation responsible for implementation of the plan
- h. Ongoing monitoring and remedial measures
- i. Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed and implemented.
- j. Survey for non-native invasive plant species as defined in Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) and measures to eradicate them.
- k. Details of proposed Reasonable Avoidance Measures for reptiles and great crested newts
- l. Compliance with Wild Mammals (Protection) Act 1996 for rabbits
- m. Pre-work survey and good building practice for badgers.
- n. Precautionary approach for bats and tree works
- o. Measures to avoid harm to breeding birds
- p. Measures to ensure no net increase in lighting of wooded site boundaries

Subsequently, the development shall only be undertaken in full accordance with the approved details and the approved details/schedules/strategies.

- 6 In the event that the development hereby permitted has not commenced prior to the 31st July 2026, further surveys to establish the presence or absence of Great Crested Newts or reptiles shall be undertaken. In the event that Great Crested Newts or reptiles are found then measures to translocate such species shall be submitted to, and approved in writing by, the Local Planning Authority before the development hereby permitted is commenced. Subsequently, the development shall only be undertaken in full accordance with such approved scheme.
- 7 No development shall take place until a Construction Transport Management Plan covering demolition, site clearance and construction phases of development has been submitted to, and approved in writing by, the Local Planning Authority. The Construction Transport Management Plan shall include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding behind any visibility zones
 - (h) on-site turning for construction vehicles

Subsequently the development shall only be undertaken in accordance with the approved Construction Transport Management Plan.

8. No development shall take place until a Construction Environmental Management Plan (CEMP) covering demolition, site clearance and construction phases of development has been submitted to and approved, in writing, by the Local Planning Authority. The Plan shall also include but not be limited to:
- I. Hours of operation during all relevant phases of the development
 - II. Measures to monitor, manage and control noise impacts during construction in accordance with the ABC method specified in BS5228 Noise Control on Construction and Open Sites
 - III. Measures to monitor, manage and control dust emissions during construction
 - IV. Contact details of the role or person responsible for management of environmental issues and details of how these will be displayed on site and made available to the public
 - V. Details of how complaints and any necessary corrective action will be recorded on site
 - VI. Details of the storage of plant and materials used in construction of the development.

Thereafter the approved Construction Environmental Management Plan (CEMP) shall be implemented and adhered to throughout the entire construction period.

9. No development shall take place until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy shall include the following components:
- i) A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors; and
 - potentially unacceptable risks arising from contamination at the site.
 - ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - iii) The results of the site investigation and the detailed risk assessment referred to in (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

10. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.
11. No drainage systems infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.
12. Prior the occupation or use of the golf practice ground, a surface water drainage system verification report shall be submitted to and approved in writing by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme approved under the terms of drawing GCR Drain 08E and provide the details of who will be responsible for the ongoing management of the system and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.
13. All imported fill material or onsite movements and use of fill material, including reinstatement works following site clearance, demolition and construction, shall be carried out under the Claire: Definition of Waste Development Industry Code of Practice. Prior to commencement of development a suitable scheme of periodic verification shall be submitted to and approved by the Local Planning Authority and the development shall thereafter be carried out in accordance with the scheme. The scheme shall include:
 - i) quarterly verification reports and details of the verification work to be carried out along with a preliminary programme for the proposed zones to be verified during each visit;
 - ii) details of chemical testing to be carried out and other records to be kept, such as photographs and site notes, along with the depth of any trial pits or other inspection methods to examine the quality of the imported material;
 - iii) supporting zoning plans and a proposed schedule of work and visits to monitor that work;
 - iv) provision for all reports shall be submitted as a final report within three months of completion of the work; and
 - v) if there are any nonconformities a risk assessment and scheme of remedial mitigation shall be submitted to and approved in writing by the Local Planning Authority and that work shall be completed to the satisfaction of the Local Planning Authority within 6 months of the scheme being approved.
14. No development shall take place until full details of both hard and soft landscape works and their phased implementation in step with completion of different parts of the development have been submitted to and approved in

writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:

- a) means of enclosure
- b) vehicle parking areas
- c) vehicle and pedestrian access and circulation areas
- d) hard surfacing materials
- e) minor artefacts and structures (e.g. signs.).
- f) tree and hedgerow planting as compensation for those elements being removed
- g) details of soft landscape works which shall include all proposed and retained trees, hedges and shrubs; ground preparation, planting specifications and ongoing maintenance specifications, together with details of areas to be grass seeded or turfed. Planting schedules shall include details of species, plant sizes and proposed numbers/densities.
- h) water features and planting specifications and ongoing maintenance specifications. Planting schedules shall include details of species, plant sizes and proposed numbers/densities.
- i) the final layout of golf practice ground features including bunkers and target areas
- j) A timetable for undertaking all soft and hard landscaping works at the site.

