

The Planning Inspectorate
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

17 July 2023

Submitted via the online portal

Dear Sir/Madam

Application by National Highways for an Order Granting Development Consent for the Lower Thames Crossing ('LTC')

Examination Timetable and Procedure (the Rule 8 Letter dated 27 June 2023)

**Written Representation on behalf of Swing Rite Golf Ltd
(an Interested Party – Unique Reference 20035410)**

I am making this written representation on behalf of my client, Swing Rite Golf Ltd ('the Company'), who is an Interested Party.

Background

For the last 17 years the Company has operated Gravesend Golf Centre ('the Golf Centre').

The Golf Centre comprises a floodlit driving range with a reception area, golf shop and café, a 9-hole par 3 golf course ('the Par 3 Course'), car parking, and ancillary facilities.

The full postal address is Gravesend Golf Centre, Thong Lane, Gravesend, Kent, DA12 4LG.

The Company leases the Golf Centre from Gravesham Borough Council ('the Council'), who own the freehold.

National Highways wrote to my client on 9 January 2023 saying that the Golf Centre was partially within the Order Limits (Title Number K899081) for the application to develop the LTC. The relevant area relates to the site of the Par 3 Course.

National Highways' proposals for the LTC will mean permanently taking from my client the land on which the Par 3 Course sits. The Par 3 Course has a total site area of around 6.34 hectares.

The Par 3 course was forced to close during the first national lockdown for Covid. It has not reopened since, partly because of the prospect of its permanent and imminent loss for the LTC, and partly because of vandalism caused by closure.

At this point in time, it is not economically viable to reopen the Par 3 Course given that it will then have to close again to make way for the LTC works.

National Highways' proposed mitigation for the loss of the existing Par 3 Course

I attach in Appendix 1 National Highways' preferred mitigation option for taking the Par 3 Course land.

This option relocates the Par 3 Course to a smaller site of around 5.34 hectares which lies adjacent to the floodlit driving range.

This will mean relocating the existing football pitches which sit on the site for the proposed new par 3 course.

The football pitches are on land owned by the Council. National Highways' preferred option is to relocate these football pitches on land to the south east of The Cascades Leisure Centre. This land forms part of the now closed Southern Valley Golf Course.

Southern Valley Golf Course

National Highways has already acquired Southern Valley Golf Course to make way for the LTC, and Southern Valley Golf Course has now permanently closed.

I attach in Appendix 2 a Google Earth photo showing the location of Southern Valley Golf Course in relation to Gravesend Golf Centre and its Par 3 Course.

Scope of this written representation

This written representation relates solely to the areas of National Highways' application for the LTC relating to golf and leisure use (both past, present and future) in the local Gravesend area. This is primarily a 20-minute drivetime by car from the Golf Centre and from Southern Valley Golf Course.

The relevant parts of National Highways' proposals which we agree with

We accept that the land for the Par 3 Course is required for the LTC.

The relevant parts of National Highways' proposals which we do not agree with

There are two main aspects that we disagree with. These are as follows:

1. The permanent closure of Southern Valley Golf Course with no apparent mitigation by National Highways for its loss.
2. National Highways' preferred mitigation option for the loss of the Golf Centre's Par 3 Course.

I comment on each in turn.

The permanent closure of Southern Valley Golf Course with no apparent mitigation by National Highways for its loss

Southern Valley Golf Course opened for play in 1999. It included the following main components set within around 138 acres:

- an 18-hole golf course with a length of around 6,100 yards
- a clubhouse which was also available for non-golf functions up to a capacity of around 150 guests
- a greenkeeping compound
- car parking.

Its primary market positioning was to offer affordable golf to the local community. It encouraged non-member visitor green fee players as well as offering club membership options.

