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To: MEMBER OF THE PLANNING COMMITTEE  
Councillors Blackwell (Chair), C.White (Vice-Chair),  
Connolly, Duck, Farr, Gray, Lockwood, Mansfield, Moore,  
Morrow, Prew, Ridge and Shiner

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Substitute Councillors: Allen, Bloore, Botten and Mills

C.C. All Other Members of the Council

23 February 2022

Dear Sir/Madam

## **PLANNING COMMITTEE THURSDAY, 3RD MARCH, 2022 AT 7.30 PM**

The agenda for this meeting of the Committee to be held in the Council Chamber, Council Offices, Station Road East, Oxted is set out below. If a member of the Committee is unable to attend the meeting, please notify officers accordingly.

Should members require clarification about any item of business, they are urged to contact officers before the meeting. In this respect, reports contain authors' names and contact details.

If a Member of the Council, not being a member of the Committee, proposes to attend the meeting, please let the officers know by no later than noon on the day of the meeting.

Yours faithfully,

David Ford  
Chief Executive

### **AGENDA**

- 1. Apologies for absence (if any)**
- 2. Declarations of interest**

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter:

- (i) any Disclosable Pecuniary Interests (DPIs) and / or
- (ii) other interests arising under the Code of Conduct

in respect of any item(s) of business being considered at the meeting. Anyone with a DPI must, unless a dispensation has been granted, withdraw from the meeting during consideration of the relevant item of business. If in doubt, advice should be sought from the Monitoring Officer or his staff prior to the meeting.

- 3. Minutes of the meeting held on the 13th January 2022 (Pages 3 - 4)**
- 4. To deal with any questions submitted under Standing Order 30**
- 5. Applications for consideration by committee (Pages 5 - 14)**

5.1 2021/1983 - Pendell Camp, Land off Merstham Road, Merstham, Surrey (Pages 15 - 34)

5.2 2021/1948 - Hazelwood School, Wolfs Hill, Limpsfield RH8 0QU (Pages 35 - 52)

**6. Recent appeal decisions received**

To receive a verbal update from officers relating to appeal decisions by the Planning Inspectorate resulting from previous committee decisions.

**7. Any other business which the Chairman is of the opinion should be considered at the meeting as a matter of urgency**

## TANDRIDGE DISTRICT COUNCIL

### PLANNING COMMITTEE

Minutes and report to Council of the meeting of the Committee held in the Council Chamber, Council Offices, Station Road East, Oxted on the 13<sup>th</sup> January 2022 at 7.30pm.

**PRESENT:** Councillors Blackwell (Chair), C.White (Vice-Chair), Connolly, Duck, Farr, Gray, Lockwood, Mansfield\*\*, Moore, Morrow, Prew, Ridge and Shiner

**ALSO PRESENT:** Councillors Mills\*, Black\*, Caulcott\*, Crane\*, Groves\*, N.White, Pursehouse\*, Stamp\*, Steeds\* and Swann\*

\* Councillors participated joined the meeting remotely via Zoom

\*\* Councillor Mansfield participated by Zoom in a non-voting capacity.

#### **225. DECLARATIONS OF INTEREST**

Councillor Moore declared an interest in agenda item 5.2 (minute 228) as she had responded to the online consultation following a conversation with a member of the Gypsy, Roma and Traveller Community regarding an unrelated planning matter.

Councillor Gray declared an interest in agenda item 5.2 (minute 228) as he was a member of the Surrey County Council Regulatory Committee, which would consider Tandridge District Council's response to the consultation. It was noted that this would not preclude him from taking part in the debate, but he may be unable to take part in any discussions on the item in future meetings of the Surrey County Council Regulatory Committee.

#### **226. MINUTES OF THE MEETING HELD ON THE 9<sup>TH</sup> DECEMBER 2021**

The minutes of the meeting were confirmed and signed by the Chair.

#### **227. 2021/1534 - SANDIFORD HOUSE 40 STANSTEAD ROAD CATERHAM**

The Committee considered an application for the erection of four, 3-bedroom, terraced dwellings to the rear of Sandiford House, together with associated car parking and amenity space.

The Officer recommendation was to permit, subject to conditions.

Mr Russell Dixon-Box, an objector, spoke against the application.

Pre-recorded representations against the application from Councillor Maria Grasso of Caterham Hill Parish Council were shown to the Committee.

Mr Nigel Bennett, the applicant's agent, spoke in favour of the application.

Councillor Duck put forward the following motion for refusal:

The proposal, by reason of the form, massing and detailing of the dwellings would fail to respect or reflect the character and appearance of the surrounding area or contribute positively to local distinctiveness. As such, significant harm would be caused contrary to Policy CSP18 of the Tandridge District Core Strategy (2008), Policy DP7 of the Tandridge District Local Plan: Part 2 - Detailed Policies (2014) and Policies CCW4 and CCW5 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan (2021).

Councillor Prew seconded the motion. Upon being put to the vote, the motion was lost.

**RESOLVED** – that planning permission be granted, subject to conditions.

## **228. 2021/1983 - PENDELL CAMP, LAND OFF MERSTHAM ROAD, MERSTHAM, SURREY**

The applicant, Surrey County Council, sought permission to use land at Pendall Camp as a ten-pitch transit site for the Gypsy, Roma and Traveller (GRT) community, including the erection of amenity blocks, site manager's office, creation of a vehicular access, landscaping and parking. The formal decision on the application will be made by Surrey County Council. Tandridge District Council were a consultee in the application process and the report before the Committee provided a summary of the matters to be considered locally.

The Officer recommendation was to object to the consultation.

Following publication of the report and officer recommendation, Surrey County Council had contacted Tandridge District Council to request that the item be deferred to allow them time to address the Council's objections relating to the use of the site. Accordingly, the Interim Chief Planning Officer recommended to the Committee that the item be deferred.

**RESOLVED** – that the item be deferred to the Planning Committee on 3 March 2022

## **229. RECENT APPEAL DECISIONS RECEIVED**

The Interim Chief Planning Officer advised that the following application had been allowed by the Planning Inspectorate on appeal:

TA/2019/1538 - Coulsdon Lodge, Coulsdon Road, Caterham, Surrey, CR3 5YA – the application has been refused by the Planning Committee on 2 July 2020. Costs had also been awarded against the Council in respect of the appeal. The total amount of the costs had yet to be determined.

The Interim Chief Planning Officer advised that an update relating to 2 Comforts Place Cottages, Lingfield, RH7 6LW would be discussed at a future committee.

Rising 9.08 pm

## REPORT TO THE PLANNING COMMITTEE ON 3 MARCH 2022

### AGENDA ITEM 5 APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE

To consider the application detailed in item 5.1 and 5.2

Notes:

- (i) All letters received commenting on applications adversely or otherwise will be available in the Council Chamber for inspection by Members prior to the meeting. Summaries of the public responses to applications are included in the reports although Members should note that non-planning comments are not included.
- (ii) Arrangements for public participation in respect of the applications will be dealt with immediately prior to the commencement of the meeting.

