



Appeal Decision

Site visit made on 13 January 2026

by K Stephens BSc (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 February 2026

Appeal Ref: APP/C3430/W/25/3374824

The Staffordshire Golf Club, Bridgnorth Road, Swindon, Dudley DY3 4PU

- 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 Mr Andrew Whitlock (of Whitlock & Lowe Ltd) against the decision of South Staffordshire District Council.
 - The application Ref is 25/00130/FUL.
 - The development proposed is demolition of existing golf clubhouse and driving range buildings and redevelopment to include erection of three new houses with detached garages and associated parking and garden areas.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form described the site address as “Swindon Golf Club”, which I understand it was once called. However, I have taken the site address from the Council’s decision notice, the appeal form and appeal documentation. I also saw on my visit that at the site entrance there is a large sign announcing “Staffordshire Golf Club”.

Main Issues

3. The main issues in this appeal are:
 - Whether the appeal site would be a suitable location for housing with regard to local and national policies;
 - Whether the appeal development would be inappropriate development in the Green Belt, having regard to the Framework and the development plan, and the effect of the appeal development on the openness of the Green Belt and purposes of including land within it;
 - The effect of the proposed surface water strategy on the water environment;
 - Whether adequate provision can be made for biodiversity net gain, and
 - If the development constitutes inappropriate development in the Green Belt, would the harm, by reason of inappropriateness and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether a suitable location for housing

4. Core Policy 1 of the South Staffordshire Core Strategy (the Core Strategy) sets out the spatial strategy for how the rural regeneration of the district will be delivered. Growth will be located at the most accessible and sustainable locations in accordance with the Settlement Hierarchy. Development proposals will also be expected to make efficient use of land and prioritise the use of previously developed land (brownfield land) in sustainable locations, provided it is not of high environmental value. The policy recognises that South Staffordshire is a rural area with many villages of different sizes, with no single dominant settlement and many residents rely on the services provided in towns and cities outside the district to meet some of their 'higher order' needs, such as certain types of retail, leisure and employment.
5. The settlement hierarchy classifies villages, where Main Service Villages will be the main focus of housing growth. Local Service Villages and Small Service Villages can have limited and very limited development respectively. Other Villages and Hamlets and are not identified for growth and development will only be permitted in exceptional circumstances. Outside the various Service Villages, the attractive rural character of the countryside will be protected and new development restricted to certain types of development to meet affordable housing needs, support tourism, provide for sport and recreation and support the rural local economy and rural diversification. The Green Belt and open countryside will be protected from inappropriate development and proposals will be considered in light of other local planning policies and policy restrictions relating to Green Belt in the Framework.
6. The Council's spatial strategy and approach is broadly consistent with the Framework, which states that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities (paragraph 83); manage patterns of growth and seek to limit the need to travel and offer genuine choices of transport modes whilst acknowledging that sustainable transport solutions vary between urban and rural areas (para 110) and that sustainable transport modes should be prioritised taking account of the vision for the site, the type of development and its location, and that safe and suitable access can be achieved for all users (para 115).
7. The appeal site lies outside the settlement boundary of any of the district's Service Villages. It is located in the middle of a golf course, in the countryside and also within the Green Belt. I shall deal with Green Belt issues later in my decision. The appeal proposal is not put forward as any of the development types permitted by Core Policy 1. Hence the proposal would be contrary to the Council's settlement hierarchy and spatial strategy.
8. The site is located about 0.4 miles up a private track from the junction with the Bridgnorth Road. Once at the junction with the road, to reach the nearest settlements of Wombourne (a Main Service Village whose built-up area is about 1.4kms east) or Swindon (a Local Service Village) future occupiers would have to walk along the road, which has no footway or street lighting. I saw that the Bridgnorth Road was fairly busy and subject to the national speed limit of 60mph. It would not be an easy, safe or pleasant experience to walk along the grass verge

and would be less so in the dark, and particularly for those with mobility issues. Hence it would not be conducive to encourage walking into Wombourne or Swindon for schools and basic shopping. Smestow Road into the village of Swindon is a lane also with no footway or lighting, until one enters the village. Cycling would only be suitable for those fit enough to do so, and the nature of the roads would likely to be a deterrent. I have not been advised of the frequency of local buses that future residents could use once they have walked to the bus stops. Nonetheless, the routes and distances I have already described would likely be a deterrent to their usage.