There are two important national planning policy tests for proposals which involve closing golf courses in England for alternative use development. They are as follows:

Paragraph 99 of the National Planning Policy Framework ('NPPF') which says:

"Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) *the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use."*

Paragraph 5.174 of the National Policy Statement for National Networks says:

“The Secretary of State should not grant consent for development on existing open space, sports and recreational buildings and land, including playing fields, unless an assessment has been undertaken either by the local authority or independently, which has shown the open space or the buildings and land to be surplus to requirements, or the Secretary of State determines that the benefits of the project (including need) outweigh the potential loss of such facilities, taking into account any positive proposals made by the applicant to provide new, improved or compensatory land or facilities.”

Paragraph 5.174 is particularly important in relation to the closure of Southern Valley Golf Course.

We are not aware of any independent golf needs assessment existing which demonstrated / demonstrates that Southern Valley Golf Course was/is ‘surplus to requirements’.

We also understand that Gravesham Borough Council, in its capacity as the local authority in the context of paragraph 5.174, is not aware of any golf needs assessment which showed/shows Southern Valley Golf Course to be ‘surplus to requirements’.

I have recently made a ‘Freedom of Information Request’ to National Highways, for which I am awaiting its reply, asking the following two questions:

- whether it carried out an independent golf needs assessment relating to its proposed closure of Southern Valley Golf Course;
- and if it did, to disclose a copy of the assessment and any supporting correspondence it has relating to its proposed mitigation for its loss.

For 32 years I have specialised solely in UK golf property and business matters. I regularly comment on the topics of golf need and financial viability for golf use. I attach some background information on the work I do in Appendix 3.

My clients include local planning authorities, golf course owners and operators, developers and investors, banks, accountants, lawyers and other chartered surveying firms needing specific advice relating to UK golf venues.

I have given expert evidence at planning inquiries and hearings over the years, and for court and tribunal cases, on the issues of golf need, financial viability and worth.

I am aware that within the immediate Gravesend area, Southern Valley Golf Course was the only local 18-hole golf club pitched at the affordable ‘open to all’ end of the market. The other local 18-hole golf courses are primarily membership based clubs.

In addition, the UK golf sector is currently experiencing a high level of golfer demand.

The loss of Southern Valley Golf Course is therefore a significant loss of a sport and leisure facility for the local community.

Given my golf market experience, I believe that it is highly likely that Southern Valley Golf Course was/is not 'surplus to requirements' in terms of the paragraph 5.174 test.

If it is shown to be the case by the required golf needs assessment that Southern Valley Golf Course was/is not 'surplus to requirements', then under paragraph 5.174, there ought to be "positive proposals made by the applicant to provide new, improved or compensatory land or facilities".

We are not aware of any proposals put forward by National Highways in its application for the LTC for such mitigation. We ask that the Examining Authority considers this issue and requests that National Highways puts forward some proposals for mitigation.

A reasonably common benchmark for mitigation would be for the acquiring authority to provide, at its cost, a new alternative 18-hole course with clubhouse and associated ancillary facilities.

The practicalities for delivering this for the LTC application include finding and buying a suitable alternative site; designing the new venue and obtaining planning permission for it; building the new 18-hole course and associated buildings and infrastructure, including allowing for an appropriate 'grow in' time before being able to open for play.

Building 18-hole golf clubs from scratch is expensive. As a 'high level' estimate, building an equivalent Southern Valley Golf Course is likely to cost in the region of £6 to £8 million. It would also take several years to deliver.

A less expensive and quicker form of mitigation could be to upgrade Gravesend Golf Centre to make it fit for modern golfing needs.

The Golf Centre was built in the 1980s. However, due to technological advances in the game, the passage of time, and changing golf market expectations, it currently has several design and operational constraints which would be changed if the centre was being built from scratch today.

Given that the Golf Centre is losing its Par 3 Course for National Highways' construction hub for the LTC, the cost of replacing the Par 3 Course is a 'like for like' replacement, so should be excluded from any mitigation sum payable relating to Southern Valley's loss.