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Contacts:

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Background papers: Surrey Waste Plan 2008; Surrey Minerals Plan Core Strategy 2011; The Tandridge Core Strategy Development Plan Document 2008; The Tandridge Local Plan: Part 2 – Detailed Policies 2014; Woldingham Neighbourhood Plan 2016; The Harestone Valley and Woldingham Design Guidance Supplementary Planning Documents 2011; Village Design Statement for Lingfield – Supplementary Planning Guidance; Woldingham Village Design Statement – Supplementary Planning Guidance; Conservation Area Appraisal of the Bletchingley Conservation Area Supplementary Planning Guidance; Limpsfield Neighbourhood Plan 2019

Government Advice: National Planning Policy Framework  
Planning Practice Guidance (PPG)

**PLANNING COMMITTEE – 3 MARCH 2022 – RECOMMENDATIONS**

<b>ITEM NO.</b>	<b>APPLICATION NO.</b>	<b>SITE ADDRESS</b>	<b>APPLICATION DETAILS</b>	<b>RECOMMENDATION</b>
5.1	2021/1983	Pendell Camp, Land off Merstham Road, Merstham, Surrey	Use of land as a ten-pitch transit site for the Gypsy, Roma and Traveller (GRT) community, including the erection of amenity blocks and site manager's office, creation of a vehicular access, landscaping, parking	<b>OBJECTION</b>
5.2	2021/1948	Hazelwood School, Wolfs Hill, Limpsfield RH8 0QU	Variation of conditions 5 (Approved Operation hours) and 6 (Approved Floodlight usage hours) attached to pp 2020/1776 for the "Demolition of existing store room and erection of replacement equipment storage building. Part demolition to existing pavilion. Erection of extension to south elevation of, and alterations to, the existing pavilion. Erection of replacement store building. Construction of a new artificial turf sports pitch with 8 x flood lights. Erection of associated means of enclosure and formation of footpaths, assembly area and spectator area. Raising/re-levelling of land to provide extension to existing playing fields providing new natural turf sports areas with a new non-grass pitch cricket wicket and all associated groundworks including drainage and the creation of a swale".	<b>PERMIT subject to conditions</b>

## SUMMARY OF RELEVANT POLICIES & NATIONAL ADVICE FOR PLANNING APPLICATIONS IN APPENDIX A.

### Core Strategy

Policy CSP1 sets several strategic aims in terms of the location of development. It seeks to promote sustainable patterns of travel, make the best use of land within the existing built-up areas.

Policy CSP2 sets out the Council's approach to housing supply.

Policy CSP3 seeks to manage the delivery of housing when the Council exceeds its rolling 5-year supply by more than 20%. When such an oversupply exists, the Council will refuse development of unidentified residential garden land sites of 5 units and above or site larger than 0.2ha where the number of dwellings is unknown. Account must be taken of smaller sites forming parts of larger sites and infrastructure provision as well as significant social or community benefits.

Policy CSP4 is an interim holding policy pending the adoption of a substitute policy in an Affordable Housing DPD. It sets a threshold within built up areas of 15 units or more or sites in excess of 0.5ha and within rural areas of 10 units or more. The policy requires that up to 34% of units would be affordable in these cases with the actual provision negotiated on a site by site basis. There is a requirement that up to 75% of the affordable housing will be provided in the form of social rented or intermediate or a mix of both.

Policy CSP5 refers to rural exception sites and states that exceptionally, land adjoining or closely related to the defined rural settlements which would otherwise be considered inappropriate for development may be developed in order to provide affordable housing subject to certain criteria.

Policy CSP7 requires sites providing 5 units or more to contain an appropriate mix of dwelling sizes in accordance with identified needs.

Policy CSP8 sets out the Council's approach to the provision of Extra Care Housing, including its targets for such provision.

Policy CSP9 sets out the criteria for assessing suitable Gypsy and Traveller sites to meet unexpected and proven need.

Policy CSP11 sets out the Council's approach to infrastructure and service provision.

Policy CSP12 seeks to manage travel demand by requiring preference to walking, cycling and public transport; infrastructure improvements where required and use of adopted highway design standards and parking standards.

Policy CSP13 seeks to retain existing cultural, community, recreational, sport and open space facilities and encourage new or improved facilities.

Policy CSP14 seeks to encourage all new build or residential conversions meet Code level 3 as set out in the Code for Sustainable Homes and that commercial development with a floor area over 500sq m will be required to meet BREEAM "Very Good" standard. On site renewables are also required.

Policy CSP15 seeks to ensure that the design and layout of development is safe and secure, that new buildings are adaptable for the disabled and elderly, that information technology can be included, that all development is accessible to all groups and that grey water recycling and/or segregated surface and foul water disposal is used.

Policy CSP16 sets out the Council's position on aviation development in the District with specific reference to its position on development at Redhill Aerodrome.

Policy CSP17 requires that biodiversity is taken into account.

Policy CSP18 seeks to ensure that developments have a high standard of design respecting local character, setting and context. Amenities of existing occupiers must be respected. Wooded hillsides will be respected and green space within built up areas protected. Development on the edge of the Green Belt must not harm the Green Belt.

Policy CSP19 sets a range of densities for new development.

Policy CSP20 sets out the Council's principles for the conservation and enhancement of the AONBs and AGLVs.

Policy CSP21 states that the character and distinctiveness of the District's landscapes and countryside will be protected, and new development will be required to conserve and enhance landscape character.

Policy CSP22 sets out how the Council will seek to develop a sustainable economy.

Policy CSP23 set out specific aims for the town centres of Caterham Valley and Oxted.

## **Tandridge Local Plan: Part 2 – Detailed Policies – 2014**

Policy DP1 sets out the general presumption in favour of sustainable development.

Policy DP2 sets out the policies for development in the town centres, including within the primary and secondary shopping frontages

Policy DP3 sets out the policies for development in local centres, other centres and villages

Policy DP4 sets out the circumstances under which proposals for the alternative use of commercial and industrial sites will be permitted.

Policy DP5 sets out criteria for assessing whether proposals are acceptable in relation to highway safety and design.

Policy DP6 sets out criteria for assessing proposals for telecommunications infrastructure.

Policy DP7 is a general policy for all new development. It outlines that development should be appropriate to the character of the area, provide sufficient parking, safeguard amenity and safeguard assets, resources and the environment, including trees.

Policy DP8 sets out a number of criteria for assessing whether the redevelopment of residential garden land will be acceptable.



Policy DP9 sets out the circumstances in which the erection of gates, walls and other means of enclosure will be permitted.

Policy DP10 confirms the general presumption against inappropriate development in the Green Belt and states that inappropriate development will only be permitted where very special circumstances exist which clearly outweigh the potential harm to the Green Belt by reason of inappropriateness and any other harm.