9. There is a public right of way ('Swindon 0.77') that crosses the private track and heads east towards Swindon. Whilst this might not be a problem for recreational walkers with boots and rucksacks, using the footpath and crossing fields to get to the nearest village to access limited local services is unlikely to be a realistic option for most people, especially in adverse weather, muddy conditions or in the dark. Even if one used the public right of way, there is no footway or lighting along Smestow Road into either Swindon or Wombourne.
10. Taking all of these factors into account, the location of the appeal site would not offer future residents a genuine choice of transport modes. Hence future occupiers would be unduly reliant on the private car to access even basic day-to-day services and facilities, even if journeys were relatively short or trips were linked.
11. The proposal could be regarded as isolated dwellings in the countryside, as they would be located within an extensive former golf course in the countryside some distance from the nearest village or town, with no other dwellings nearby. The Framework seeks to avoid such development in the countryside, unless the development meets criteria a) to e) of paragraph 84. Whilst I have no reason to doubt the build quality of the proposed dwellings, they are not presented as being of "exceptional quality" and "truly outstanding" reflecting the highest standards in architecture and would not meet any of the other housing criteria. Hence the proposal would not be considered suitable development under paragraph 84.
12. To conclude on this main issue, the appeal site would not be a suitable location for housing with regard to local and national policies that seek to promote sustainable patterns of development or transport and the proposal would undermine the Council's spatial strategy for the location of housing. Even as previously developed land, the site is not in a sustainable location. Accordingly, the proposal would be contrary to Core Policy 1 of the Core Strategy, whose aims are outlined above. It would also be contrary to the Framework.
13. The appellant draws my attention to the grant of 9 dwellings¹ for the development of the Prime Oak site near Swindon outside its village boundary, which manufactures oak-framed buildings. There were different issues that were considered and balanced, with a key factor being that the proposed housing would help fund the relocation of the Prime Oak business to a more appropriate commercial/industrial site, to which considerable importance was given. Thus that decision is not directly comparable to the appeal before me, which in any event I must determine on its own merits.

¹ Local Planning Authority Ref: 24/00632/FUL

Green Belt Issues

14. The Government attaches great importance to Green Belts, the fundamental aim of which is to prevent urban sprawl by keeping land permanently open. The five purposes of Green Belts are listed in Framework paragraph 143. The Framework goes on to state that 'inappropriate development' is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
15. Core Strategy Policy GB1 sets out development normally permitted in the Green Belt, subject to a number of criteria. These largely follow the list of exceptions set out in the Framework at the time². However, there have been a number of changes made to Green Belt policies in the Framework since then. The latest revisions were made in December 2024 and include the introduction of the concept of 'grey belt' and changing the openness requirement for development proposals on previously developed land. Nonetheless Policy GB1 is still broadly consistent with the thrust of national Green Belt policy and other policies that require consideration of Green Belt in light of the Framework, which is a material consideration to be taken into account.
16. Development in the Green Belt is inappropriate unless it falls within one of the exceptions listed in Framework paragraph 154 and where it accords with all the criteria in paragraph 155. The parties have considered the proposal under Framework exception 154g) which relates to "*limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt*".
17. The golf club has already ceased operation. The existing buildings and car parking on site would be demolished/removed and new buildings erected, partly on their footprint. There would also be a material change in use of part of the golf course to residential. There is no dispute between the parties that the proposal would involve the redevelopment of previously developed land for the purposes of paragraph 154g). From my observations and the evidence I have no reason to take a different view.
18. Openness is one of the essential characteristics of Green Belt. The site is not highly visible in the landscape from the road and the appellant's Landscape and Visual Impact Assessment finds the site not to be of a particularly high quality or landscape condition, and that mitigation planting would reduce any adverse effects. The use of the site as a golf course has ceased and there are signs of deterioration in the buildings and land, this is not justification for redevelopment.
19. Case law has established that openness requires consideration of both spatial and visual aspects and is a planning judgment. Openness is not necessarily determined by how visible something is.
20. The site is surrounded by the extensive former golf course itself, which includes large areas of grass and areas of tree planting, with open fields beyond. Thus the openness of the Green Belt at the site is clearly evident.