However, any specific mitigation funds for Southern Valley's loss could be used to pay for the following at Gravesend Golf Centre:

- a new build floodlit driving range building with outfield and perimeter netting
- a new clubhouse with reception, retail space, golf tech studio, café and ancillary areas
- a new 18-hole adventure golf course
- new car parking and associated infrastructure.

Upgrading Gravesend Golf Centre into a modern format would be an excellent new leisure facility for the local community which would complement the Council's proposed new Cascades Leisure Centre.

The loss of a full length 18-hole Southern Valley course would then be amply mitigated by providing a new Gravesend Golf Centre which can be used and enjoyed by many golfers (and non-golfers) at an affordable customer price point for years to come.

The stakeholders relevant to the loss of the Par 3 Course are National Highways as the developer, Swing Rite Golf Ltd as the Golf Centre's operator/tenant, and the Council as the freehold owner of the land, the nearby football pitches and the Cascades Leisure Centre.

The stakeholders are currently in dialogue regarding an 'options report' for the loss of the Par 3 Course and possible mitigation measures. This report has yet to be finalised.

A possible option, which is of interest 'in principle' to the Council and my client, is to relocate the Golf Centre to the south east of the Cascades Leisure Centre. This is the area currently earmarked for relocating the football pitches in National Highways' preferred option for mitigating the loss of the Par 3 Course (see the plan in Appendix 1).

A possible benefit of this option is a more efficient and effective use of land resources which may be more 'fit for purpose' for the long term for both the Golf Centre and the new Cascades Leisure Centre. There are also other possible options to explore which are considerably better than National Highways' currently preferred option.

National Highways' preferred mitigation option for the loss of the Golf Centre's Par 3 Course

National Highways' preferred mitigation option has two very significant drawbacks for my client's Golf Centre.

Firstly, the area of replacement land being offered by National Highways is 16% smaller, which is significantly smaller.

Secondly, there would be health and safety issues with ball escape from the driving range onto the new par 3 course. There is a risk of players on certain parts of the new par 3 course being hit by stray golf shots from the driving range. This could cause serious personal injury, and such health and safety risks need to be properly mitigated.

In short, National Highways' proposed mitigation will cause future operational problems for my client including exposing Swing Rite Golf Ltd to a significantly greater risk of being sued by a player on the new par 3 course who has been seriously injured by a stray golf shot.

We therefore object to National Highways' preferred mitigation option and ask the Examining Authority to direct National Highways to look at more appropriate mitigation options, which also account for the mitigation for the loss of Southern Valley Golf Course.

Concluding comments

In summary, given the points set out in this written representation, we ask the following of the Examining Authority:

1. To consider whether National Highways has complied with paragraph 5.174 of the National Policy Statement for National Networks regarding a golf needs assessment regarding the permanent closure of Southern Valley Golf Course.
2. If the Examining Authority is of the view that there has not been appropriate compliance with paragraph 5.174 to consider what mitigation measures are appropriate for the loss of Southern Valley Golf Course. These might include significantly upgrading the Golf Centre, either in the vicinity of its existing location to the north of Cascades Leisure Centre or on a new site to the south east of the proposed new Cascades Leisure Centre.
3. To consider whether National Highways' preferred mitigation option for the loss of the Par 3 Course is reasonable and appropriate given a) the smaller scale of the proposed new par 3 course, and b) the significantly increased health and safety risk of serious personal injury to those using the proposed new course from ball escape from the adjacent floodlit driving range.