Policy DP11 sets out the circumstances in which development in the Larger Rural Settlements will be permitted.

Policy DP12 sets out the circumstances in which development in the Defined Villages in the Green Belt will be permitted.

Policy DP13 sets out the exceptions to the Green Belt presumption against inappropriate development in the Green Belt and the circumstances in which new buildings and facilities, extensions and alterations, replacement of buildings, infill, partial or complete redevelopment and the re-use of buildings will be permitted.

Policy DP14 sets out a number of criteria for assessing proposals for garages and other ancillary domestic buildings in the Green Belt.

Policy DP15 sets out criteria for assessing proposals for agricultural workers' dwellings in the Green Belt.

Policy DP16 states that the removal of agricultural occupancy conditions will be permitted where the Council is satisfied that there is no longer a need for such accommodation in the locality.

Policy DP17 sets out criteria for assessing proposals for equestrian facilities.

Policy DP18 sets out the circumstances in which development involving the loss of premises or land used as a community facility will be permitted.

Policy DP19 deals with biodiversity, geological conservation and green infrastructure.

Policy DP20 sets out the general presumption in favour of development proposals which protect, preserve or enhance the interest and significance of heritage assets and the historic environment.

Policy DP21 deals with sustainable water management, and sets out criteria for assessing development in relation to water quality, ecology and hydromorphology, and flood risk.

Policy DP22 sets out criteria for assessing and mitigating against contamination, hazards and pollution including noise.

## **Woldingham Neighbourhood Plan 2016**

Policy L1 is a general design policy for new development

Policy L2 sets out criteria for assessing new development proposals in relation to the Woldingham Character Areas

Policy L3 relates to landscape character

Policy L4 relates to proposals for new community facilities

Policy L5 relates to development proposals for The Crescent and its regeneration

Policy L6 seeks to support improvements to the accessibility of Woldingham Station

Policy L7 relates to the development of broadband and mobile communications infrastructure

Policy L8 seeks to safeguard a number of Local Green Spaces as designated by the Plan

Policy C1 seeks to promote residents' safety

Policy C2 seeks to support proposals and projects which improve local transport services

Policy C3 supports the improvement of pedestrian and cycle routes

Policy C4 supports proposals which promote networking and residents' involvement on local societies and organisations

### **Limpsfield Neighbourhood Plan 2019**

Policy LN1 sets out a spatial strategy for the Parish.

Policy LN2 requires that all new development provides an appropriate mix of housing types and size, including smaller units (3 bedrooms or fewer) for sites over a certain size.

Policy LN3 seeks a high quality of design, reflecting the distinctive character of particular areas of the Parish.

Policy LN4 relates to new development in the Limpsfield Conservation Area.

Policy LN5 relates to landscape character.

Policy LN6 identifies a number of Local Green Spaces, and seeks to protect their use.

Policy LN8 seeks to promote biodiversity.

Policy LN9 relates to business and employment, including in relation to Oxted town centre.

Policy LN10 relates to the rural economy.

Policy LN11 seeks to protect community services in Oxted town centre.

Policy LN12 seeks to protect community services in Limpsfield Village and other parts of the Parish.

Policy LN13 supports sustainable forms of transport.

Policy LN14 supports the provision of super-fast broadband.

## **Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021**

Policy CCW1 – gives support to proposals identified for their Housing Site Availability during the period 2015-2026

Policy CCW2 – supports proposals for sub-division of larger residential properties into one, two, three-bedroom dwellings

Policy CCW3 – supports proposals for housing which optimise housing delivery in accordance with guidance contained in the Urban Capacity Study and outlines density range of 30-55 dwellings per hectare for land not covered in the Urban Capacity Report.

Policy CCW4 – sets out that development is expected to preserve and enhance the character of the area in which it is located.

Policy CCW5 – sets out that development proposals which integrate well with their surroundings, meet the needs of residents and minimise impact on the local environment will be supported where they demonstrate high quality of design and accord with the criteria of this policy.

Policy CCW6 – support proposals which incorporate measures to deliver environmentally sustainable design to reduce energy consumption and mitigate effects of climate change in line with building design measures contained in the policy.

Policy CCW7 – supports proposals which provide incubator/start-up business space and/or establishes enterprise/business park developments.

Policy CCW8 – resists the loss of local and neighbourhood convenience shops unless justification is present on viability grounds. Proposals to improve the quality and appearance of shop fronts and signage will be supported which have regards to CCW6.

Policy CCW9 – proposals for recreational and tourism development including a Visitor Centre will be supported where the criteria of this policy are met. Proposals for the improvement of signage for local facilities will be supported provided they integrate with their surroundings.

Policy CCW10 – supports development proposals which do not have a significantly detrimental impact on locally significant views as listed/mapped in the Neighbourhood Plan (Figures 7.1, 7.2-7.5, with detailed descriptions in Appendix A).

Policy CCW11 – sets out that there are 22 areas designated as Local Green Spaces on the policies map for the Neighbourhood Plan. Proposals which demonstrably accord with development appropriate in the Green Belt will be supported.

Policy CCW12 – proposals for provision of allotments and/or community growing spaces will be supported where accessible and within/adjacent to defined settlement areas. The loss of such space will not be supported unless alternative and equivalent provision is provided.

Policy CCW14 – encourages proposals for new/improved community facilities where criteria in the policy are met. The loss of such facilities will only be supported if alternative and equivalent facilities are provided.

Policy CCW15 – proposals for the expansion of existing public houses to develop appropriate community-based activities will be supported subject to compliance with other relevant policies and provide the design is in keeping with local character/distinctiveness. Proposals for the change of use of public houses will only be supported if the use is demonstrably unviable.

Policy CCW16 – supports proposals for provision of both traditional consecrated and green/woodland burial sites provided the criteria of this policy are met.

Policy CCW17 – supports proposals which facilitate or enhance the delivery of health services on a pre-set list of sites (contained within the policy), except for those within the Green Belt. Proposals for relocation/expansion of health services will be supported where they satisfy the criteria of this policy.

Policy CCW18 – except on Green Belt land, proposals which facilitate and enhance existing schools and associated playing fields will be supported subject to compliance with the criteria in this policy (sub-paragraph A). Proposals for new schools will be supported where they satisfy the criteria of this policy (sub-paragraph B).

Policy CCW19 – supports new residential, commercial and community development proposals being served by superfast broadband (fibre-optic). Where this is not possible, practical or viable, the development should incorporate ducting for potential future installation.

### **Supplementary Planning Documents (SPDs) and Supplementary Planning Guidance (SPGs)**

SPG (Lingfield Village Design Statement), adopted in January 2002, seeks to ensure that the village retains its individuality and character through future development both large and small. It provides general guidelines for new development and requires amongst other things that the design of new buildings should be sympathetic to the style of buildings in the locality both in size and materials.

