FORMAL COMPLAINT — APPLICATION 25/02420/FUL

GolfPod at Crook Log Sports Centre, Brampton Road, Bexleyheath

Acoustic Evidence, Potential Material Misdirection, Equality Considerations, Public Consultation and Procedural Failures

To: Chief Executive, London Borough of Bexley

For the attention of: Paul Thorogood, Chief Executive; Richard Turek, Head of Development Management; Jody Williams, Area Team Manager, Donna Frost, Deputy Director of Legal and Democratic Services (Monitoring Officer)

Dear Mr Thorogood, Mr Turek Mr Williams and Ms Frost,

I am submitting this formal complaint concerning the handling of planning application 25/02420/FUL, for the proposed GolfPod facility at Crook Log Sports Centre, Brampton Road, Bexleyheath.

This complaint concerns the quality and presentation of the evidence informing the planning assessment, the treatment of objections and supporting technical material, the consideration of potentially vulnerable receptors, the transparency of the planning process, the handling and disclosure of information, the unexplained removal of the application from the Planning Committee agenda on 8 October 2026 and the clear possibility that the Planning Committee are being misdirected in their decision making.

My complaint is directed primarily against the Planning Department, The Environmental Health Team and the Case Officer Luke Tassell. However, coupled together, it is indicative of the actions of the council as a whole.

I am requesting a formal investigation by senior officers who have not been directly responsible for the matters complained of, together with a written response addressing each substantive issue I have raised. I request that the Monitoring Officer also conduct a governance and lawfulness review.

My concern is not simply that I disagree with the recommendation to grant planning permission. I am concerned that the way in which the technical evidence, its limitations and the objections raised have been presented to the Planning Committee may have resulted in members receiving an incomplete or materially misleading understanding of the likely effects of the proposed development.

If material limitations, foreseeable operating scenarios, relevant evidence or unresolved technical questions were omitted from the Committee's consideration, or were presented in a manner that overstated the certainty of the conclusions, this could potentially amount to a material misdirection of the Committee. The concern is that members may have been led to attach greater weight to the applicant’s consultant's conclusions than the underlying evidence objectively supports.

I also request specifically, the actions of Case Officer Luke Tassell be reviewed. He has failed in a very rude and unprofessional manner to respond to emails, has not carried out a sufficiently robust investigation into this application, and has not provided the planning committee with a balanced review of the submitted information leading to a clear misdirection. He also failed to follow council policy on the supply of information, requesting that I send in an unnecessary Freedom of Information request.

I recognise the distinction between a legitimate difference of professional opinion and a material error in the information or advice placed before a decision-making body. I am not suggesting that every omission or disagreement constitutes misdirection. However, where the omitted or inadequately explained matter could realistically have affected the Committee's understanding of the development's impacts, its assessment of relevant planning considerations or its ultimate decision, the issue requires serious examination.

This complaint therefore asks the Council to investigate not only whether individual technical matters were considered by officers, but also whether the Committee was given a sufficiently complete, balanced and accurate account of those matters to enable it to make an informed decision. It is clear from my FOI response, that there has been a total lack of technical investigation by the Planning Department, Environmental Health Team and the Case Officer Luke Tassell.

The applicant's acoustic consultant's work should be assessed fairly. I am not alleging that the consultant is incompetent. The concern is whether the assumptions, limitations, uncertainties and potential consequences of the evidence have been adequately recognised in the officer assessment, and whether the planning balance has been reached on a sufficiently robust evidential basis.

Where I identify a possible error or omission, I am asking the Council to investigate and explain it rather than assume that no wrongdoing has occurred. However, the matters are sufficiently serious to require more than a general assurance that the application has been assessed in accordance with normal practice.

1. THE APPLICATION'S REMOVAL FROM THE PLANNING COMMITTEE AGENDA

I watched the Planning Committee webcast on 8 October 2026. Application 25/02420/FUL was not discussed.

I was informed by John Adams, Democratic Services and Information Governance, that the application had been removed from the agenda. I was told not to attend to speak on the application. Mr Adams said he was not able to tell me why the application had been withdrawn and that I should seek that information from the Case Officer. It was clear Mr Adams knew the reason, but for whatever reason, was being instructed not to tell me.

On 8 October at 16:21, I emailed Luke Tassell seeking clarification of the circumstances. I asked why the application had been removed, whether it had been withdrawn or deferred, whether the applicant had requested its withdrawal, who had made the decision and why, when the application would next be considered, whether my opportunity to speak would be retained, and what had happened to the outstanding questions concerning Land Registry matters.

I have not received a response to that email. That is both rude and unprofessional and is indicative of the many concerns I have over this application.

I appreciate that applications can be removed from an agenda for legitimate administrative, procedural or substantive reasons. I am not asserting that the removal was improper. However, the absence of an explanation leaves important questions unanswered.

Please confirm in writing:

1. The application's current formal status.

2. Whether the application was withdrawn, deferred, postponed or removed for another reason.

3. The date on which the decision to remove it from the agenda was made.

4. Who made or authorised that decision and under what delegated authority or procedure.

5. Whether the applicant or its representatives requested the removal, and, if so, when and for what stated reason.

6. Whether any revised documents, representations, technical advice or other material were received before or after the agenda was published that lead to its removal.

7. Whether any new issues arose that require further officer assessment.

8. Whether the application will return to Committee and, if so, when.

9. Whether the public will be notified of any new material and given an appropriate opportunity to comment.

10. Whether my previously arranged opportunity to address the Committee will be retained, subject to the Council's normal procedures. However, as these were modified for the last postponed meeting, I believe I should be guaranteed a speaking spot.

Please also explain why my email of 8 October has not received a substantive response.

I am particularly concerned that the application should not return to Committee with unresolved evidential questions or with new material that has not been made available for proper scrutiny.

2. THE CENTRAL CONCERN: WHETHER THE COMMITTEE HAS BEEN GIVEN A SUFFICIENTLY COMPLETE ACCOUNT OF THE ACOUSTIC EVIDENCE

The proposed development introduces a commercial golf-driving facility into an existing recreational site close to residential properties and the SEN Aspire Academy, a specialist school.

The principal acoustic question is not simply whether an hourly average falls below a selected reference value. It is whether the assessment adequately addresses the nature, intensity, frequency, repetition and likely perception of the noise generated by golf-ball impacts, including the range of foreseeable operating conditions and the particular circumstances of nearby receptors.

The submitted acoustic assessment contains measurements and modelling. Those are relevant evidence, but they are not the same as direct measurements of the proposed facility operating at full capacity under all relevant conditions.

The report itself records that the measurement exercise at GolfPod Cranham Golf Course, Upminster, on 9 February 2026, involved three golfers using a range of clubs and that it was not possible to measure the facility under full use. It has to be highlighted, that Cranham is totally different to Crook Log as there are no residential properties or SEN schools in close proximity. It is a chalk and cheese comparison.

That limitation matters. The conclusions about Crook Log therefore depend, in part, on the measurements selected, the assumptions used to translate those measurements into a model, the operating scenarios chosen, and the treatment of the resulting noise at nearby receptors.

The officer assessment should make those dependencies clear. It should not leave the impression that every relevant operating condition has been directly measured or that the selected modelling assumptions eliminate uncertainty about the real-world noise impact.

I ask the Council to establish whether the Committee reports fairly conveyed:

- What was actually measured.
- What was subsequently modelled rather than measured.
- Which operating assumptions were adopted and why.
- Which foreseeable scenarios were not tested.
- How impulsive and maximum sound levels were distinguished from hourly average levels.
- How the effects on residential gardens, dwellings and the SEN Aspire Academy were evaluated.
- What uncertainties remain and how those uncertainties affected the planning recommendation.

These are material questions because acoustic conclusions are being used to inform the acceptability of the proposed development and the weight given to objections.

What is also very clear, is that the modelling data has seriously underplayed the possible true operating environment of this development. As my complaint will show, on issues such as the maximum sound derived from Titanium drivers, the number of ball strikes per hour, the correction applied to their modelling (6dB rather than 9dB) present some of the many instances where a very favourable set of data was used to achieve the result, rather than scientifically proven alternative scenarios.

3. THE DISTINCTION BETWEEN AVERAGE NOISE AND SUDDEN, HIGH-INTENSITY IMPACTS

The acoustic assessment relies significantly on hourly equivalent sound levels, including LAeq,1h.

LAeq,1h is useful for describing the energy-equivalent average sound level over an hour. However, it does not, on its own, describe the full experience of repeated, sudden golf-ball impacts. Two sound environments with comparable hourly averages may be experienced very differently if one contains intermittent, sharp and conspicuous impact sounds.

The report also considers maximum sound levels and the distinctive character of the noise through the BS 4142 assessment.

The report recognises that impulsivity is a distinctive acoustic characteristic, yet applies a +6 dB correction. In my submission, the appropriate correction for the impulsive character of repeated golf-ball strikes in this context is +9 dB. The assessment should have applied that correction and assessed the resulting rating level and planning implications. Using +6 dB understates the significance of the impulsive character by 3 dB compared with the correction that should have been used. The Council must identify the technical basis for departing from +9 dB and explain, with evidence and calculations, why the lower correction could properly represent this particular source and context. A bare assertion that the selected figure is standard practice is not an adequate answer.

The Council should also explain how it distinguished between:

- The underlying measured sound level.
- The maximum sound level associated with an individual impact.
- The hourly equivalent sound level.
- Any character correction applied to produce a BS 4142 rating level.
- The subjective and contextual significance of repeated impulsive noise.

These are different measures and should not be treated as interchangeable.

The 50 dB LAeq,1h reference used in the assessment is not a statutory noise limit specifically prescribed for GolfPod facilities. Nor is it a universal threshold below which all noise is necessarily acceptable. The acoustic report draws on sports-pitch guidance and other material that is not directly specific to a golf-driving facility of this kind.

The consultant's use of analogous guidance may be a reasonable starting point, but the limitations of that analogy must be recognised when drawing planning conclusions.