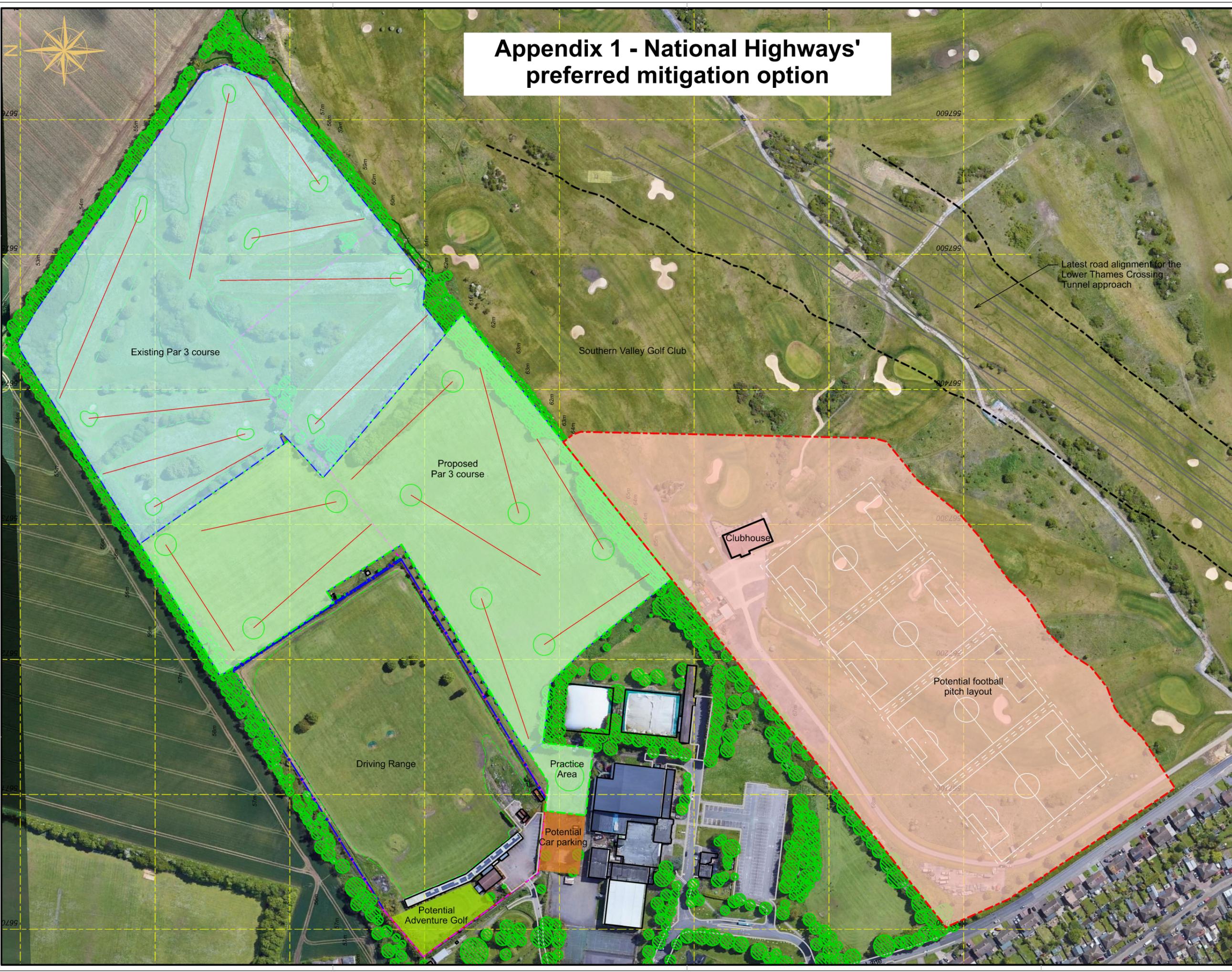
Thank you for considering this representation on behalf of my client, Swing Rite Golf Ltd.

Yours faithfully



Mark Smith BA MRICS MBA

Appendix 1 - National Highways' preferred mitigation option



LEGEND

- Existing Par 3 course
Area = 63,366 m²
- Proposed Par 3 course
Area = 53,395 m²
- Proposed Football pitches
Area = 79,166 m²
- Proposed Extra Car parking
Area = 1,336 m²
- Proposed Adventure Golf
Area = 1,867 m²

Rev.	Date	Description of Revisions	Drawn

Project:	Gravesend Council Pitches		
Client:	Gravesham Borough Council		
Drawing Name:	Conceptual Layout Plan		
Status:	Conceptual		
Drawing number:	Date : 29/06/21	Drawn By : MGB	
GCP.Concept.01	Scale: 1:1250 @ A1	Revision:	

Appendix 2

Google Earth photo showing the now closed Southern Valley Golf Course outlined in red.