SPG (Woldingham Village Design Statement) adopted in September 2005 provides guidance for development within Woldingham. Residential extensions should respect the size and proportions of the original house and plot. Boundary treatments should maintain the rural street scene, imposing entrances are out of keeping, and front boundaries should be screened with plantings or have low open wooded fences.

SPD (Woldingham Design Guidance) adopted March 2011 and seeks to; promote good design, protect and enhance the high quality character of the area, and to apply design principles on a sub-area basis to maintain and reinforce character.

SPD (Harestone Valley Design Guidance) adopted March 2011 and seeks to; promote good design, protect and enhance the high quality character of the area, and to apply design principles on a sub-area basis to maintain and reinforce character.

SPD (Tandridge Parking Standards) adopted September 2012 sets out standards for residential and non-residential vehicular parking and standards for bicycle parking.

SPD (Tandridge Trees and Soft Landscaping) adopted November 2017 sets out the Council's approach to the integration of new and existing trees and soft landscaping into new development, and seeks to ensure that trees are adequately considered throughout the development process.

## **National Advice**

The National Planning Policy Framework (NPPF) constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications. It sets out the Government's planning policies for England and how these are expected to be applied. It states that there are three dimensions to sustainable development: economic, social and environmental, and confirms the presumption in favour of sustainable forms of development which it states should be seen as a golden thread running through both plan-making and decision-taking.

The Government has also published national Planning Practice Guidance (PPG) which is available online and covers a number of policy areas and topics.

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## ITEM 5.1

**Application:** 2021/1983

**Location:** Pendell Camp, Land off Merstham Road, Merstham, Surrey

**Proposal:** Use of land as a ten-pitch transit site for the Gypsy, Roma and Traveller (GRT) community, including the erection of amenity blocks and site manager's office, creation of a vehicular access, landscaping, parking

**Ward:** Bletchingley and Nutfield

**Decision Level:** Planning Committee (consultation response recommendation)

*Constraints – Green Belt, AONB, AGLV, Gatwick Bird strike, Gatwick Safeguarding, Minerals Safeguarding (Silica sand and Soft sand), C Road, M23, EA\_Risk Surface Water Flooding, 30, 100 and 1000, Source Protection Zone 3*

### **RECOMMENDATION: OBJECTION**

Summary: officers have discussed this application, and the need for the development, with officers/consultants of SCC. Further information has been obtained about the need for the development. However, officers still consider that insufficient Very Special Circumstances have been identified by SCC to override the strong planning policy objections on Green Belt/AONB/AGLV grounds to the development.

### **Planning Officers' response to the case advanced by Surrey County Council (SCC):**

#### **Gypsy and Traveller caravan sites**

1. Members will recall that this application was deferred at the January Planning Committee at the request of the applicant (SCC) to address points raised in the Planning Officer's report (attached) relating to:
  - i) The justification for this development in the Green Belt, AONB and AGLV; and
  - ii) Concerns raised by the Council's Environmental Health Officer about the living conditions that members of the GRT community would experience in temporarily living at the site.

Further discussion has taken place with officers and consultants acting for SCC relating to these matters.

2. The further information that has been provided on SCC's behalf is:
  - a) The proposal is for a transit site for members of the GRT community transiting Surrey, will not be in use all the time and occupation by individuals/families will be for a maximum of 4 weeks;
  - b) By implication (and contrary to the case of Very Special Circumstances (VSC)) advanced in the application Planning Statement the site will not contribute to any need for permanent new traveller sites in Tandridge DC or East Surrey;
  - c) Surrey Police and the Metropolitan Police (MP) would from a resourcing standpoint benefit from having a site to direct members of the GRT community to when transiting Surrey/adjointing areas of Greater London as an alternative to unauthorised encampments in East Surrey or close localities in the MP area,

failing which a banning order can be issued relating to the district/London borough in question;

- d) the site is not likely to be operational 24/7, 365 days of the year, rather it will be used on an ad-hoc basis subject to demand.
  - e) usage data from one of East Sussex County Council's (ESCC) transit sites indicates low occupancy rates throughout the year. Generally, occupancy rates peak during warmer months with lower occupancy during winter months. SCC expect a similar pattern at Pendell. Nevertheless, there is physical development required on the application site permanently to provide for the needs of the GRT community transiting the area.
  - f) the proposed Pendell Transit site has been benchmarked against good practice guidance (Places we're proud of, 2021), particularly a successful site in Bath, which has similar constraints as those at Pendell (e.g. sensitive land-uses (Green Belt, Bath World Heritage Site, Local Nature Reserve), nearby loud noise sources (rail)). For the Green Belt justification the case officer (in Bath) agreed that it was evident that there were no immediately available and suitable non-Green Belt sites for GRT use in Bath and Somerset. Arguably Surrey county is more difficult, including Tandridge District, where it is largely located in Green Belt (including other statutory designations such as the Surrey Hills AONB, AGLV etc.).
  - g) as part of the sifting site search SCC's GRT related landholdings were reviewed for potential expansion, catering for the County's needs, and Pendell Camp was considered the most suitable site locationally to provide a GRT transit site for East Surrey;
  - h) with regard to M23 motorway noise SCC's consultants have stated:  
*"The noise impact assessment (Table 4.2) actually identifies that the background day-time noise levels within pitches 1 – 5 are likely to marginally exceed the 55dB level (maximum 56.5dB within pitch 1) and that pitches 6 – 10 will be below 55dB, ranging between 54.6dB to 52.0dB. Section 6.1.1 of the report considers the effects of installing a 3m high noise barrier and the resultant changes (reductions) in noise levels are presented within Table 6.1. Because pitch 1 only benefits from a reduction of 1.3dB, the levels within plots 2 – 5 reduce by 0.5dB or less (noting that 1dB change is considered to be barely perceptible to human hearing), and there is no change within plots 6 – 10, the report concludes that the benefits of such a fence are insignificant and, hence, the provision of such a fence is not recommended  
The report concludes (Section 7.2.1) that "considering the marginal noise exceedance and short-term occupancy, the proposed development is considered acceptable on noise grounds."*
3. While some of the responses from SCC above have merit based on experience of unauthorised encampments of transiting GRT's in the Tandridge DC area, other nearby authorities appear, based on SCC's own evidence, to have higher rates of incursions of GRT unauthorised encampments, and so it has to be questioned why does this transit site need to be in Tandridge DC.

**Recommendation:**

4. Having regard to all the above considerations, your officers' recommendation is to continue to object to this planning application by SCC based on the grounds of objection in the January Planning Committee report.