² The Core Strategy was adopted in 2012, and the first Framework was published in 2012

21. The appellant has provided some illustrations to show massing sections, elevations and 3-D massing comparisons of the proposed dwellings with the existing buildings. According to the appellant the total built footprint would be less than the existing, with a 199sqm reduction. However, the proposed dwellings would have about an 8% greater volume than the existing buildings. The Council has also provided some calculations of floor areas and heights, including calculating that the proposed floor area of about 1,629sqm would be greater than the existing floor area of 890sqm. However, openness is not just a comparative mathematical exercise. For example, a building with the same dimensions and volume could be a low lying, single storey structure or it could be stood on end, like a tower, and hence would have a very different effect on openness.
22. The driving range building is a low lying single storey, long, thin structure, about 2.4 – 3.64m tall, that is open on its northern side facing the driving range itself. It has a shallow mono pitch roof and the storage building is flat roofed. It extends a considerable distance eastwards across the plot. To the south of the building is a large tarmac car park that extends beyond the end of the driving range building. The 5-bedroom dwelling that would replace it on Plot 1 would be two storey with a dual pitched roof to about 9m in height. This is a significant increase in height. Its footprint would be consolidated into a compact large rectangle, compared to the long thin driving range. However, the resulting dwelling would look significantly taller and wider than the driving range building and have a substantially greater bulk and massing and a different shape. There would be loss of the hardstanding car park area that would be transformed into private drive, garden and wildflower meadow. A detached 3-bay garage would be erected on what is hardstanding car park, but where there is currently no building.
23. The proposed 4-bedroom, 2 storey dwelling on Plot 2 would occupy open ground that is currently a grassed area behind the club house. The introduction of a large building, with its 'T' shaped plan and steep dual pitch roof, would significantly reduce openness on this grassed part of the site where there is currently no built form. The erection of a detached garage some distance away would exacerbate this.
24. The 4-bedroom dwelling proposed for Plot 3 would replace the rectangular club house building and introduce a 'T' shaped footprint. The two storey element of the new dwelling would broadly coincide with the main club house building. However, a long protruding limb, part of the northern 'T', would extend out beyond the existing high level patio area and be cantilevered over the ground below. The bulk, massing and form of this dwelling would be a significant reduction in openness.
25. Each dwelling would have a detached, pitched roof, three-bay garage with store, albeit open on one side. The garages are set some distance from each dwelling and would serve to increase the number of structures across the site, which would further reduce the visual and spatial openness. Furthermore, all of the plots would have domestic gardens, areas of patio hardstanding and driveways around them. Even if these equate to a quantitative swap with existing hardstanding areas, they would nonetheless be part of the overall domestication of the site, with paraphernalia and clutter, in what is currently a relatively simple open setting. Furthermore, these features would be more permanent than visitor parking at the Golf Club and the limited golfing paraphernalia.