My concern is that a result falling within a selected reference range may have been given greater significance than it can properly bear if the impulsive character, maximum levels, receptor sensitivity and limitations of the assessment are not adequately considered.

The residents and children of the SEN Aspire Academy could face multiple instances of sound levels far above and beyond the average hourly figures derived from the applicants underplayed data modelling.

Please identify the evidence and reasoning on which the officer concluded that the predicted noise would be acceptable in this particular setting. Not just referencing the hourly figures, but what might happens at any moment in time during the operating hours. SEN children can be triggered by just one instance of excessive noise. The continual reference to hourly figures when individual instances are more relevant to SEN children is important. Are the council really happy to be the cause of distress to SEN children?

4. THE MEASURED DRIVER NOISE AND THE POTENTIAL FOR HIGHER-INTENSITY IMPACTS

The acoustic report's Table 6.1 gives the following results at one metre:

Measurement | Drivers | Irons

Average LAFmax | 97 dB | 88 dB

Range of LAFmax measurements | 88–102 dB | 85–91 dB

Average LAeq,0.5s | 93 dB | 84 dB

Range of LAeq,0.5s measurements | 83–98 dB | 79–87 dB

The measured driver averages are approximately 9 dB higher than the iron averages for both reported measures.

The highest recorded driver LAFmax was 102 dB at one metre during the particular measurement exercise. That figure is wrong as a representation of the true potential maximum sound level because it materially understates the high-end sound levels that can arise from titanium drivers. A limited measurement exercise cannot establish the maximum level that could be generated during the proposed facility's operation.

Published research has documented substantial variation between drivers and high-intensity impacts from some thin-faced titanium drivers. It demonstrates why a limited sample should not be treated as defining the upper end of the foreseeable sound range.

I am particularly concerned that the Committee should understand the distinction between the highest level recorded during a limited measurement exercise and the highest level that may reasonably occur during the operation of the proposed facility. The scientific evidence points to 115dB as being a truer LAFmax figure and even that might be underestimating future driver enhancements.

The acoustic assessment should explain whether the equipment used during the measurements was representative of the range of drivers likely to be used at Crook Log, including drivers capable of producing particularly high-intensity impacts achieving 115dB LAFmax.

To validate the measurements taken, please confirm:

1. Which driver types were used during the measurement exercise. Without those details the exercise is flawed.

2. Whether the test equipment and clubs were considered representative of the foreseeable range of equipment used by customers.

3. Whether the possibility of substantially higher-intensity impacts was investigated.

4. Whether a high-end sensitivity assessment was undertaken.

5. If no such sensitivity assessment was undertaken, why the measured maximum of 102 dB LAFmax was considered an adequate basis for the model.

The legitimate high-end scenario: 115 dB LAFMax

The legitimate high-end scenario for this assessment is 115 dB LAFMax. The Council must explain why this level was not modelled. The evidence concerning titanium-head drivers and very high peak sound levels must be considered separately: a reported peak of approximately 130 dB is a peak sound-pressure level measurement, not an interchangeable LAFMax figure. The acoustic assessment should have tested the 115 dB LAFMax high-end scenario and separately addressed the evidence of 130 dB peak sound-pressure level impacts.

It is clear the consultant has not considered that 115 dB LAFMax is what can be expected from golfers using titanium drivers and therefore he is underplaying the real level of sound.

Propagation to neighbouring properties

The nearest residential back garden is approximately 17.1 metres away, while the nearest rear wall of a house is approximately 40 metres away.

A simple free-field point-source calculation would produce a substantial reduction in level with distance. However, such a calculation is only illustrative. It cannot, without appropriate source and propagation data, be treated as a prediction of the sound received at either property. The source and receptor metrics must be comparable, and factors such as directionality, screening, reflections, the proposed canopy and the site layout must be considered.

I am not asking the Council to accept a simple distance calculation in place of a competent acoustic assessment. I am asking why the range of source levels and the resulting effects at the nearest receptors have not been transparently demonstrated, including for high-intensity impacts.

The Council should ensure that the distinction between source levels and levels received at homes is maintained throughout any further assessment and response.

5. THE TEN-BAY FACILITY, SIMULTANEOUS IMPACTS AND THE 100-BALLS-PER-HOUR SCENARIO

The submitted model explicitly includes ten bays. My concern is therefore not that the existence of ten bays was omitted from the model. It is whether the assumptions used within that model adequately represent the foreseeable range of operation.

The model uses:

- A rate of 70 balls per bay per hour, which risks understating the true potential noise impact as 100 balls per bay per hour is a true, realistic possibility.

- A disputed 20% driver and 80% iron split, which I strongly challenge as unrepresentative of foreseeable driving-range use.
- Two point sources per bay.
- A duration correction based on an assumed impact duration of 0.5 seconds.
- Different occupancy scenarios, including four and ten bays.
- An assumption that the facility may experience periods of full occupancy.

The proposed facility therefore has ten bays, and the model recognises that all ten may be in use. However, the assumptions concerning balls per hour and the proportion of driver use materially influence the sound energy represented in the model.

Toptracer Technology and Competitive Driver Use

GolfPod actively promotes Toptracer technology in its bays, including a Long Drive game advertised with the invitation to customers to settle the debate over who can hit a golf ball the furthest. This demonstrates that competitive distance-hitting is an intended recreational activity at the facility, rather than merely a hypothetical use. Customers participating in such competitions would reasonably be expected to use drivers for repeated shots, as the objective is to maximise driving distance.

This raises a material question regarding the assumptions adopted in the acoustic assessment, particularly the assumed ratio of driver to iron shots. During a Long Drive competition, participants would be expected to use drivers for the shots taken as part of that game, rather than follow a conventional practice routine involving a mixture of clubs. The acoustic assessment should therefore explain how this advertised activity has been accounted for and demonstrate that its conclusions remain robust when considering periods of repeated driver use across multiple bays simultaneously.

I therefore strongly dispute the consultant's 20% driver/80% iron assumption. The golf-range routines and other evidence cited in this complaint support an 80% driver/20% iron ratio as a credible high-end scenario. In the Long Drive game, it could be 100% driver usage. I therefore require the Council to assess at a minimum a 80/20 driver/iron ratio and to provide evidence if it disputes the evidence supporting this assumption including the fact that they actively advertise their Long drive game. The consultant's own measurements show materially higher noise levels from drivers than irons. Retaining a 20/80 assumption without substantiation materially understates the true highest sound levels the range may produce. Repeating the consultant's assumption is not independent verification.

Why 100 balls per bay per hour should be tested

I have identified published examples of driving-range sessions involving 100 balls:

- Peter Finch's driving-range routine, published by HackMotion: https://hackmotion.com/peter-finchs-driving-range-routine/
- Leeds Golf Centre's published driving-range material: https://www.leedsgolfcentre.com/news_articles/view/149
- MyGolfSpy's article describing a 100-ball range routine: https://mygolfspy.com/news-opinion/instruction/im-a-scratch-golfer-this-is-the-100-ball-range-routine-ive-used-for-decades/

The cited evidence demonstrates that 100 balls per hour is a very credible driving-range scenario and should have been included in the acoustic modelling. Reliance on 70 balls per bay per hour risks understating the true potential noise impact.

With ten bays operating at 100 balls per bay per hour, the facility would generate 1,000 impacts per hour. The assessment must test this full-capacity scenario, including impacts occurring simultaneously or close together in time.

The important point is that the higher rate would increase the number of impacts and could affect the resulting average sound level and the pattern of noise experienced by nearby residents.

Please confirm whether the consultant modelled 100 balls per bay per hour as a sensitivity case. If not, please explain why the 70-ball assumption was considered sufficiently robust and whether the rate is intended to be an enforceable operational limit or merely a modelling assumption. This is a clear example of the real life possibility not being modelled and a lesser more favourable assumption being modelled.

The combined high-end scenario

The Council must model the combined high-end scenario of all ten bays operating simultaneously, 100 balls per bay per hour (1,000 impacts per hour in total), an 80/20 driver/iron ratio, and 115 dB LAFMax. The model must account for impacts occurring simultaneously or close together in time.

- All ten bays operating simultaneously.
- A rate of 100 balls per bay per hour.
- An 80% driver / 20% iron ratio.
- 115 dB LAFMax as the high-end sound level to be modelled, with the separate evidence of titanium drivers capable of producing approximately 130 dB peak sound-pressure level impacts also addressed.
- Impacts occurring simultaneously or close together in time.

This combined scenario represents the full-capacity use that must be modelled to establish the potential impact of the proposed facility. The Council must not dismiss it without evidence.

The acoustic assessment must properly calculate the combined effect of simultaneous or closely spaced impacts using an appropriate acoustic method and explain its assumptions.

The relevant question is whether the acoustic assessment has tested a sufficiently broad and realistic range of operating conditions to support the planning conclusion.

The 102 dB LAFMax figure is wrong as a representation of the true potential maximum sound level because it materially understates the high-end sound levels that can arise from titanium drivers

The Committee needs to understand the difference between the measured results, the assumptions used in the model and the potential range of foreseeable sound events before deciding what weight to give the consultant’s conclusions.

If the combined high-end scenario was not modelled, please explain why its omission does not materially affect the reliability of the assessment or the planning balance.

Please also confirm whether the proposed Noise Management Plan or any planning condition would impose enforceable limits on bay occupancy, balls per hour, driver use or other operational factors relied upon in the acoustic assessment. If not, please explain how the Council can be satisfied that the development will operate within the assumptions on which the assessment depends.

6. MEDICAL AND RESEARCH EVIDENCE CONCERNING GOLF-DRIVER NOISE AND HEARING

The acoustic evidence should not be considered solely in terms of the effects on residents. The potential exposure of golfers themselves is also relevant to the operation of the facility.

Published studies have examined the intense, short-duration sounds generated by golf-ball impacts, including the possible effects of particular driver designs.

Zhao and Bardsley, 2014

The study by Zhao and Bardsley, published in BMJ Open, examined sound exposure among 19 male amateur golfers aged 19–54 using three drivers. The study included measurements within the ear canal and reported a maximum of 123 dBA for one club.