Gravesend Golf Centre's 9-hole par 3 course is outlined in blue.



ABOUT SMITH LEISURE

Our golf sector focus

The common theme is work related to UK golf venues. We provide specialist support and advice to clients on golf property and business matters.

We cover the whole golf property spectrum – from small stand-alone golf centres to trophy venues and luxury golf hotels plus newer formats, such as adventure golf.

We have a deep understanding of this market built up over 30 years. We are well placed to provide reliable and insightful advice to our clients.

We are in this sector for the long term. The principles of integrity, trust and professionalism underpin our business and the work we do for our clients.

Our differentiating point

We are the only chartered surveying firm which

- a) specialises solely in the UK golf market and
- b) has direct operational experience in running golf venues.

This blend of direct operational experience, coupled with consultancy work on hundreds of golf property projects, gives us a balanced perspective.

Our insights gained in this sector over many years helps our clients – either by adding significant financial value or giving clarity on their decision making processes.

Mark Smith set up Smith Leisure in 2004. He is member of the Royal Institution of Chartered Surveyors and has an MBA from Henley Business School. He is a member of Golf Business International - a group of leading advisers providing support to the global golf community.



smithleisure

UK GOLF PROPERTY EXPERTISE ■ CHARTERED SURVEYORS

mark smith BA MRICS MBA ■

email: [REDACTED]

Our services relating to golf venues

These include (in alphabetical order):

- Business rates appeals
- Buying, selling and leasing
- Expert witness evidence
- Feasibility and viability studies
- Operational audits and management
- Property valuations
- Rent reviews and lease renewals
- Strategic plans/exit routes
- Town & country planning



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ABOUT SMITH LEISURE (cont.)

Our clients

These include proprietary golf operators, private members' clubs, freehold owners, local authorities, investors, banks, non-golf surveying firms, lawyers and accountants.

Most of our new work comes from personal recommendation. Below are some of the clients we have worked for over the years.

smithleisure

UK GOLF PROPERTY EXPERTISE ■ CHARTERED SURVEYORS

mark smith BA MRICS MBA ■

email: [REDACTED]

Addington Court Golf Centre
Addington Palace Golf Club
Altonwood Golf Group
American Golf (UK)
Ansty Golf Centre
Badgemore Park
Barnet Council
Barton on Sea Golf Club
Baydrive
Birchwood Park Golf & Country Club
Birmingham City Council
Blackmoor Golf Club
Bolton Council
Boughton Golf Club
Bradley Park Golf Course
Brampton Park Golf Club
Broadstone Golf Club
Brokenhurst Manor Golf Club
Builth Wells Golf Club
Burgess Hill Golf Centre
Burhill Golf & Leisure
Camberley Heath Golf Club
Came Down Golf Club
Canford Magna Golf Club
Cape Cornwall Golf & Leisure
Chelmsford City Council
Cheshire East Council
Chobham Golf Club
Chorley Council
City of Edinburgh Council
Cookridge Hall Golf Club
Coombe Wood Golf Club
Cottesmore Hotel Golf & Country Club
Cowdray Estate
Crown Golf