26. I accept that some structures would be cut into the ground. Nonetheless, I find that the bulk, massing, shape and form of the proposed dwellings and the separate garage buildings would have a marked change on the openness of the site and would increase the overall sprawl of built development across the site. Taking all of the above factors into account I find the proposed development would amount to a substantial reduction in the visual and spatial openness of the Green Belt. Planting a sedum roof would make little difference to offset the openness of the site.
27. When the golf course was operational, there would likely have been cars parked on the car park located behind the driving range on a daily basis. The proposal would see the overall number of parked cars reduced. However, any cars as part of the proposal would likely be parked for a longer duration, in addition to the creation of separate domestic gardens and likely introduction of domestic paraphernalia and clutter which would likely result in contributing to the more permanent reduction in openness.
28. The appellant draws my attention to an appeal decision at Wilton Park³ where the Inspector found that development for 95 assisted living units and a 75-bed care home would not cause substantial harm to the openness of the Green Belt. That site lay in close proximity to a strategic 'Opportunity Site' which was being built out for some 350 dwellings, employment and community uses. The Inspector concluded that the development would be perceived as being connected with the overall development of Wilton Park. The context of that development in a different part of the country is clearly different from the appeal scenario before me, even taking account of the quantum of development, and is therefore not directly comparable. It nonetheless serves to reinforce the fact that openness involves a judgement and all decisions turn on their own particular circumstances based on the facts before the decision-maker at the time.
29. For the reasons above I find the proposal would result in substantial harm to the openness of the Green Belt. Consequently, the proposal would not fall within exception 154g) of the Framework and hence would constitute inappropriate development in the Green Belt under the terms of the Framework. It would also conflict with Core Strategy Policy GB1.
30. Even if the proposal was considered 'grey belt' and assessed under Framework paragraph 155, I have already found the appeal site is not a sustainable location for housing. It would thus fail to meet criterion c. of paragraph 155. Consequently the proposal would still amount to inappropriate development in the Green Belt.
31. Harmful inappropriate development in the Green Belt should not be approved except in very special circumstances. I shall consider whether these exist later in the decision.

Surface Water Drainage

32. Core Strategy Policy EQ7 seeks, amongst other things, to ensure that development proposals do not have a negative impact on water quality. The appellant submitted a Flood Risk Assessment (FRA) and Outline Drainage Strategy⁴ with the application, which the County Council's Lead Local Flood Authority and Flood Risk Management Team (the FRMT) reviewed, sought clarification on and provided a

³ Appeal ref: APP/N0410/W/24/3348677 dated 14 February 2025

⁴ Prepared by Brown Fisher Environmental Reports 4 Planning – dated 10 July 2025

number of consultation comments. The site lies within Flood Zone 1, which has a low probability of fluvial flooding. The appellant concludes that the site is considered to be at low risk of surface water run-off. The FRMT advise, based on the updated Flood Map for Surface Water, that minor surface water ponding occurs but could be rationalised through development. The proposed drainage strategy involves the discharge of surface water via soakaways and sustainable drainage measures (SuDS).