The researchers estimated that the exposure associated with the basket of balls in the conditions studied represented a relatively small proportion of daily permissible exposure and generally indicated low immediate risk under those particular conditions. However, they also discussed the possibility that particularly loud drivers could present a risk of noise-induced hearing loss if used frequently.

The study is limited in sample size and scope. It does not prove that golfers themselves at Crook Log will suffer hearing damage. Equally, it does not establish that all possible combinations of equipment, usage and exposure are harmless. If hearing damage does occur, who will be responsible for paying the damages? The council?

The study is available here: https://bmjopen.bmj.com/content/4/1/e003517.full.pdf+html

Research on titanium drivers

A further study examined the acoustic characteristics of titanium-head golf drivers. It reported an average peak level of approximately 119.9 dBA at 1.7 metres in front of the golfer, with the measurements demonstrating that driver impacts can produce intense, short-duration sounds.

The authors discussed the potential for repeated exposure to these impacts to present a hearing risk, particularly for people who play or practise frequently.

The study can be found here: https://pubmed.ncbi.nlm.nih.gov/24141521/

An earlier paper, Is golf bad for your hearing?, also considered the potential hearing implications of golf-driver impacts: https://pubmed.ncbi.nlm.nih.gov/19091762/

These studies show that golf-driver impacts can be intensely loud and that repeated exposure is a legitimate hearing-risk issue. With ten bays in use and all golfers using titanium drivers at 115 dB LAFMax, potential hearing loss becomes a real possibility for golfers actually using the facility. This is not merely a question of noise transmitted to neighbours; it concerns sound exposure within the bays themselves that the golfers will experience.

The Council should explain whether the applicant's acoustic consultant considered this published evidence when selecting the measurement equipment, determining the representative source levels and evaluating the foreseeable range of impacts. The consultant must also explain whether sound exposure within a bay was modelled for the full-capacity scenario of ten bays operating with titanium drivers at 115 dB LAFMax.

If the evidence was considered, please identify how it informed the assessment. If it was not, please explain why it was considered unnecessary.

The Council must address the potential for hearing damage to golfers themselves. What assessment was undertaken of sound exposure within an occupied bay under the full-capacity scenario, and will the Council or GolfPod company compensate golfers who suffer hearing loss associated with use of the facility? The distinction between a single maximum-level reading and repeated exposure must be maintained, but the potential risk identified in the published research cannot simply be ignored.

The implications for golfers themselves should be distinguished from the question of noise received at neighbouring properties. Both are relevant to understanding the sound environment associated with the proposed use, although they may require different forms of assessment.

7. THE SEN ASPIRE ACADEMY: PUPILS WITH SPECIAL EDUCATIONAL NEEDS AND SENSORY SENSITIVITIES

The proximity of the SEN Aspire Academy, a specialist school, raises an important issue that requires specific and careful consideration.

Some autistic people and other neurodivergent people experience heightened sensitivity to particular sounds, including sudden, repetitive or unpredictable noises. Sensory experiences vary considerably between individuals, and it would be wrong to assume that every pupil will respond in the same way. Equally, it would be wrong to assume that an average sound-level result alone resolves the question of how a particular sound environment may affect pupils with sensory sensitivities.

The National Autistic Society provides general information on sensory processing and the ways in which sensory differences can affect autistic people: https://www.autism.org.uk/advice-and-guidance/about-autism/sensory-processing

My concern is that the application's acoustic evidence does not contain a dedicated assessment of neurodivergent people or a specific examination of the potential implications for pupils who may have sensory sensitivities.

The initial acoustic assessment does not use the term "neurodivergent". The later July addendum acknowledges that people with particular sensitivities to repetitive or impulsive sounds may experience the development differently, and it addresses the Public Sector Equality Duty. It nevertheless concludes that the technical evidence falls within acceptable guidance ranges.

The second Committee report records the objection concerning a disproportionate impact on people with disabilities or who are neurodiverse and indicates that the July addendum addresses the issue.

Acknowledging a possible sensitivity is not the same as explaining, with reference to the evidence, why the predicted sound environment is acceptable for the affected receptor.

The reports refer to the school's proximity to the development and to the results of the acoustic modelling. The original specific-source modelling predicted a level of approximately 28 dB at the nearest façade of the SEN Aspire Academy; later cumulative material gives a figure of approximately 40.5 dB LAeq,1h at receptor R2. These figures relate to the particular models and assumptions used, and should not be treated as interchangeable without explanation.

The Council should clarify how these different figures relate to one another, what sound sources and scenarios are included in each, and how the results were used to assess the school. I have already identified that the figures that have been calculated underestimate the true possibility that this facility could operate under.

Please explain:

1. Whether the acoustic consultant was specifically asked to assess the implications for pupils with sensory sensitivities.

2. Whether the school's actual use, including outdoor areas and periods when pupils may be engaged in activities requiring concentration, was considered.

3. Whether the character and unpredictability of individual impacts were considered separately from hourly average levels. This is very important. A SEN child could have their condition triggered by one excessive noise level. The hourly average becomes irrelevant.

4. Whether the possible effects of repeated impulsive noise were evaluated for this particular receptor.

5. Why the selected impulsivity correction was considered appropriate in this context.

6. Whether the Council sought information from the school or relevant specialists about the potential effects on pupils.

7. What evidence supports the conclusion that the development would be acceptable for pupils who may have heightened sensory sensitivities.

8. Whether the proposed conditions would address any identified effects in a clear, enforceable and effective way.

I recognise that planning law does not require a specialist study in every case where a potentially vulnerable group may be affected. Nor does the presence of disabled or neurodivergent people automatically mean that development must be refused.

However, the Council must take proper account of the circumstances of the receptor and the potential for an impact to affect some people differently. The fact that the council is willing to risk the wellbeing of SEN children is shocking.

The Public Sector Equality Duty

Section 149 of the Equality Act 2010 requires public authorities, when exercising their functions, to have due regard to the matters specified in the duty.

The statutory provision is available here: https://www.legislation.gov.uk/ukpga/2010/15/section/149/enacted

The Government's guidance on the Public Sector Equality Duty is available here: https://www.gov.uk/government/publications/public-sector-equality-duty-guidance-for-public-authorities/public-sector-equality-duty-guidance-for-public-authorities

The relevant question is not whether the Council mentioned equality in its report. It is whether the duty was conscientiously considered in the decision-making process, with sufficient understanding of the relevant circumstances.

Please identify the contemporaneous evidence showing how the duty was considered in relation to this application, including the particular circumstances of the SEN Aspire Academy and the potential for impulsive noise to affect some pupils differently.

I am asking the Council to demonstrate the reasoning behind its conclusion, rather than simply repeat that the Public Sector Equality Duty was addressed. The children's wellbeing who attend the SEN Aspire Academy is being put at

risk by this development. Unless, 100% evidence is provided that this will not be the case, this development should not be approved.

8. THE CHOICE AND APPLICATION OF ACOUSTIC GUIDANCE

The submitted report draws on guidance relating to artificial grass pitches and other sports facilities, while acknowledging that the guidance is not directly applicable to this particular type of development.

That distinction is important.

The proposed facility is not simply an ordinary sports pitch. It involves repeated, concentrated impacts from golf clubs striking golf balls, including drivers capable of producing sharp and potentially conspicuous sounds. The proposed operation, the number of bays and the proximity of the receptors are relevant to the way that noise should be assessed.

The use of analogous guidance is not inherently inappropriate. However, the Council should not treat an analogy as if it were a facility-specific standard or a conclusive demonstration that the proposed use is acceptable.

Please explain:

- What recognised methodology was considered most appropriate for this development.
- Whether any GolfPod-specific dose-response research or assessment methodology was available.
- How the limitations of the chosen guidance were reflected in the conclusions.
- Why the 50 dB LAeq,1h reference was considered appropriate for the relevant receptors.
- Whether the reference was treated as a guide or, in practice, as a pass/fail threshold.
- How the assessment accounted for the distinctive character of the noise.
- Whether the lack of a directly applicable methodology was treated as a source of uncertainty in the planning balance. This information has clearly not been made clear to the planning committee.

The absence of a facility-specific standard does not automatically make the development unacceptable. However, it does mean that the reasoning supporting the assessment should be particularly clear about the limitations of the evidence and the contextual judgement required.

9. LIGHTING, GLARE AND ECOLOGICAL EFFECTS

The proposed facility also raises questions about lighting and its effect on nearby residents and wildlife.

The assessment and officer material should establish whether the proposed lighting design, including its intensity, orientation, hours of use and potential spill, is sufficiently defined to demonstrate an acceptable outcome.

I am concerned about any reliance on post-installation verification where the information needed to establish the acceptability of the design should be available before permission is granted.

Please explain:

1. What illuminance and light-spill information was available when the officer recommendation was prepared.

2. Whether the submitted lighting assessment fully addresses the nearest residential properties and other sensitive receptors.

3. Whether the likely effects of glare and illumination beyond the site were assessed.

4. Whether the proposed lighting design was assessed against the relevant ecological recommendations.

5. What consideration was given to bats and other wildlife potentially affected by lighting.

6. Whether any recommended sensitive-lighting measures are secured through approved plans or enforceable conditions.

7. Whether the Council considers that any outstanding lighting uncertainty can properly be resolved after permission is granted.

I ask the Council to distinguish between a condition that verifies compliance with an established and acceptable design and a condition that postpones the substantive assessment of whether that design is acceptable.

10. DRAINAGE, WASTEWATER AND POTENTIAL CONTAMINATION

The development raises questions about the management of drainage and wastewater, including water associated with ball-cleaning activities and any cleaning products used.

The officer material appears to treat these matters substantially as operational or management issues and indicates that the facility or proposed artificial surface does not present a contamination risk.

I am not asserting that contamination will necessarily occur. I am asking the Council to identify the evidence supporting its conclusion and to demonstrate that the relevant pathways have been considered.