## APPENDIX TO ADDENDUM REPORT

**Application:** 2021/1983

**Location:** Pendell Camp, Land off Merstham Road, Merstham, Surrey

**Proposal:** Use of land as a ten-pitch transit site for the Gypsy, Roma and Traveller (GRT) community, including the erection of amenity blocks and site manager's office, creation of a vehicular access, landscaping, parking

**Ward:** Bletchingley and Nutfield

**Decision Level:** Planning Committee (consultation response recommendation)

*Constraints – Green Belt, AONB, AGLV, Gatwick Bird strike, Gatwick Safeguarding, Minerals Safeguarding (Silica sand and Soft sand), C Road, M23, EA\_Risk Surface Water Flooding, 30, 100 and 1000, Source Protection Zone 3*

### RECOMMENDATION:

### OBJECTION

#### Summary

1. The proposal relates to land owned by Surrey County Council (SCC) who are the applicant. Under Regulation 3 of The Town and Country Planning General Regulations 1992 (SI 1992/1492) *“an application for planning permission by an interested planning authority to develop any land of that authority or for development of any land by an interested planning authority or by an interested planning authority jointly with any other person, shall be determined by the authority concerned, unless the application is referred to the Secretary of State under section 77 of the 1990 Act for determination by him”*. Consents issued under Regulation 3 are for the benefit of the applicant only, unlike most other planning permissions which are usually for the benefit of the land in question.
2. Given that the land is owned by SCC and the interest in the development by SCC is significant, the formal decision will be made by them. However, Tandridge District Council are a consultee and this report provides a summary of matters to be considered locally. Consultations in the normal manner, such as SCC Highways and other statutory bodies, will be undertaken by SCC.
3. Permission is being sought for use of the land as a ten-pitch site for Gypsy, Roma and Traveller community with the erection of amenity blocks and a site manager's office, creation of vehicular access, landscaping, parking and refuse storage and associated works. The application sets out that the purpose of the proposal is *“to help address the complete absence of transit Gypsy, Roma and Traveller accommodation across the County”* (para.2.2, Planning Statement). If granted, the site would be the County's first transit site.
4. The proposal has been assessed in terms of Green Belt, AONB/AGLV landscape, visual impact and amenity grounds. It is considered that the proposal would constitute inappropriate development in the Green Belt and would result in significant harm to the local environment and an unsatisfactory living environment for future occupants. Whilst the argument that there is a need for such sites as a County priority is noted, it is not considered that this forms the very special circumstances required to clearly outweigh the identified harm. As such, this authority respectfully asks that Surrey County Council refuse planning permission for the proposal.

## Site Description

5. The application site is served by Merstham Road and lies to the immediate east of the M23, separated by a landscaped buffer and situated within the ward of Bletchingley and Nutfield. The site adjoins the existing Pendell Camp traveller site.

## Relevant History

6. Pendell Camp to the north was originally an army school established during the War. Permission was subsequently given for use by the Wycliffe Language Course subject to being returned to agriculture. The land was then purchased by the Ministry of Transport (Roads Construction Unit) for construction of the motorway and was used as a camp to accommodate motorway workers and their families. In 1979, the land was occupied unlawfully by about 20 gipsy families and on the northern section was a large building used by a local farmer for storage purposes. A temporary planning permission was originally granted in 1979 for use of the land to the north of the application site for 15 traveller pitches for a period of 15 years. A permanent planning permission for the retention of the traveller pitches was granted in December 1980. That use with a varying number of pitches has continued ever since.
7. On this application site, an application was lodged in 1983 under reference 83/193/331 for the erection of a 1.8-metre-high wooden screen fence and gates, and retention of footpath access to Merstham Road near the motorway embankment. By letter dated 7<sup>th</sup> April 1983, the applicant (Surrey County Council) was advised by the Council's Chief Planning Officer that no objection was raised to the proposal provided the fence be maintained in a satisfactory condition in accordance with plan no. CP83/22A.

## Key Issues

8. The site is in the Green Belt, an Area of Outstanding Natural Beauty and an Area of Great Landscape Value. The key issues are whether the proposal would constitute inappropriate development in the Green Belt and, if so, whether very special circumstances exist which clearly outweigh the harm. The impact on the AONB, AGLV and character of the site and area will be considered. The location of the site adjacent to M23 requires that the residential amenities of future occupants of the site living in caravans should also be considered.
9. This is a consultation by Surrey County Council and therefore other key issues which would ordinarily be considered by the Local Planning Authority are to be assessed by SCC as the determining authority, such as highways, contamination, biodiversity and flooding.

## Proposal

10. This is a consultation upon a Surrey County Council planning application (2021/0170) for the change of use of the site to a transit site for the Gypsy, Roma and Traveller (GRT) communities with associated works/development including the erection of amenity blocks and a site manager's office, creation of a vehicular office, landscaping and parking.
11. Specifically, the development referred to in the Planning Statement accompanying the application is:

- Site clearance, including preparatory groundworks and soil bund remediation (relating to providing the proposed site access from the existing Pendell Camp internal access road, and associated removal of existing fly tipped material);
- The construction of a new internal vehicular access road, linking into/ from the existing internal access road and its junction serving Pendell Camp to/ from Merstham Road;
- The construction of transit camp pitches (10no.) and associated works, comprising: 10 pitches for tourer/ caravan parking (with hook-ups); 5 single-storey double amenity blocks (providing kitchens and bathrooms); patio spaces; car and other vehicle parking spaces (including spaces for visitors and SCC Estates Management) and refuse storage;
- The construction of a manager's block for use in the day today management of the Proposed Development, with associated security features such as CCTV, ANPR and barrier gate with bollards; and
- The provision of areas of hardstanding for access and ancillary use, external amenity space and soft landscaping with biodiversity value (including new trees, supplementing existing hedgerows, and other new planting).

The is no reference in the Planning Statement description of development to the 3-metre-high screen bund along the boundary of the site with the M23 motorway which is identified as an essential requirement of the development in a noise report accompanying the application; this is referred to in the report below.

#### **Development Plan Policy**

12. Tandridge District Core Strategy 2008 – Policies CSP1, CSP9, CSP11, CSP12, CSP15, CSP17, CSP18, CSP19, CSP20, CSP21
13. Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP9, DP10, DP13, DP19, DP21, DP22
14. Emerging Tandridge Local Plan 2033 – Policies TLP01, TLP02, TLP03, TLP10, TLP15, TLP16, TLP17, TLP18, TLP19, TLP30, TLP31, TLP32, TLP33, TLP34, TLP35, TLP37, TLP46, TLP47, TLP49, TLP50

#### **Supplementary Planning Documents (SPDs), Supplementary Planning Guidance (SPGs) and non-statutory guidance**

15. Tandridge Parking Standards SPD (2012)
16. Tandridge Trees and Soft Landscaping SPD (2017)
17. Surrey Design Guide (2002)

#### **National Advice**

18. National Planning Policy Framework (NPPF) (2021)
19. Planning Practice Guidance (PPG)
20. National Design Guide (2019)
21. Planning Policy for Traveller Sites (PPTS) 2015