All hard and soft landscaping works shall subsequently be undertaken in full accordance with the approved details of phasing and the approved timetable unless otherwise agreed in writing with the Local Planning Authority.

Any trees or plants (including those retained as part of the development) which within a period of 5 years from the completion of the development die, are removed, or, in the opinion of the Local Planning Authority, become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

- 15. No works above foundation level associated with the construction of the golf practice ground building hereby approved shall occur until details of the levels of accesses and finished floor levels of the building have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.
- 16. No works above foundation level associated with the construction of the golf practice ground building hereby approved shall occur until details of the materials to be used in the construction of the external surfaces of that building have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.
- 17. Prior the occupation or use of the golf practice ground buildings hereby approved, a scheme of proposed external lighting at the application site and a timetable for its installation shall have been submitted to and approved in writing by the Local Planning Authority. Subsequently, all external lighting

shall be installed in accordance with the approved timetable and no other external lighting shall be installed at the site and there shall at no time be any floodlighting of any part of the site.

18. The only vehicular and pedestrian access to be created or used during the demolition, site clearance and construction phases of development, and subsequently when any part of the golf practice ground is brought into use, shall be the existing access situated on the access road to Rooks Nest Farm.
19. No development shall take place until a Biodiversity Net Gain Plan that details how an overall 10% Biodiversity Net Gain will be achieved by:
 - i) Retention and creation of wildlife habitats on the site;
 - ii) The management of the retained and created habitats for a period of 30 years from the day development is completed; and
 - iii) Monitoring (including details of the frequency of monitoring); or
 - iv) Should the Biodiversity Net Gain Plan conclude that the development will not result in 10% gain, then details of how any additional offset will be achieved off site to provide a 10% gain;

has been submitted to and approved in writing by the Local Planning Authority. The Biodiversity Net Gain Plan shall then be implemented as approved.

20. The development hereby permitted shall not be brought into use until a plan for the inclusion of under-represented groups in golf ("The Diversity in Golf Plan") has been submitted to and approved in writing by the local planning authority. The Diversity in Golf Plan shall provide details of initiatives to encourage use of the facilities by (1) women (2) people with disabilities (3) individuals from low-income households and (4) children under 18. The Diversity in Golf Plan shall be implemented in full thereafter.

End of Schedule

APPEARANCES

FOR THE APPELLANT:

Mr D Hardy LLB (Hons) BCL (Hons), Partner, Cameron, McKenna, Nabarro, Olswang LLP Street Court Leisure Ltd called:

Mr M Smith BA MRICS MBA	Director, Smith Leisure
Mr M Blackburn BA (Hons)	Golf Course Architect, Woodland Environmental
Mr M Flatman CLIMA	Director and Head of Landscape Planning, Liz Lake Associates
Mr M Morgan BSc MCIEEM	Principal Ecologist, Ecoscope Limited
Mr S Downs MSc MRTPI	Head of Planning, Woodland Environmental

FOR THE LOCAL PLANNING AUTHORITY:

Mr M Dale-Harris of Counsel instructed by Tandridge District Council, called	
Mr C Thurlow BA (Hons),	Planning Advisor, Tandridge District Council
Dip TP, MRTPI, DMS	
Cllr Ms C Sayer	Chair of Planning Policy Committee, TDC

INTERESTED PARTIES:

Mr R Lloyd, Resident
Mr J McCartney, Coach Godstone Golf Club

INQUIRY DOCUMENTS

ID.1	Appellant's openings
ID.2	Council openings
ID.3	Statement of Mr R. Lloyd
ID.4	Officers report and decision on 2020/2095 – Tandridge Golf Club
ID.5	Appeal decision - APP/P0240/W/24/3338483 , Brogborough Landfill Site
ID.6	Aerial Photographs October 2015 and July 2021
ID.7	Planning History with Appendices 1 and 2
ID.8	Financial information
ID.9	Listing Description for Street Court School
ID.10	Revised Conditions dated post Inquiry
ID.11	email exchange between the Council and appellant re levels
ID.12	Grading Plan
ID.13	Email exchange between the Council and appellant re conditions -24 September 2024
ID.14	Council Closings
ID.15	Appellant Closings