Please clarify:

- What ball-cleaning processes and products are proposed.
- Whether the resulting wastewater will be discharged to a foul sewer, surface-water system, soakaway or another destination.
- Whether the drainage design has been assessed for the proposed use.
- Whether the potential for cleaning chemicals or contaminated runoff to enter soil, groundwater or surface water has been considered.
- What consultation or technical advice was obtained from the relevant drainage and environmental consultees.
- Whether any mitigation or operational controls are necessary and, if so, how they would be secured.

If the Council's conclusion is that there is no material risk, please identify the factual and technical basis for that conclusion.

11. PARKING, HIGHWAY EFFECTS AND THE ASSUMPTIONS ABOUT SIMULTANEOUS USE

The application also needs to be assessed in the context of the parking and highway effects arising from the proposed GolfPod facility alongside the padel courts and existing activities.

The figures in the material available to me indicate an estimate of approximately 20 parking spaces required on weekdays, comprising 14 for padel and six for GolfPod, and approximately 21 at weekends, comprising 14 for padel and seven for GolfPod. The GolfPod figures of six spaces on weekdays and seven at weekends are grossly understated.

I believe that up to 30 additional parking spaces could be required: 14 for the padel courts and 16 for GolfPod, based on people already using the facilities while additional customers arrive. This is a very clear likelihood, and even 30 spaces may be an underestimation. Please identify the evidence supporting the applicant's much lower predictions.

The car park at Crook Log is often near full capacity. What surveys were undertaken to establish how many spaces were available at different times and on different days of the week? What was the lowest number of spaces available under the existing arrangement? If this is not known, how can the modelling demonstrate that the padel courts and driving range will not leave no spaces available? The assessment must model all ten GolfPod bays operating at full capacity, golfers already using the range while others arrive, overlapping arrivals and departures, and simultaneous demand from the padel courts and existing sports facilities.

If the GolfPod parking demand has been significantly understated, there is a legitimate concern that the padel-court demand may also have been understated. The Council must provide evidence supporting both sets of figures. Full-capacity usage must be reflected in the operator's business model: if profitability depends on high occupancy and sustained customer throughput, the Council must explain why the parking assessment does not test the parking consequences of that level of use. Without reliable evidence of existing parking occupancy and a properly justified assessment of additional demand, the conclusion that sufficient parking will remain has not been demonstrated.

12. OPEN SPACE, VISUAL EFFECTS AND THE PLANNING BALANCE

The site forms part of an existing recreational facility and is relevant to the Council's open-space planning policies.

The officer assessment refers to the benefits of the proposed sporting use and the conclusion that the public benefits outweigh the identified residual harm.

The relevant question is whether that balance has been reached after a sufficiently complete assessment of the likely effects.

The Council should consider the proposed commercial use in its actual setting, including the structures and netting, the visual effect of the development, the relationship with nearby homes and the effect on the character and experience of the existing open space.

The planning balance should also reflect the extent to which the potential noise and other effects have been properly evaluated. If the assessment understates uncertainty or omits material scenarios, the weight given to the claimed public benefits may be based on an incomplete account of the development's consequences.

Please explain how the officer applied the relevant open-space policies, including policy SP8 where applicable, and how the Council reached its conclusion that the public benefits of the proposal clearly outweigh any identified harm.

Please also identify the evidence supporting the conclusion that the development's benefits outweigh its effects on residents, the school and the character of the site.

13. ALTERNATIVES AND THE SUITABILITY OF THE LOCATION

I ask the Council to clarify how the suitability of this particular location has been assessed, given the proximity of residential properties and the SEN Aspire Academy.

The fact that a facility may be acceptable at one location does not establish that it will necessarily be acceptable at another. The surrounding uses, distance to receptors, layout, operating assumptions and opportunities for effective mitigation are all relevant.

Please explain whether the assessment considered the site-specific constraints and whether any alternative locations or existing facilities were relevant to the planning judgement.

Erith Sports Centre has expressed a desire to host the GolfPod rather than Crook Log. Crook Log is clearly a very poor choice of location, given its proximity to homes and the SEN Aspire Academy. Far better alternatives exist and the Council should explain why this sensitive site is being pursued when a more suitable location will be available.

Have the council discussed the use of Erith Sports Centre as a better alternative site? If not why not?

14. THE TREATMENT OF PUBLIC REPRESENTATIONS AND TECHNICAL OBJECTIONS

The application has attracted objections, including detailed representations concerning acoustic impacts, the school, environmental effects and other planning matters.

The officer reports refer to the representations and state that the relevant points have been considered. I do not suggest that the mere existence of a large number of objections requires refusal, nor do I claim that an objection has necessarily been ignored simply because I disagree with the officer's conclusion.

However, a summary of objections is not a substitute for an adequate assessment of the substantive issues raised.

The Committee should be able to understand the principal technical arguments, the evidence supporting them, the applicant's or consultant's response and the reason for accepting or rejecting those arguments.

This is especially important where an objection identifies a limitation in the evidence rather than merely expressing opposition to the proposal.

Please explain how the Council ensured that the detailed technical objections were assessed and accurately represented in the officer reports, including the issues concerning:

- The representativeness of the acoustic measurements.
- Higher-intensity driver impacts.
- The rate of ball use and the proportion of driver use.
- The distinction between average and maximum sound levels.
- Impulsivity and the choice of acoustic correction.
- The school and people with sensory sensitivities.
- The adequacy of the proposed canopy and other mitigation.
- Lighting, drainage, synthetic surfaces and environmental effects.

It is clear from my FOI, that no detailed technical examination has taken place. The brush off of the concern raised by the Planning Department by the Environmental Health team to the potential harm to residents caused by the excessive noise being a prime example. If this is representative of the level of technical investigation undertaken, then any recommendation by the Case Officer is completely invalid and a clear case of misdirection to the Planning Committee.

15. PUBLIC ACCESS TO REPRESENTATIONS AND THE COUNCIL'S PUBLISHED GUIDANCE

A particularly concerning procedural issue is the Council's approach to access to written representations.

On 28 August 2026, Luke Tassell wrote to me:

"So unfortunately, I don't have the authority to send you redacted copies, I can only summarise the issues raised by objectors/ advice given by the relevant consultees."

He also stated:

"To get them in full redacted copies you would need to submit a freedom of information request (FOI)."

He further explained that he could not comment on why the representations were kept entirely confidential, because that was a decision made above him and had always been the practice during his time working for the Council.

However, the Council's published planning guidance states that written representations relating to an application being considered by Committee can be viewed on request once the item has been placed on the agenda, subject to appropriate redactions.

The guidance is available here: https://www.bexley.gov.uk/services/planning-and-building-control/view-and-comment-planning-applications/viewing-planning-applications

I recognise that access to documents may be subject to lawful restrictions, including the protection of personal information. I was not asking the Council to disclose unredacted personal data or to disregard any applicable legal exemptions.

The issue is that the response I received appears difficult to reconcile with the Council's published guidance.

Please explain:

1. What policy or legal basis governs access to representations on planning applications considered by Committee.

2. Whether the Council's published guidance was applied in this case.

3. If it was not applied, why not.

4. Whether redacted copies of the representations and relevant consultee advice can be made available under the published procedure.

5. Whether the Council considers that requiring an FOI request in these circumstances is consistent with its published guidance.

6. Whether the guidance accurately reflects the Council's current practice and, if not, whether it will be corrected.

This is a question of transparency and procedural fairness. Members of the public should be able to understand the material informing a planning decision, subject to the legitimate protection of personal information.

The Council should not rely on a general statement that confidentiality is longstanding without explaining the applicable policy, legal basis and relationship with its published guidance.

I also need it to be investigated whether the applicant was supplied with any information without the need to resort to a FOI.

16. FOI DISCLOSURE: NEW EVIDENCE ABOUT THE COUNCIL'S ASSESSMENT

The council has now provided a substantive response.

The disclosed correspondence includes a Planning Officer email dated 20 May 2026 stating:

"I have been reviewing this application again as it potentially could be going to committee, but I am still not really happy about the potential impact on neighbouring amenity, specifically regarding noise from constant hitting of golf balls as close as 16m from the gardens of residential properties."

The officer then asked Environmental Health to explain why the proposal would be acceptable, noting the concern that "the constant low-level noise would be harmful to the neighbour's amenity even if it may pass statutory noise tests." This is important contemporaneous evidence that a planning officer recognised the precise issue raised by objectors: statutory noise criteria and hourly averages do not necessarily resolve the separate planning question of the effect of repetitive impact noise on residential amenity.

The disclosed Environmental Health response, dated 27 May 2026, was:

"It's a sports field? The noise would be no different to playing cricket, hockey etc. We wouldn't look at the noise impact assessment for loss of amenity."

I consider that response profoundly inadequate. A ten-bay golf driving range involving repeated, sharp ball impacts is not technically assessed merely by labelling the site a sports field and asserting that its noise is no different from cricket or hockey. No comparative measurements, source data, frequency analysis, event-rate analysis, acoustic calculations or other technical evidence are identified in that reply to support the equivalence asserted. Nor does the response engage with the Planning Officer's specific concern about continuous/repetitive impacts close to residential gardens or the possibility of harm to amenity even where statutory noise tests may be passed.

The correspondence therefore raises a serious question: was the distinctive noise from this particular proposed use actually assessed by Environmental Health, or was it dismissed by analogy without examining the acoustic evidence? The wording "We wouldn't look at the noise impact assessment for loss of amenity" appears to distinguish Environmental Health's remit from the planning amenity question, but it does not supply the technical analysis needed to resolve the concern. If Environmental Health did undertake a separate technical assessment, the Council should identify it and provide the relevant records. If it did not, the Council should say so plainly.

The FOI disclosure has also not provided records demonstrating investigations undertaken by the Council to verify the applicant's acoustic report, including checks of the source data, operating assumptions, model inputs, or the report's technical conclusions. On the material disclosed to me, there is no documentary evidence that such verification was undertaken. I recognise that the absence of a record in the disclosure is not conclusive proof that no work of any kind occurred. However, the Council must now identify the actual investigative work relied upon, with dates, responsible officers, records, calculations and findings. If there was no technical verification beyond accepting the consultant's conclusions and the general Environmental Health response quoted above, the Council should acknowledge that directly.