## **Statutory Consultation Responses**

22. Bletchingley Parish Council – strongly objects. Summary of main concerns (full consultation response available to view on the Council’s website):

1. Within the AONB and expansion will disrupt and harm countryside and wildlife. NPPF requires that Surrey and Tandridge District Council (TDC) investigate more appropriate locations. Query cost of proposal in light of SCC financial position at present and whether this is best use of taxpayer’s money.
2. Would like to understand what the committed budget is for annual operating costs of running such a site and who will be responsible. Concerns about condition of site and it being prone to flooding and long-term site management for both transit and permanent residents.
3. Concerns that SCC has not consulted existing GRT resident’s views or the appropriateness of having a permanent and transit camp together with potential for conflict on site or within the local village.
4. Concerns about suitability of site for large number of families. Site is very close to M23 with newly built stair access points directly next to the site which is concern with potentially large number of children and animals in the immediate area. Pendall/Merstham Road is a busy country road and particularly during winter periods is known as a village accident back spot with no safe pavements to give access to local services.

## **Non-statutory Advice Received**

23. Normal consultation for this application has not been undertaken given that this LPA is a consultee itself and consultation required will be undertaken by Surrey County Council as the determining authority.

## **TDC advice**

24. Chief Community Services Officer (Environmental Health) –concerns about the use of the site, due to the noise from the motorway. While traditionally built houses can implement measures to reduce the internal noise, caravans wouldn’t have the same facility.

## **Other Representations**

25. Third Party Comments: the comments below have been edited to remove any unacceptable references to the GRT communities:

- Close to ancient woodland and in Area of Outstanding Natural Beauty
- Already a permanent site; to allow another 10 sites with access roads that are not the widest
- To add further encampments, bringing more fly-tipping and burden on a community is unjust
- Once built there is no turning back and Green Belt and AONB are gone forever
- Building on a special protection area
- Development in Green Belt can be granted in very special circumstances and can’t see this development being one of them

- Would adversely affect the safety and convenience of existing road users, cause more traffic on a road that floods regularly and is sometimes impassable
  - No pavements or street lighting
  - Effect of the development on character would change considerably as there will be a conflict of interest with existing camp residents
  - Possibility that the capacity will be exceeded quicker than anticipated and overflow of caravans will need somewhere to pitch.
  - Where will horses/animals go?
  - Presume GRT's will be charged to stay, for a period of up to 28 days and a site manager will be employed to regulate the site?
  - Proposal appears to divert investment away from the existing site which has been neglected
  - Surrounding land is a haven for wildlife, including badgers and goldfinches. New planting would prevent their dispersal
  - Present Gypsy residents have become accepted by their local community and fear this will be overturned by an influx of new GRT residents
  - Suggested the proposed access investment (which serves the existing site) should include a sum for repairs to the existing site and new site management officer help existing site as well.
  - . It is not the correct place to introduce temporary travellers that won't be there long enough to become part of the community
  - This would be the only transit site in the country put beside a permanent travellers site
  - A transit/transient site should be placed on its own, out of the way from residents and the AONB.
  - The Gypsy and Traveller communities are comprised of several distinct social groups which do not traditionally mix and locating permanent and transit groups on adjacent sites is inappropriate
  - The site has practical deficiencies: no pavements, no street lighting, no bus services and access to the nearest railway station at Merstham by foot will involve walking in the road
  - Unclear what additional investment SCC are going to make towards local education, health services to support this transitory community as existing services are already severely over-stretched and operating at capacity
  - The proposed plan is ill-conceived and would appear to show a lack of understanding for the GRT communities, and a lack of imagination by SCC
  - Historic site reduced in size in recent years
  - Construction according to plans with on-site security may be beneficial, though historically local 'issues'
  - Other sites exist in Surrey for a GRT transit site that would make use of previously developed land in the Green Belt and which are subject to a planning application (e.g. Stone Castle in Guildford BC's area)
26. SCC sent copies of their consultation responses as of 8<sup>th</sup> December 2021 which contained objections (12No.) to the proposal and any update on this matter will be provided at the Planning Committee meeting.
27. Chelsham & Farleigh Parish Council – Fully supports this application and considers it will be beneficial to the County and residents.

## Assessment of the application:

28. This part of the report sets out the Applicant's (SCC) case why planning permission should be granted and your officers' response to that case.
29. Appendix 1 to the Planning Statement (PS) accompanying the planning application is a report entitled "County-wide assessment of potential transit site locations, and detailed site search within Tandridge District Council's administrative area." At paragraph 2.10 of the report it is stated that "At SCC's Cabinet meeting in June 2021, it was confirmed that SCC together with 10 district/borough authorities would fund the delivery of a transit site in the County. Tandridge District Council has agreed to accommodate the site within its jurisdiction as part of the proposal". However, any such commitment by this Council cannot pre-determine its response to this application which must be considered entirely on its planning merits.
30. The planning assessment of this application should address the case advanced on behalf of SCC in terms of both the need for the development and why, notwithstanding planning policies indicating to the contrary, very special circumstances exist to override harm to the Green Belt and other planning harms (including potential harm to the AONB/AGLV) such that very special circumstances exist why planning permission should be granted.
31. The PS accompanying the application sets out the following case for planning permission to be granted:
- i) PS para 6.7.8: In order to demonstrate very special circumstances, SCC as applicant, as endorsed by the County's Districts and Boroughs and Surrey Police, considers that very substantial weight should be attached to the positive contribution this development proposal would make to the provision of Gypsy, Roma and Traveller transit accommodation across the County, with indirect consequential benefits arising for the public as a consequence too. There is currently no Gypsy, Roma and Traveller transit accommodation available anywhere across Surrey County.
  - ii) PS para 6.7.15: Lack of supply through an allocation in the development plan, or through formal TDC-led amendments to the emerging development plan has contributed to an acute demand for Gypsy and Traveller transit site provision in the County as a whole, and in the eastern area in particular. Despite an increase in the number of UEs (unauthorised encampments) over recent years, Both SCC, TDC and the other Districts and Boroughs have failed to allocate any sites for Gypsy, Roma and Traveller transit accommodation. The degree of harm to local communities caused by unauthorised encampments should not be underestimated, particularly in terms of social and environmental outcomes.
  - iii) PS para 6.7.16: There being no emerging allocations for additional pitches for the Gypsy, Roma and Traveller community in TDC either, and the substantial and increasing understanding of the scale and type of requirements that should be fulfilled, both mean that great weight should be placed on proposed additions to pitch delivery – whether for transit use or permanent occupation.
  - iv) PS para 6.7.17: As a result of not meeting a clear need and this long running lack of supply, the proposed ten new transit pitches would be

of fundamental benefit in helping to meet the current requirement for pitches, and the entirely unmet demand for a transit site in this location. The seriousness of the crisis in Surrey means that great weight should be attached to the contribution to pitch delivery in the County that will be provided by this scheme.