Dacorum Borough Council
Draycote Hotel
Dudsbury Golf Club Hotel & Spa
Dunham Forest Golf & Country Club
Dwellcourt Group
Ealing Council
East Berks Golf Club
Enmore Park Golf Club
Ferndown Golf Club
Five Lakes Hotel Golf & Country Club
Formby Ladies Golf Club
Frodsham Golf Club
GL Hearn
Goldman Sachs
Golf Kingdom Family Golf & Leisure Park
Goring & Streatley Golf Club
Gravesend Golf Centre
Greenwich Peninsular Golf Driving Range
Hampton Court Palace Golf Club
Harleyford Golf Club
Hartley Wintney Golf Club
Hartsbourne Country Club
Hatchford Brook Golf Centre
High Post Golf Club
Hobbs Cross Golf Centre
Hoburne Golf
Hoebriidge Golf Centre
Horton Park Golf Club
HSBC
Kingswood Golf & Country Club
Knight Frank
Littlestone Golf Club
London Borough of Bexley
London Borough of Enfield
London Borough of Hillingdon

Manhattan Loft Corporation
Mill Hill Golf Club
Mill Ride Golf Club
Mytime Active
National Golf Centre, Woodhall Spa
Newbury Racecourse
New Forest District Council
New Zealand Golf Club
Parkstone Golf Club
Pedham Place Golf Centre
Pentland Golf & Leisure
Pine Ridge Golf Club
PING Europe
Pinner Hill Golf Club
Playgolf
Portsmouth City Council
Premier Golf Developments
Preston City Council
Queenwood
Quod Planning Consultancy
Redlibbets Golf Club
Regent Park Golf Course
Remedy Oak
Rotherham Metropolitan Borough Council
Roehampton Club
Royal Bank of Scotland
Royal Guernsey Golf Club
Royal Mid-Surrey Golf Club
Royal St George's Golf Club
Royal Winchester Golf Club
Rustington Golf Centre
Salisbury & South Wilts Golf Club
Sand Martins Golf Club
Scarborough North Cliff Golf Club
Scarborough South Cliff Golf Club

Silvermere Golf & Leisure
South Herts Golf Club
South Winchester Golf Club
Stirling Investments
Stafford Castle Golf Club
St Mellion International Resort
Studley Wood Golf Club
Sunningdale Golf Club
Surrey National Golf Club
The Addington Golf Club
The Belfry
The Dartmouth Hotel Golf & Spa
The Drift Golf Club
The Dye London
The Hertfordshire Golf & Country Club
The Kendleshire Golf Club
The Lambourne Golf Club
The Machrie Hotel & Links
The Point at Polzeath
The Shire London
The Shropshire Golf Centre
The Warwickshire Golf & Country Club
Thonock Park
Thornhill Estates
Thorpe Wood Golf Course
Transport Scotland
Vivien Saunders OBE
Waverley Borough Council
Wescom Group
Wirral Council
Witney Lakes Resort
Wrag Barn Golf & Country Club
Woburn Golf Club
Woodland Environmental
World of Golf



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ABOUT MARK SMITH

smithleisure

UK GOLF PROPERTY EXPERTISE ■ CHARTERED SURVEYORS

mark smith BA MRICS MBA ■

email: [REDACTED]



Work focus – property and business matters relating to the UK golf sector

- Valuation matters (both capital and rental valuations plus business rates appeals)
- Expert witness evidence for court and tribunal cases plus public planning inquiries
- Viability studies and business plans
- Strategic reviews and management consultancy
- Rent reviews and lease renewals
- Sales, lettings and acquisitions (including due diligence)

Work experience

- 2004 - Set up Smith Leisure
- 2000 to 2004 - Property Golf & Finance Group Ltd (property director 2002-04)
- 1999 to 2000 – Strutt & Parker's golf department (head of brokerage)
- 1991 to 1999 – William Hillary Leisure & Hotel's golf department (associate)
- 1988 to 1991 – Hillier Parker in London (trainee surveyor)

Professional and academic qualifications

- Member of the Royal Institution of Chartered Surveyors since 1991 and a RICS Registered Valuer
- Executive board member of Golf Business International – a group of advisers providing support to the global golf community – see [REDACTED]
- MBA from Henley Business School
- Degree in economics and statistics from Exeter University

Other

- Website – [REDACTED]
- Spoken at conferences and seminars on golf property issues
- Written articles for golf industry magazines on various topics



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