This is not a demand that Council officers repeat every exercise undertaken by a competent consultant. It is a demand that, where serious objections identify specific assumptions and possible shortcomings, the authority can show a reasoned basis for relying on the report. The disclosed material presently points to a troubling gap between the Planning Officer's expressed concern and the unsupported reassurance provided in response.

The disclosure also includes a 9 July 2026 email from the Case Officer stating: "I fully appreciate your stance on this and as I say I will make every effort to get this seen at the upcoming committee. I would want to be in a position where

every single basis is covered that we could anticipate to give it the best chance at committee so nothing gets pulled up."

I recognise that officers are entitled—and expected—to prepare an application thoroughly before Committee and to ensure that foreseeable questions are addressed. That statement, by itself, does not prove improper conduct or an intention to secure approval regardless of the merits. Nevertheless, when read alongside the earlier Planning Officer's recorded concern about noise, and the Environmental Health response that offers no technical analysis in support of its comparison with cricket and hockey, the email heightens the need for independent scrutiny. The Council must demonstrate that "every single basis" was covered through objective assessment and a balanced examination of the evidence, rather than by resolving or setting aside concerns in order to avoid challenge at Committee. When you put all the responses together, you are lead to the possibility that the Case Officer has provided the applicant with a path to having their application approved which has been achieved by not investigating the applicant's submission robustly enough and not providing the Planning Committee a true reflection of what the real operating environment might mean to the residents and the children of the SEN Aspire Academy.

The disclosure also appears to indicate that the applicant was supplied with an objector's acoustic report and other objection material, whereas I was told that redacted copies of representations were not available and that I would need to submit an FOI request. This raises an apparent inconsistency in access to documents. I do not assert, without the complete disclosure and explanation, that the difference was unlawful or that the parties were necessarily in identical circumstances. I require the Council to identify precisely what was supplied to the applicant, when, by whom, under what policy or legal basis, and why equivalent access was not provided to me under the Council's published procedure, subject to appropriate redactions.

The Council should preserve and identify the relevant disclosure schedule and records, including the correspondence with the applicant and consultant, the objector's acoustic report, internal officer communications, Environmental Health advice, and any technical review or validation of the applicant's acoustic report.

17. THE CASE OFFICER'S APPROACH AND THE NEED FOR INDEPENDENT SCRUTINY

The Case Officer's 9 July email must be considered alongside the May correspondence. The wish to ensure that every anticipated basis was covered before Committee is not, in itself, improper. The critical question is what "covered" meant in practice. The records disclosed so far do not demonstrate that the central noise concern was resolved by a documented technical assessment. Instead, the Planning Officer's concern was answered by an Environmental Health statement equating the proposed facility with cricket and hockey and saying that the noise impact assessment would not be considered for loss of amenity.

That is not an adequate evidential answer to the specific question posed. Nor is it enough to say that the application was reviewed or that the applicant's consultant is qualified. The Council should show the work done, the evidence examined, the reasoning adopted and how the concerns were addressed before the application was prepared for Committee. The combination of the emails raises a legitimate concern that the process may have concentrated on making the application ready to withstand Committee scrutiny without ensuring that the underlying amenity issue had first been properly resolved. I ask for an independent review of that concern, without prejudging the outcome.

18. VERIFICATION OF THE INFORMATION SUPPLIED BY THE APPLICANT AND ITS CONSULTANTS

My Freedom of Information request shows that no technical analysis was undertaken of the applicant's acoustic report. Environmental Health just provided an analogous response, which is not acceptable on such a technical matter and more importantly, where an incorrect decision could have such a devastating impact on the lives of the residents and on the children of the SEN Aspire Academy.

Either the Council failed to supply the information, or no technical work was undertaken by Environmental Health. If no technical analysis was undertaken by Environmental Health and they just took the acoustic report at face value, that is an egregious error that requires a detailed investigation. If the Planning Department just then took an analogous response as acceptable to answer their serious concerns of the impact of the noise on the residents and children, that is also a grave error of judgement on their part.

19. THE ADEQUACY OF THE OFFICER REPORTS

The Committee reports are important because members rely on them to understand the proposal, the representations, the technical evidence and the planning balance.

The reports should fairly distinguish between the applicant's case, the technical consultant's findings, the Council's own assessment and any unresolved uncertainty.

I therefore ask the Council to undertake a review of the officer reports and any relevant addendum, specifically addressing whether:

1. The limited nature of the acoustic measurement exercise was made sufficiently clear.

2. The distinction between measured and modelled results was explained.

3. Why was 115 dB LAFMax not modelled?

4. Why were titanium drivers capable of producing 130 dB peak sound-pressure levels not modelled?

5. The possibility of 100-ball sessions was considered as a scenario.

6. The potential for high-intensity impacts across ten occupied bays was evaluated.

7. The difference between LAeq,1h, LAFmax, peak sound pressure and BS 4142 rating level was properly explained.

8. The choice of impulsivity correction was adequately justified.

9. The limitations of the guidance used were acknowledged in the planning conclusion.

10. The particular circumstances of the SEN Aspire Academy and the Public Sector Equality Duty were addressed with sufficient care.

11. The lighting, drainage, synthetic-surface and other environmental issues were assessed on an adequate evidential basis.

12. The material objections were fairly summarised and substantively considered.

13. The proposed conditions genuinely address the relevant impacts rather than defer unresolved questions of principle.

If the Council concludes that the officer reports adequately address each point, I ask it to identify the relevant passages and explain the reasoning supporting that conclusion.

A general statement that the application has been assessed by professional officers would not adequately answer these specific questions.

The car-parking requirement was grossly underestimated. A requirement for 30 additional spaces—14 for the padel courts and 16 for GolfPod—is a very clear likelihood, and even that figure may be an underestimation. The Council must explain why its lower predictions should be accepted when full-capacity use and overlapping arrivals have not been adequately accounted for.

20. Cranham Site Visit.

Planning Committee Site Visit to Cranham GolfPod – 24 September 2026

On 24 September 2026, some members of Bexley's Planning Committee, whose identities have not been disclosed in the report pack, attended the GolfPod facility at Cranham. However, the committee report pack contains no record of what was observed, what questions were asked, what measurements or checks were undertaken, or what conclusions were drawn from the visit. This absence of documented findings makes it impossible to establish whether the visit provided a reliable basis for assessing the proposed GolfPod at Crook Log.

The visit also appears to have had limited relevance to the circumstances at Crook Log. Cranham is situated away from residential housing and schools, whereas the proposed Crook Log facility would operate close to residential gardens and the SEN Aspire Academy. The nearest back garden is approximately 17.1 metres from the proposed point of impact, and the nearest house's rear wall is approximately 40 metres away. The sensitivity of the surrounding environment is therefore materially different. A visit to Cranham cannot, by itself, demonstrate that the noise and other impacts would be acceptable at Crook Log.

To establish whether the visit was a meaningful and representative planning exercise, the Council should answer the following questions and disclose the supporting records.

- Identity of attendees: Which councillors and officers attended, and what were their respective roles during the visit?
- Host and discussions with committee members: Who organised and hosted the visit? Were the committee members hosted by the planning applicant, the GolfPod operator, their representatives or acoustic consultants? What specifically was said to the committee members, what information and assurances were provided, and what questions were asked and answered? Were any claims checked against independent evidence, and was a written record made of the discussions?
- If the applicant or its representatives hosted the visit and had an opportunity to present their case directly to committee members, the Council must explain how this was consistent with procedural fairness. Objectors have not been afforded an equivalent opportunity to meet and address the Planning Committee in this way. Providing the applicant with direct access to members without an equivalent opportunity for objectors to put forward their concerns risks giving the applicant an unfair advantage. The Council should explain what safeguards were in place to ensure that the visit did not become an opportunity for one side to influence members outside the ordinary committee process.
- Purpose and scope: What specific planning questions was the visit intended to answer, and what aspects of the Crook Log proposal were attendees seeking to verify?
- Distance from the point of impact: Did the attending members stand approximately 17 metres from where golf balls were being struck, replicating the distance to the nearest back garden at Crook Log? Did they also assess the sound at approximately 40 metres from the point of impact, corresponding to the distance to the nearest house's rear wall? If they did not, how can the visit establish what residents at these distances might experience?
- Titanium drivers and peak sound levels: Did members witness titanium-headed drivers being used under conditions capable of producing the high-end peak sound-pressure levels reported in scientific literature, including reported levels in the region of 120–130 dB? If not, they did not witness the full range of potentially relevant impact sound levels. What steps were taken to establish the potential peak sound levels from titanium-driver impacts, and were any measurements taken to verify them?
- Ten bays operating simultaneously: Did members witness all ten bays in use simultaneously, with golfers striking balls in each bay? If not, how could they assess the cumulative effect of simultaneous impacts across the full proposed facility?
- Ball-strike frequency: Did members witness 100 balls being struck per bay per hour across all ten bays over a one-hour period—a total of 1,000 ball strikes? If they did not, the visit did not demonstrate the noise impact of this credible high-use scenario. What evidence was used to establish whether the proposed facility could operate at this level of use?
- Drivers and irons: What types of clubs were used during the visit? Was the proportion of driver strikes compared with iron strikes recorded? Was the visit capable of assessing the proposed high-end scenario based on an 80/20 driver-to-iron ratio?
- Written record and conclusions: Was a site-visit note, checklist, photographic record or other written assessment produced? If so, why was it not included in the committee report pack, and how were the findings used in the officer's assessment?
- Relevance to the decision: What specific conclusions, if any, were drawn from the visit, and what evidence supports applying those conclusions to a site with nearby residential gardens and the SEN Aspire Academy?

Unless these matters were recorded and the relevance of the Cranham site properly evaluated, the visit cannot be treated as reliable validation of the proposed development's likely effects at Crook Log. A visit that did not reproduce

the relevant distances, examine high-end titanium-driver impacts or observe the proposed full-capacity operation would not, by itself, demonstrate that the resulting noise would be acceptable at Crook Log.