33. Broadly speaking, the Council does not consider that sufficient modelling has been undertaken to provide reliable infiltration rates without taking into account seasonal variations and data from both winter (wet) and summer (dry) conditions to provide robust and representative worst-case conditions. Hence the Council has requested that “winter infiltration testing” in wet conditions is undertaken in accordance with BRE 365 Infiltration Testing Guidance.
34. The appellant argues that the FRA and Drainage Strategy was done with reference to the CIRIA 753 SuDS Manual, the Framework and the Staffordshire County Council Local Flood Risk Management Strategy 2024. Soakaway testing was undertaken in May 2025. Surface water would discharge via infiltration, and the proposed designs include suitably sized soakaway chambers designed to attenuate the worst case 1-in-100 year storm events with a 40% climate change allowance to prevent flooding. A submitted Flood Exceedance Plan shows the route of flood water in the event of SuDS failure. The Drainage Strategy states that the proposed development would reduce impermeable areas across the site, with green roofs, permeable paved drives, taking account of 10% urban creep, and concluding the development would overall reduce the impact on drainage infrastructure and reduce the potential for flooding. The appellant considers that sufficient infiltration testing has been carried out to inform the design and operation of the drainage scheme, with worst case infiltration rates factored in. Hence the Council’s requirement for winter infiltration is not proportionate or required, and that drainage can be reasonably conditioned.
35. During my visit, which was during the winter and in the rain, I saw that the ground, in particular the land in front of the driving range building, which is raised up, was wet, squelchy and waterlogged. This indicates to me there are some drainage issues and uncertainty that would benefit from additional investigation to get robust and reliable infiltration results, to ensure that surface water from the proposal can be adequately dealt with, without adverse knock-on effects for flooding and pollution.
36. The Council has submitted, without prejudice, suggested wording for a pre-commencement drainage condition, in order to reduce the risk of flooding and pollution. Despite the appellant’s appeal evidence, the Council maintains its concerns as the condition would still require the submission of evidence of winter infiltration testing, in accordance with BRE Digest 365.
37. However, there is no evidence before me to suggest that if further winter infiltration testing was not carried out, that an appropriate surface water drainage scheme could not be secured and successfully implemented. Therefore, from the evidence before me I am satisfied that, had I been minded to allow the appeal, a suitably worded condition that required adequate testing to inform a surface water drainage strategy could be imposed and that an appropriate drainage strategy could be

achieved. On that basis, with appropriate mitigation, the proposal would accord with the requirements of Core Strategy Policy EQ7

Biodiversity Net Gain

38. From April 2024, Biodiversity Net Gain (BNG) became a national requirement and is mandatory for all applicable developments, such as this, as a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity. Under the statutory framework⁵ for BNG, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition (the biodiversity gain condition) that the biodiversity gain objective is met, which requires that at least 10% increase in biodiversity value is met.
39. The appellant submitted an updated BNG report and metric, along with additional supporting information. Through landscaping, the proposal would deliver ecological enhancements with the retention of some trees and planting of small trees, hedgerows, creation of neutral grassland and areas of modified grassland, and areas of wildflower meadows. Some offsite new woodland planting is also proposed, but this does not form part of the BNG offer.
40. However, the Council's Ecologist found the BNG objective of 10% would not be met and questioned some of the strategic significances assigned to some habitats and lack of justification. A revised biodiversity gain report was submitted that still lacked all of the necessary requirements. However, the biodiversity gain condition would require this to be done. The Council's Ecologist concluded that the onsite gains would be significant and that their management needs to be secured for a 30-year period via a s106⁶ for a £3,800.15 financial contribution to be paid to the Local Planning Authority to support the ongoing review of monitoring reports and site inspections.
41. The biodiversity gain condition requires the submission and approval of a Biodiversity Gain Plan (the BGP), which is the mechanism to confirm whether the development meets the biodiversity gain objective and development cannot commence until the BGP is approved. The appellant confirms the plan would include recommendations for the implementation, management and monitoring of the site for at least 30 years to ensure that biodiversity net gain is delivered.
42. The PPG states⁷ a planning condition cannot be used to secure funding for monitoring biodiversity net gain. This should be secured through a section 106. A s106 has not been submitted to secure the financial contribution for a monitoring fee.
43. The Council has suggested a condition requiring the submission of a Habitat Management and Monitoring Plan that would expand on the information within the BGP (that would need to be approved first). This would include management measures for a period of 30 years as well as a monitoring methodology and frequency.
44. I have not been directed to any development plan policy that facilitates the request for a monitoring fee. Nor is there any explanation of how the £3,800.15 financial

⁵ Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990

⁶ A planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990

⁷ Paragraphs: 027 Reference ID: 74-027-20240214 and 028 Reference ID: 74-028-20240214

contribution has been calculated. There would be scope within the suggested condition for the Council to input into the monitoring measures. Taking these various matters into account and the small financial contribution requested, I am of the view that the monitoring would not be onerous and could be subsumed within normal Local Planning Authority functions as to not require a s106.