- v) PS para 6.5.5: The number of transit pitches proposed in this application responds directly to addressing the scale of need and resulting transit site requirement and will help resolve the issues that arise from unauthorised encampments across the County.
- vi) PS para 6.7.21: Therefore, the entirely unmet need and demand, taken together with a clear requirement for transit pitches, the lack of alternative sites alongside the fulfilment of relevant development plan policies, and consistency with the criteria in emerging Tandridge Local Plan policy TLP15, all mean that the benefits of the proposal and the suitability of this unique site clearly outweigh the very limited harm identified and amount to the very special circumstances necessary to justify the development.
- vii) PS para 7.2.2 sets out the environmental and social benefits of the proposed development as follows: the conclusions that can be drawn include:
  - Surrey's councils and Surrey Police are seeking to meet the transit site needs of Gypsy, Roma and Traveller communities who travel in Surrey, and solve the problems caused by unauthorised encampments
  - There is a total absence of supply of serviced transit facilities for Gypsy, Roma and Traveller communities anywhere in the County
  - The unique ability of the Application Site to start to meet the County-wide requirement for two transit sites, one in the eastern part of Surrey (this site) and another in the west
  - The scale of development being appropriate to meet the recognised need for a 10-pitch transit camp, as part of the County-wide vision and strategy for Gypsy, Roma and Traveller communities who do not seek permanent sites.
  - The specific circumstances supporting a Gypsy, Roma and Traveller transit camp on this site, it being well located to cater for the travelling community to stay at temporarily, in order for the Surrey authorities (and particularly Tandridge) to start to fulfil their wider housing related duties in serving this community), and for the Surrey Police to be able to prevent/ remove unauthorised encampments under primary legislation.
  - The provision of open space within the site that will incorporate land remediation and a design layout allowing the introduction of a planting scheme with ecological and environmental benefits.
  - The access being taken from an existing access point onto Merstham Road, to help minimise the extent of new hard surfacing in the Green Belt, AONB and AGLV.
  - The development does not impact detrimentally on the conservation and enhancement of the natural beauty of the Surrey Hills AONB and the locally designated AGLV.
  - The sustainable development principles demonstrated by the proposed layout, design and appearance of the pitches, the amenity buildings, hard surfacing and landscaping strategy all being consistent with national policy and guidance.

- The respect given to the residential amenity of transit site users, residents of the adjacent permanent Pendell Camp and nearby residential properties, achieved by careful design and planting, reinforced by a detailed and proactive management strategy for day-to-day operation.
  - The site's relative accessibility to and from the major road network, and the scale and design of parking provision catering specifically for the travelling community's usual needs.
  - There being no concerns around any increase in potential flood risk, with a proposed SuDS that includes green roofed amenity buildings.
  - There being no land contamination risks.
  - Electricity being the site's sustainable single energy source.
- viii) The 10no. pitches have also been carefully designed and they have been laid out specifically to respond to the site's characteristics, its wider context and surrounding landscape features and sensitivities.
- ix) While the Application Site is perhaps not the most sustainable location from a transport accessibility perspective, this is not a major consideration attracting significant weight, as the site's residents will not be permanent (private motor vehicles are also inherently part of GRT way of life); they will be in transit and will only be staying for a maximum of four weeks.
- x) PS paras 6.6.2 and 6.6.3: refers to the Landscape and Visual Appraisal forming part of the application which states that *"The assessment continues that the site is well-contained by landform and existing green infrastructure, and that 'the enclosed nature of the Site also limits impacts on the wider AONB landscape'.*
- xi) PS para 7.3.1: There will be extensive, albeit indirect economic benefits arising from the proposal. For the travelling community, a safe and secure temporary stopping place will be provided from which they can conduct their daily working and community-based lives. There will be economic benefits for Surrey Police and SCC together with the Districts and Boroughs, in meeting the requirement to cater directly for Gypsy, Roma and Traveller needs with a suitable tool they can use in seeking to reduce the number of unauthorised encampments and lessen or even remove the harmful impact they can have on settled communities.
- xii) PS para 8.1.5: Defined in policy as inappropriate development, in terms of Green Belt location, scale, the building footprints being limited, their layout and design being carefully conceived and the site access arrangements minimising new road construction, it is concluded that the proposal will have an acceptable, minimal visual impact. There are no specific concerns regarding the development in relation to undermining the national policy-defined purposes of the Green Belt. With reference to the conservation and enhancement of the natural beauty of the AONB and AGLV landscape, the proposal's landscape strategy will enhance the biodiversity of the site and immediately adjoining land in SCC's ownership, on-site by extensively retaining and supplementing existing hedgerow, trees and other vegetation both within and on its boundaries, particularly fronting onto Merstham Road, and off-site to the immediate south by wildflower seeding of existing grassland.

**Planning Officers' response to the case advanced by SCC:**

**Gypsy and Traveller caravan sites**



32. In August 2015, the Government published its Planning Policy for Traveller's Sites (PPTS). The policy repeats the provisions of the National Planning Policy Framework (NPPF) that inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development. Subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.
33. In making decisions on planning applications for traveller's sites, applications should be assessed and determined in accordance with the presumption in favour of sustainable development and the application of specific policies in the NPPF and the PPTS. Local planning authorities should determine applications from any travellers and not just those with local connections. New traveller site development in open countryside should be very strictly limited and such sites should respect the scale of, and not dominate, the nearest settled community.
34. If local planning authorities cannot demonstrate an up-to-date 5-year supply of deliverable sites for gypsies and travellers, this should be a significant material consideration when considering applications for grant of temporary planning permission, with the exception of designated land such as Green Belt.
35. The PPTS makes no provision for dealing with transit site development for GRT's transiting an area. However, this proposed transit site is proposed as permanent development. Although none of the intended occupants will stay for more than four weeks, the permanent buildings and other infrastructure required for such a use, and the ongoing presence on site of caravans and vehicles, will mean that for all intents and purposes it has the character and appearance of a permanent site and should be treated as such when being considered against relevant national and development plan policies. The development is therefore inappropriate development in the Green Belt.
36. Furthermore, it is considered that the provisions of the PPTS that "*Subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances*" apply to this transit site development." The need for this site is based entirely on the need to have somewhere to direct GRT who are transiting the area. Time limits will be applied to how long any individuals can stay on the site. As such, the site will not contribute to any identified need for permanent GRT sites in Tandridge DC's area and will not contribute to any development plan policies that quantify any identified need for permanent GRT sites in Tandridge DC's area in the future. The best interests of the child may be served by providing a transit site as an alternative to a roadside stopping place, but a maximum limit of a 4 week stay on the site does not enable any other medium to long term benefits, such as full-time education, to be provided for GRT children transiting with their parents. Accordingly, the reasons advanced in the Planning Statement accompanying the application as set out in paragraph 29 above, referring to paragraphs 6.7.15, 16, 17 and 21 of the Planning Statement should be given no weight in the recommendation on this planning application to SCC by Tandridge District Council.
37. Policy CSP9 of the Core Strategy set out that this Council will make provision for Gypsies and Travellers through a Site Allocations Development Plan document and that, in allocating such sites, there will be a preference for urban sites though when none are identified, Green Belt sites will be considered.