The Council should disclose the identities of the attendees, who hosted the visit, all notes and records made, the information given to members, the questions asked, the observations undertaken and the conclusions drawn. It should also explain what safeguards ensured procedural fairness and how the material differences between the two locations were taken into account before any weight was placed on the visit in determining the application.

Request for a Further Planning Committee Site Visit to Crook Log

In the interests of procedural fairness and a properly informed planning decision, I request that the Planning Committee undertake a site visit to the proposed GolfPod location at Crook Log Sports Centre.

The circumstances at Cranham are materially different from those at Crook Log, particularly in relation to the proximity of residential properties and Aspire Academy, a specialist SEN school. Members should have the opportunity to examine the actual surroundings at Crook Log, including the relevant distances between the proposed ball-striking locations and nearby homes.

Given the concerns about how the Cranham visit was organised and conducted, I further request that objectors be afforded a fair opportunity to facilitate the Crook Log visit by identifying the relevant locations and explaining the physical circumstances that they consider material to the application. This should take place under clear, consistent procedures, with the visit managed by the Council and with appropriate safeguards to ensure that no party receives an unfair advantage.

The visit should allow members to examine the proposed layout, the proximity of residential gardens and houses, and the relationship between the proposed facility and the neighbouring school. Any questions, answers and material observations should be recorded and made available to those with a legitimate interest in the application.

A visit to Cranham cannot, by itself, establish the likely impact of the proposed development at Crook Log. Members should have the opportunity to assess the actual Crook Log site before reaching a decision.

21. POTENTIAL MATERIAL MISDIRECTION OF THE PLANNING COMMITTEE

I consider it necessary to address explicitly the possibility that the Planning Committee could have been materially misdirected by the information and advice presented to it.

The concern arises from the cumulative effect of the matters set out in this complaint. These are not simply isolated technical questions. Taken together, they raise the question of whether the Committee was given an adequately complete and balanced understanding of the evidence relevant to determining this application.

In particular, the Council needs to establish whether members were given a sufficiently clear account of:

1. The limitations of the acoustic measurements, including the fact that the highest recorded driver LAFmax of 102 dB at one metre was obtained during a limited measurement exercise and does not establish the maximum level that could foreseeably be generated by all drivers used at the proposed facility.

2. The assumptions underpinning the acoustic model, including the use of 70 balls per bay per hour and the consultant’s 20% driver/80% iron split, despite evidence supporting a credible 80/20 driver/iron high-end scenario, 100 ball strikes per hour per bay, and whether members were told that these were modelling assumptions rather than enforceable operational limits.

3. The potential for higher-intensity driver impacts, including the published research concerning some titanium drivers, and whether the difference between the measured results and the wider range of potentially foreseeable sound events was adequately explained.

4. The untested or insufficiently explained high-end operating scenarios, including 100 balls per bay per hour and the potential for high-intensity impacts across all ten occupied bays. The question is not whether such a scenario represents normal operation, but whether its omission from sensitivity testing was justified and whether members were informed of the resulting uncertainty.

5. The distinction between different acoustic metrics, including LAeq,1h, LAFmax, peak sound pressure levels and BS 4142 rating levels, so that a predicted hourly average was not inadvertently understood as resolving every concern about sudden, repeated and potentially conspicuous impacts.

6. The basis for the selected impulsivity correction, including why the assessment departed from the +9 dB impulsivity correction that should have been applied, and whether members were adequately informed of the resulting understatement of the sound's impulsive character.

7. The limitations of the guidance used, including the reliance on guidance that is not specifically designed for this type of golf-driving facility, and the extent to which the resulting predictions can properly establish that the development would be acceptable in this location.

8. The circumstances of the SEN Aspire Academy, including the potential effects on pupils with sensory sensitivities, the relevance of the Public Sector Equality Duty and the evidence supporting the conclusion that the development would be acceptable for this particular receptor.

9. The assumptions concerning mitigation, particularly the proposed canopy, its modelled acoustic performance, the assumption that gaps would be filled, and whether the required design and performance were sufficiently established and secured.

10. The cumulative effect of the proposal, including the relationship between the GolfPod facility, the padel courts and the existing noise environment, and whether the conclusions adequately reflect the assumptions and limitations of the cumulative assessment.

11. The parking assessment, including why the GolfPod demand was estimated at only six spaces on weekdays and seven at weekends, why full-capacity operation and overlapping arrivals were not adequately modelled, and why a requirement of 30 additional spaces is a very clear likelihood and may still be an underestimation.

The significance of these matters lies not in any one figure considered in isolation, but in the possibility that the overall presentation may have conveyed a degree of certainty about the development's effects that the underlying evidence did not justify.

For example, if members were told that predicted hourly sound levels fell within an identified reference range, but were not adequately informed about the limitations of that reference, the impulsive character of the noise, the assumptions underpinning the model or the potential for higher-intensity impacts, they might reasonably have formed a different impression of the development from that which a fuller account of the evidence would have produced.

Similarly, if the Committee was assured that the acoustic effects on the SEN Aspire Academy were acceptable without being given a sufficiently clear explanation of the evidence concerning sensory sensitivities and the particular circumstances of the school, there is a legitimate question as to whether the relevant considerations were adequately presented.

There is strong evidence that the Planning Committee has been misdirected. Material evidence and foreseeable operating scenarios have not been adequately addressed, the acoustic model relies on disputed assumptions that materially understate the potential impacts, and the FOI disclosure raises serious questions about whether the Council independently examined the technical evidence. The Committee must be given a full, accurate and evidence-based account of these issues. This is not a minor difference of opinion: it is a serious concern that members may have been asked to consider the application without the information necessary to understand its true potential effects.

That possibility warrants a formal investigation because the relevant question is whether the Committee's understanding of the evidence was materially affected, not simply whether the officer reports referred to the subject in general terms.

I therefore ask the Council to undertake a specific review of the information and advice placed before the Committee and answer the following questions:

a. Did the Committee receive a sufficiently complete account of the limitations of the acoustic assessment?

b. Were members informed which conclusions were based on direct measurements and which depended on modelling assumptions?

c. Were the material assumptions and their potential effect on the conclusions adequately explained?

d. Were the potential for higher-intensity impacts and the relevance of the published research adequately addressed?

e. Was the Committee informed whether the 100-ball-per-bay-per-hour and combined high-end scenarios had been tested, or why they had not been?

f. Were the potential effects on the SEN Aspire Academy and the relevance of the Public Sector Equality Duty adequately explained?

g. Were the limitations of the acoustic guidance and the significance of the selected reference values made clear?

h. Were members given sufficient information to understand the uncertainties that remained and to decide what weight should be attached to the consultant's conclusions?

i. Did the officer recommendation and the planning balance accurately reflect those uncertainties, or did they convey a level of confidence that was not adequately supported by the evidence or any technical investigation carried out by them?

j. If any material information was not included in the reports, was it nevertheless brought to members' attention through another recorded part of the decision-making process?

Please identify the relevant passages in the Committee reports, addenda, technical documents, recorded advice and other decision-making records on which the Council relies in answering these questions.

If the Council concludes that there was no material misdirection, I ask it to explain the basis for that conclusion by reference to the evidence actually made available to the Committee. A response that merely states that the matters were considered by officers would not, by itself, resolve the question of whether the Committee was adequately informed.

If the review identifies a material omission, an inadequately explained assumption or an inaccurate impression that could have affected the Committee's understanding, please explain what corrective action the Council considers appropriate before the application is determined.

22. THE PLANNING BALANCE AND THE CONSEQUENCES OF UNCERTAINTY

The planning balance can only be properly undertaken if the Committee has been given a sufficiently complete and accurate understanding of the proposal's likely effects, the evidence supporting the assessment and the uncertainties that remain.

This is where my concern about potential material misdirection becomes particularly important. If the officer recommendation relies on predicted noise levels without adequately explaining the assumptions underpinning those predictions, the limitations of the assessment or the potential significance of higher-intensity and repeated impacts, the Committee may attach greater weight to the apparent certainty of the results than is justified.

Likewise, if the potential effects on the SEN Aspire Academy, including the circumstances of pupils with sensory sensitivities, are treated as resolved without a sufficiently clear evidential explanation, the Committee may not have been given an adequate basis on which to evaluate that consideration.

These matters could affect not only the Committee's understanding of the likely impacts but also the weight it assigns to those impacts when balancing them against the claimed public benefits of the development.

I am not suggesting that every uncertainty must be eliminated before a planning application can be determined. I am asking whether the remaining uncertainties and limitations were accurately presented and whether the planning balance reflects them. If they were not, the issue is potentially more serious than a difference of professional opinion: it is whether the recommendation was reached, and presented to members, on a properly informed basis.

I recognise that uncertainty does not automatically require refusal. Nor does every potential adverse effect outweigh the benefits of a proposed sporting facility.

However, the planning balance can only be properly undertaken if the likely effects have been sufficiently assessed and the limitations of the evidence are recognised.

In this case, the proposed facility would operate in close proximity to residential properties and a specialist school. Its noise characteristics include repeated, impulsive impacts, and the assessment relies on assumptions concerning the number of balls struck, the proportion of driver use, source levels and the effectiveness of the proposed canopy.

The lack of a GolfPod-specific acoustic methodology does not automatically mean that the assessment is unacceptable. It does, however, make it particularly important that the officer report explains the basis on which the chosen methods and reference values are considered appropriate.

If reasonable sensitivity scenarios have not been tested, the Council should explain why the omission does not materially affect its conclusions. If mitigation is necessary to achieve the predicted outcome, the Council should demonstrate that the relevant design and operational assumptions are sufficiently defined and can be secured.

The potential effects on the SEN Aspire Academy and people with sensory sensitivities should also be addressed as part of that overall assessment, rather than treated as resolved merely because a predicted average sound level falls within a selected reference range.

Please explain how the Council reached its planning balance in light of these matters, including the weight given to the claimed public benefits and the potential adverse effects.