45. On this basis I am satisfied that BNG conditions would enable any outstanding matters to be resolved and that the biodiversity gain condition would be capable of being discharged and the absence of a s106 for a small monitoring fee is not a reason for refusal. The proposal would also accord with Core Strategy Policy EQ1, which seeks, amongst other things, to ensure developments build in biodiversity and gives support to proposal that protect and enhance the natural environment.

Other Considerations and Green Belt Balance

46. The development represents inappropriate development in the Green Belt and there would also be substantial harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and Framework paragraph 153 requires that substantial weight is given to any harm. Inappropriate development should not be approved except in very special circumstances, which will not exist unless the harm to the Green Belt, by reason of inappropriateness and any other harm is clearly outweighed by other considerations.
47. I have also found the site is not in a suitable location for housing, such that future occupiers would be unduly reliant on the private car to access day-to-day services and facilities contrary to the Council's spatial strategy that guides the location of housing to more sustainable locations.
48. There are a number of 'other considerations' in favour of the development. There would also be some limited associated short-term socio-economic benefits from jobs, including for Prime Oak, and the supply chain during the demolition and construction phase and some longer-term spending by future occupiers, at least some of which would be spent in the local area, and support for local services to a modest degree.
49. With the Council having a lack of a 5 year supply of deliverable housing land, the three dwellings would make a modest contribution to help reduce the housing deficit. However, the dwellings would be retained by the appellant and used for marketing to showcase dwellings built by Prime Oak. It is therefore unclear whether the dwellings would be genuinely occupied, available for rent, or for short-term occupation or as holiday let /Airbnb type accommodation. This limits the weight I can give to the provision of housing as a benefit of the scheme.
50. There would be some onsite environmental and biodiversity net gain. The appellant also refers to additional woodland planting on neighbouring land in his ownership as a benefit, but there is no mechanism or legal agreement to ensure this would take place, so this aspect carries little weight.
51. The dwellings would be designed to sustainable standards and incorporate sustainable construction techniques, including reclaimed materials and use of sustainable drainage, water butts and permeable hard standing. Laudable as this is, these are not unique measures and have become fairly standard provisions and requirements. Electric vehicle charging points, for example, are part of Building Regulation requirements. Therefore these good intentions attract limited weight.

52. There would be a reduction in traffic movements associated with the golf course compared to 3 dwellings. Whilst the reduction in the quantum of traffic is a factor of wider sustainability overall, it does not make the site a sustainable location for housing with no access to public transport and future occupiers being heavily reliant of the private car. Hence comparisons of vehicle usage to access a countryside sport/recreation facility is not comparable to accessibility needs for day-to-day living.
53. The internal layout of the dwellings may well be flexible and could allow homeworking. However, this is not uncommon in many properties and hence is not unique. The dwellings are not promoted as live-work units with minimum floor areas for the 'working' element and as such the matter carries little weight.
54. A business case for Prime Oak has been submitted, who have manufacturing premises nearby in Wombourne. Whilst the dwellings may help the business, there is nothing to indicate to me that this is the only location these dwellings could be built and to warrant a departure from the development plan.
55. I find that the 'other considerations' above, alone or in combination, do not clearly outweigh the totality of the harm to the Green Belt and other harms I have identified. Consequently, the very special circumstances necessary to justify inappropriate development in the Green Belt do not exist.
56. The lack of a 5 year housing land supply engages Framework paragraph 11d). However, footnote 7 provides that planning permission should not be granted where Framework policies protecting areas or assets of particular importance, such as Green Belt, provide a strong reason for refusing the proposed development. I have found this to be the case in this appeal. Hence the 'tilted balance' in paragraph 11d) is disengaged.

Conclusion

57. In conclusion, there would be conflict with the development plan as a whole and this conflict is not outweighed by the other material considerations as identified above. Therefore, for the reasons set out above the appeal should be dismissed.

K. Stephens
INSPECTOR