23. LAND REGISTRY RESTRICTIONS, OWNERSHIP AND FAILURE TO RESPOND TO MY EMAIL OF 7 OCTOBER 2026

On 7 October 2026, I sent the Case Officer three screenshots of provisions appearing in the Land Registry/title documentation and asked specific questions about the ownership of the land, the authority for the proposed transaction and restrictions on building, trade, sports and nuisance. I received no response. The screenshots must be provided to the Planning Committee with this complaint. These are material questions that require a proper response, not silence.

Ownership and authority

The title information supplied identifies the registered owner as the Mayor and Burgesses of the London Borough of Bexley. I ask the Council to identify the legal capacity in which the land is held, the body or officer authorised to approve any lease, licence, disposal or commercial arrangement, what formal decision or delegation supports the proposed use, and whether any consent has been granted by the relevant authorised decision-maker. I specifically asked whether the Mayor had agreed to the transaction and requested written confirmation. Please provide any relevant written record or explain why it cannot be disclosed. I do not assume that every councillor must personally consent or that residents automatically have a legal right to vote on every development; I require the Council to explain the applicable governance and authorisation arrangements.

Attachment 1 — provision concerning buildings and building cost

The first screenshot contains a provision headed “VALUE OF BUILDINGS” stating that no dwellinghouse or other building not connected with a dwellinghouse shall be erected if its prime building cost of materials and labour is less than £400, excluding roads, sewers, fees and expenses. The Council must explain whether it has examined this provision, whether it remains effective, whether it applies to the proposed structures and whether any consent, release or variation is relied upon. The precise effect must be assessed against the complete title and original instrument; the screenshot alone does not establish an outright prohibition on all buildings.

Attachment 2 — restriction on trade or business

The second screenshot contains a provision headed “TRADES and other things prohibited”, including the wording: “No building erected or hereafter to be erected on the said land shall be used as a shop or for any trade business or occupation whatsoever.” It also refers to trade, manufacture and operative machinery. The proposed GolfPod is intended to operate as a commercial golfing facility. This wording raises a substantial question about whether the proposed structures and use are compatible with the covenant. The Council must explain whether the complete deed has been examined by a suitably qualified legal adviser, whether the covenant remains enforceable and applies to the proposal, and whether any consent, release, variation or other legal mechanism has been obtained or is being pursued. Planning permission would not, by itself, extinguish an enforceable private-law restriction.

Attachment 3 — sports, annoyance and nuisance to adjoining occupiers

The third screenshot contains wording restricting use for “any exhibition sports or show” and for “any purpose which shall cause annoyance or be a nuisance to the owners lessees or occupiers of the adjoining lands and hereditaments”. It also includes provisions about agricultural or garden use until dwellings are erected and specified exceptions for horticultural structures.

The express reference to annoyance and nuisance is a key issue. It is directly relevant to the repeated objections from neighbouring residents concerning the frequency, intensity and impulsive character of golf-ball strikes, the use of drivers, the assumptions in the acoustic assessment and the proximity of the facility to residential gardens and homes. The nearest residential garden is approximately 17.1 metres away and the nearest rear wall of a house is approximately 40 metres away. These are not merely abstract concerns: residents have submitted evidence and objections about the anticipated effects of the proposed operation.

The Council must establish the legal status and effect of this covenant and explain how it has been considered. It must not simply disregard the wording or assume that planning permission resolves the separate question of compliance with the title. Please confirm whether legal advice has been obtained, whether the proposed use is considered to fall within the covenant, who may be entitled to enforce it, and whether any consent, release, variation or order modifying the restriction exists or is being pursued. If the Council considers the covenant does not apply, it must provide the legal and documentary basis for that conclusion. The wording and enforceability depend on the complete instrument and legal context; I do not suggest that the screenshot alone conclusively determines those questions.

Required action

Please: (1) provide all three screenshots and the substance of my 7 October email to Committee members before determination; (2) confirm whether the full registered title and original conveyance or transfer have been examined; (3) identify any subsequent deeds varying or releasing the provisions; (4) identify any legal advice obtained, subject to applicable privilege and lawful disclosure limits; (5) identify any consent, release, variation or other mechanism relied upon; (6) confirm whether the applicant has addressed these restrictions; and (7) explain why my email was not answered and how these material questions will be resolved before the application is determined.

These unanswered title questions reinforce my wider concern that the Committee may not have been given a complete account of the material issues. The existence of a planning application is not proof that the proposed development is compatible with the title restrictions affecting the land. The Council must provide the Committee with a clear explanation of the outstanding issues and must not treat the nuisance wording as incidental.

24. POTENTIAL LEGAL AND PROCEDURAL IMPLICATIONS AND INTENDED ACTION

I consider that there are very strong grounds for challenging any grant of planning permission if the material issues raised in this complaint are not properly addressed before the application is determined. In particular, I am seriously concerned that the Planning Committee risks being materially misdirected. The basis for that concern is cumulative:

1. Significant public objections and supporting evidence appear to have been omitted from the officer report, meaning members may not receive a complete account of the material issues raised.

2. Objections that are included appear to be dismissed without adequate logical, scientific or policy-based reasoning. A conclusion that noise is acceptable is not a substitute for addressing the evidence and explaining why the objections are rejected.

3. I have expressly warned the Committee in writing that members are at risk of being misled by the lack of evidence and the way the application has been presented. The Council is therefore on notice of these concerns before a decision is made.

4. The disputed acoustic assumptions, including the consultant’s 20/80 driver/iron assumption, the operating rate, the limited Cranham measurement exercise, the high-intensity driver evidence and the impulsivity correction, have not been shown to have been independently verified in the records disclosed to me.

5. The FOI disclosure raises further questions about whether the concerns over neighbouring amenity were properly investigated, including the Planning Officer’s express concern about constant ball-strike noise and Environmental Health’s general comparison with cricket and hockey.

6. The Land Registry provisions, including the express wording concerning annoyance and nuisance to adjoining owners and occupiers, have not received a substantive response despite my email of 7 October 2026.

Taken together, these matters give rise to a serious concern that members could be asked to determine the application on an incomplete or materially misleading evidential basis. My position is that this is not simply a disagreement about planning judgement. If permission is granted without the omissions, disputed assumptions and

unanswered issues being properly addressed, I intend to pursue judicial review as a benefactor has agreed to fund such a challenge. I consider that there are very strong grounds to do so on the basis of the apparent material misdirection and the failure to give proper and reasoned consideration to significant objections and evidence. The precise grounds would be settled with appropriate legal advice and by reference to the full decision record; I do not suggest that a court's conclusion is predetermined.

If the application is passed, I also intend to refer the Council's handling of the matter to the Local Government and Social Care Ombudsman (LGSCO), including the alleged administrative failures, communication failures, handling of representations, investigation of objections and the completeness and fairness of the process. This would be a separate route from judicial review, with its own remit and requirements.

I am also requesting that the council's Monitoring Officer carry out a governance and lawfulness review.

The Council should not assume that this complaint suspends or extends any statutory time limit. Judicial review claims must be brought promptly and are subject to strict time limits, commonly including a six-week limit for certain planning decisions. I reserve all rights and will obtain advice on the applicable deadline if permission is granted.

Before any decision is made, I ask the Council to ensure that the Committee is given a full and balanced account of the material objections, the limits of the technical evidence, the unresolved Land Registry questions and the reasons for any conclusions reached. If the Council disputes my concerns, it must respond with the relevant evidence, records and reasoning rather than a general assurance that the application has been assessed appropriately.

25. REQUEST FOR AN INDEPENDENT INVESTIGATION INTO LUKE TASSELL'S CONDUCT AND IMPARTIALITY

I request an independent investigation into Luke Tassell's handling of application 25/02420/FUL. Taken together, the following matters give rise to a serious concern about whether he has maintained the neutrality expected of a planning officer. I recognise that an investigation must consider the full context and that these are allegations requiring findings, not conclusions I can determine unilaterally.

First, the FOI disclosure records the Case Officer saying: "I would want to be in a position where every single basis is covered that we could anticipate to give it the best chance at committee so nothing gets pulled up." I am concerned that this language suggests a focus on helping the application succeed rather than an even-handed assessment of the applicant's case and the objections. The Council should investigate the context and whether the approach was consistent with impartial case management.

Second, I contend that significant objections and supporting evidence have not been adequately presented to the Committee, while objections that are included have been dismissed without sufficient logical, scientific or policy-based reasoning.

Third, I was told that redacted copies of objections could not be provided and that I would need to submit an FOI request, despite my understanding that the Council's published planning procedure provides for representations to be made available. The FOI disclosure also appears to indicate that the applicant received an objector's acoustic report and other objection material. I require the Council to identify exactly what was disclosed, to whom, when, by whom and under what policy or legal basis, and to explain why comparable access was not provided to me, subject to appropriate redactions.

Fourth, I received no response to my email of 7 October 2026 raising Land Registry questions, or to my email of 8 October 2026 asking why the application had been removed from the Committee agenda. I consider the failure to respond to these important questions both rude and unprofessional.

Fifth, the FOI disclosure records Environmental Health responding to the noise concern with: "It's a sports field? The noise would be no different to playing cricket, hockey etc. We wouldn't look at the noise impact assessment for loss of amenity." I am concerned that this general statement was accepted without adequate investigation of the specific acoustic evidence, including the repetitive and impulsive character of golf-ball strikes, the use of drivers, the disputed model inputs and the proximity of neighbouring homes and the SEN Aspire Academy. The Council must identify the technical evidence, if any, that supports the comparison and explain what independent assessment was undertaken.

Sixth, the records disclosed to me have not demonstrated that the Council independently verified the source data, operating assumptions, model inputs or conclusions of the applicant's acoustic report. I do not claim that the absence

of records in the FOI response conclusively proves that no checks took place. I require the Council to identify the actual checks and records relied upon.

I consider that these matters, together with the risk that the officer report does not fairly reflect the evidence submitted by both the applicant and objectors, give rise to a serious concern that Mr Tassell has not acted with the required neutrality and has risked materially misdirecting the Committee. I request an independent investigation by an officer who has not been involved in the application, with findings addressing each allegation and the evidence relied upon. A general assurance that normal procedures were followed will not be sufficient.

26. ACTION REQUESTED

In light of the above, I request the following actions.

A. Independent senior review

Please arrange for a senior officer who has not been directly responsible for the matters complained of to review the handling of application 25/02420/FUL.

The review should consider the substantive technical and procedural matters raised in this email, not merely whether the correct administrative steps were followed.

B. A point-by-point written response

Please provide a substantive response to the numbered sections above, identifying the relevant evidence, officer reasoning, technical advice and records wherever appropriate.

If a question cannot be answered, please explain why and identify the officer or department responsible for obtaining the information.

C. Confirmation of the application's status

Please confirm the current status of the application and provide a clear explanation of its removal from the 8 October 2026 Committee agenda.

D. Review of the acoustic evidence

Please confirm whether the Council will require the applicant to address the outstanding acoustic questions, including:

- The limitations of the original measurement exercise.
- The potential for higher-intensity driver impacts.
- The significance and limitations of the 102 dB LAFmax measurement.
- The indicative high-end scenario involving particularly intense impacts.
- The 100-ball-per-bay-per-hour sensitivity case.
- The combined ten-bay scenario involving high-intensity driver use.
- The justification for the selected impulsivity correction.
- The relationship between the various receptor predictions.
- The adequacy and enforceability of the assumed canopy mitigation.

If the Council considers further assessment unnecessary, please explain the technical and planning reasons for that conclusion.

E. Review of equality considerations

Please confirm how the Council has discharged its Public Sector Equality Duty in relation to this application, including the circumstances of the SEN Aspire Academy and pupils who may have sensory sensitivities.

F. Transparency and access to representations

Please explain the apparent discrepancy between the case officer's response of 28 August and the Council's published guidance on access to written representations, and address the newly disclosed evidence that the applicant appears to have received an objector's acoustic report and other objection documents without making an FOI request.

G. FOI disclosure and document access

Please investigate the newly disclosed correspondence and provide the technical records, if any, that demonstrate verification of the applicant's acoustic report. Please explain the Environmental Health response comparing GolfPod noise with cricket and hockey, and identify the technical evidence supporting that comparison. Please also explain the basis on which the applicant received the objector's acoustic report and other objection documents while I was directed to FOI to obtain redacted representations.

H. Preservation of records

Please ensure that relevant records are preserved, including the correspondence and decision records relating to the application's removal from the Committee agenda, the handling of technical objections, communications with the applicant and its consultants, and the processing of my information request.

I. Complaint reference and response timescale

Please acknowledge this as a formal complaint, provide a complaint reference number and identify the officer responsible for investigating it.

Please also confirm the expected date of the substantive response and the applicable stage of the Council's complaints procedure.

The Council's published complaints procedure is available here: https://www.bexley.gov.uk/about-council/feedback/complaints-compliments-and-enquiries/complaints

J. Express finding on potential misdirection

Please provide an express, reasoned finding on whether the information and advice presented to the Planning Committee were sufficiently complete and accurate to enable members to make an informed decision, and whether any omission, qualification or presentation of the evidence had the potential to materially misdirect them.

The response should identify the material considered by the Committee, explain how the principal technical and equality issues were conveyed, and address whether any unresolved uncertainties could have affected the planning balance.

If the Council concludes that no material misdirection occurred, please explain why, with reference to the actual decision-making record. If the review identifies a material omission or an inadequately explained issue, please identify the corrective action proposed.

27. CONCLUSION

The purpose of this complaint is to ensure that the proposed development is assessed on a sufficiently complete and transparent evidential basis, with appropriate regard to the characteristics of the noise, the range of foreseeable operating conditions, the circumstances of nearby residents and the particular needs of the SEN Aspire Academy.

The acoustic report contains useful measurements and modelling, but its findings must be understood in the context of its assumptions and limitations. A measured maximum of 102 dB LAFmax during a limited exercise does not establish that higher-intensity impacts cannot occur. A model based on 70 balls per bay per hour does not, without further analysis, demonstrate the consequences of a higher rate of use. An hourly average does not, by itself, resolve every question about the effects of repeated impulsive noise.

Likewise, recognising that some people may be particularly sensitive to sound does not, without a reasoned assessment, explain why the effects on a specialist school are acceptable. And a proposed condition or management plan cannot substitute for an adequate assessment of the development's acceptability in principle.

The high-end scenarios I have identified are not predictions that every bay will operate continuously at maximum intensity. They are scenarios that should be considered to establish whether the conclusions remain robust across a reasonable range of foreseeable operating conditions. The Council should explain whether they were tested and, if not, why their omission does not materially affect the planning judgement.

The procedural issues are also important. I need a clear explanation of why the application was removed from the 8 October agenda, why my email of that date has not received a response, how the Council's published policy on access to representations was applied, and how the Council has dealt with the FOI disclosure and the issues it reveals.

I want to be particularly clear about the seriousness of the concern I am raising. The potential issue is not simply that the assessment could have been more comprehensive. It is that the way in which the evidence and its limitations were presented may have materially influenced the Committee's understanding of the development and, consequently, the weight it gave to the relevant planning considerations.

If that occurred, the Committee could have been materially misdirected, even in the absence of any deliberate attempt to mislead. Whether that is what happened must be established by examining the reports and the complete decision-making record. I therefore expect the Council's investigation to address this question expressly rather than treating it as a general disagreement about the technical merits of the application.

I am asking the Council to address these matters directly and transparently. I do not consider a general assurance that the application has been properly assessed to be sufficient.

The central question is whether the Committee has been given a sufficiently complete, accurate and properly qualified account of the evidence to make an informed planning decision. The Council should be able to demonstrate how that question has been answered.

Please acknowledge this complaint and provide the complaint reference number, the name of the investigating officer and the expected date of the substantive response.

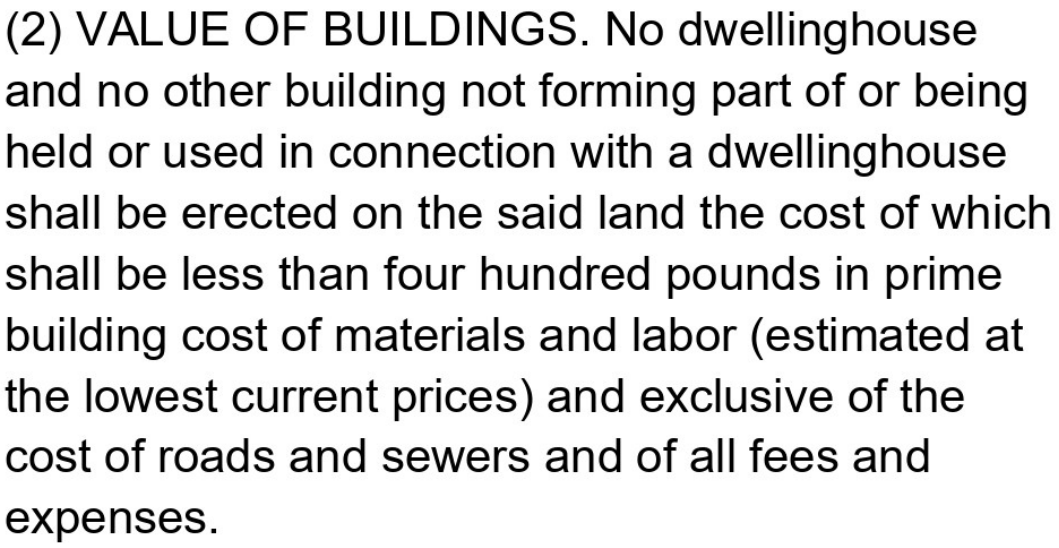
Yours sincerely,

Philip Savage

APPENDIX A — LAND REGISTRY SCREENSHOTS PROVIDED WITH THE 7 OCTOBER 2026 EMAIL

These screenshots are reproduced as supplied by the complainant. The legal effect of the provisions must be assessed against the complete title and original instrument.

Attachment 1


(2) VALUE OF BUILDINGS. No dwellinghouse and no other building not forming part of or being held or used in connection with a dwellinghouse shall be erected on the said land the cost of which shall be less than four hundred pounds in prime building cost of materials and labor (estimated at the lowest current prices) and exclusive of the cost of roads and sewers and of all fees and expenses.

Attachment 2

(3) TRADES and other things prohibited. No

building other than a private house with suitable offices thereto shall be erected on the said land and no building erected or hereafter to be erected on the said land shall be used as a shop or for any trade business or occupation whatsoever. No trade or manufacture shall be carried in upon nor any operative machinery be fixed or placed on the said land. No hut shed caravan house on wheels or other chattel adapted or intended for use as a dwelling of sleeping apartment shall be erected made placed or used or be allowed to remain upon the said land

Attachment 3

Guineas when such plans shall have been approved by him. 5. UNTIL each dwellinghouses are erected the said land shall be used for agricultural or garden purposes only and no houses or other building or erections shall be made or erected thereon nor shall the same be used for the deposit or sale of coals timber building or other materials or for the purpose of advertising or for any exhibition sports or show or any purpose which shall cause annoyance or be a nuisance to the owners lessees or occupiers of the adjoining lands and hereditaments PROVIDED ALWAYS that the purchaser shall nevertheless have liberty to erect glass houses for horticultural purposes and a stable and packing shed upon the said land and premises hereby conveyed if the building line above mentioned is duly observed and provided such glass houses shall not exceed fifteen feet in height reckoning from the ground to the ridge or apex of the roof the chimmneys of the furnases used to heat such glass houses shall be so placed as not to cause a nuisance or annoyance to the owners or occupiers of the adjacent land. 6. ON no portion of the said piece of land hereby conveyed shall any manure or material be deposited in such quantity as to be offensive to the owners or occupiers of any adjacent land having regard to the fact that the piece of land hereby assured forms part of a building estate."