Proposals for Gypsy and Traveller sites to meet unexpected and proven need will be permitted where criteria contained in Policy CSP9 are met. This includes that unallocated sites in the Green Belt will only be acceptable where it can be demonstrated that very special circumstances exist, where significant harm to the visual amenities and character of the area is not caused, the number of pitches is appropriate to the site size and availability of infrastructure, safe access to the highway and provision of on-site parking/turning can be provided.

38. A Site Allocation Development Plan document has not been prepared by the Council. Furthermore, the above provisions of Policy CSP9 of the Core Strategy pre-date and are no longer in accordance with national policy as set out in the NPPF (2021) and the PPTS (2015). In accordance with paragraph 213 of the NPPF, these provisions of Policy CSP9 of the Core Strategy cannot now be afforded weight in the determination of planning applications for gypsy and traveller sites in Tandridge. Accordingly, these provisions of Core Strategy Policy CSP9 can be given no weight in the determination of this planning application.

### **Principle of Development and Green Belt considerations**

39. The site is in the Green Belt. In first considering whether the principle of the development is acceptable, an assessment of whether the land comprises 'previously developed land' (PDL) is made. The NPPF (2021) defines PDL as:

*“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.”*

40. The application form describes the existing use of the site as 'none' with 'no previous use'. It is noted to be adjacent to the existing Pendell camp to the north but not used for that purpose and has no buildings or permanent structures. There is, as such, no curtilage as no land within this application is developed. For these reasons, the site is not considered to comprise PDL.
41. The NPPF (2021) advises that the Government attaches great importance to Green Belts for which the fundamental aim of Green Belt policy is to “... prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence” (para.137, NPPF). In relation to proposals affecting the Green Belt, para. 147 of the NPPF states clearly that “*Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances*”. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is

clearly outweighed by other considerations (para.148). Policy DP10 of the Tandridge District Local Plan: Part 2 – Detailed Policies (2014) is aligned with these objectives of the NPPF.

42. Both the NPPF, (para.149) and the Local Plan, Policy DP13, regard the construction of new buildings in the Green Belt as inappropriate development.
43. The NPPF (para.150) and the Local Plan regard other operations including engineering operations and material changes in the use of land as not being inappropriate in the Green Belt provided they preserve openness and do not conflict with the purposes of including land within it.
44. The application site is, at present, an undeveloped and unused parcel of land which is laid to grass with vegetation/trees on the boundaries to the east and west. Excluding the access, the proposed site would have an area of approximately 5413m<sup>2</sup>. A significant proportion of this would be split into the ten pitches, with internal access road, parking, refuse store, manager's office. In terms of the buildings proposed, they would not be an exception to inappropriate development in the Green Belt as detailed in the NPPF (2021) and/or the Local Plan under Policy DP13. Furthermore, the engineering operations and material change in the use of the site would have a significant impact on Green Belt openness and conflict with the purposes of including land within it.
45. Openness has both a visual and spatial dimension. Development in the Green Belt does not necessarily have to be visible to conflict with retaining openness. Any development that uses land spatially in the Green Belt conflicts with the purpose of retaining openness.
46. As such, this proposal is considered in both regards (visually and spatially) to comprise inappropriate development which should not be approved unless 'very special circumstances' exist which clearly outweigh that harm are identified and this will be assessed after other material considerations below.

#### **Area of Outstanding Natural Beauty (AONB) and Area of Great Landscape Value (AGLV)**

47. The site lies both within the Area of Outstanding Natural Beauty (AONB) and Area of Great Landscape Value (AGLV) wherein great weight should be given to conserving and enhancing landscape and scenic designations which have the highest status of protection in relation to these issues.
48. The NPPF advises that when considering applications for development within Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances where it can be demonstrated that the development is in the public interest (para.177). Policy CSP20 of the Core Strategy states that the conservation and enhancement of the natural beauty of the landscape is of primary importance within the two Areas of Outstanding Natural Beauty which reflects their national status and contains six principles to be followed in the areas which seek to protect their qualities and applies to AGLVs. Policy CSP21 of the Core Strategy also advises that the character and distinctiveness of the District's landscapes and

countryside will be protected for their own sake and new development will be required to conserve and enhance landscape character.

49. Other than the adjoining Pendell Camp immediately to the north, the site is well-removed from any development of a similar density and intensity to the proposal. The location adjacent to the M23 is recognised though that is a substantially different form of development which provides infrastructure on a national scale. The proposal would result in a material change in use of the site which permanently changes the nature of the land. It would no longer provide a green buffer to the motorway but would provide an intensive form of development which fails to accord with any objectives for the AONB as set out in the NPPF and Development Plan nor the objectives for the AGLV as contained in the Core Strategy.
50. Therefore, the proposal would fail to preserve or enhance the AONB and AGLV and would result in significant harm to its important qualities in clear contradiction with the objectives of the NPPF, Policies CSP20 and CSP21 of the Tandridge District Council Core Strategy (2008).
51. There is an argument that the AONB/AGLV in which the application site is situated now forms something of a detached area to the main Surrey Hills AONB/AGLV to the north. The construction of the M25 and M23 motorways could be said to have caused this separation. However, the recently announced review of the Surrey Hills AONB makes no provision for reviewing the AONB designation within which the application site lies. Development Plan policies for the AONB/AGLV must therefore continue to be applied to the application site.

### **Character and Appearance**

52. The NPPF (2021) sets out that one of the objectives to achieve sustainable development is the social aspect and by the fostering of well-designed, beautiful and safe places with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being (para.8). Paragraph 92 of the NPPF (2021) sets out that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles.
53. The proposed occupants of the development are members of the GRT communities and it is recognised that some objectives of policies/guidance are not necessarily appropriate in this instance given the travelling lifestyle of these communities. Concerns have been raised in representations about this application in relation to the mixing of GRT communities and stationing of permanent and transitory sites next to one another, but this is not considered a material planning consideration in the determination of this application. These are matters that the County Authority will need to carefully consider as the promoters of the development.
54. However, in terms of assessing the design of this proposal, it is considered that its layout and intensity would not be appropriate to the site or its surroundings. The intensity would be wholly inappropriate to the characteristics of the locality and would urbanise the site in a manner incongruous to the rural setting. The adjacent site to the north is acknowledged though that visually appears less intensive than this proposal. This proposal would provide on-site facilities to create a better temporary living conditions for its proposed transiting occupants but that increases the expanse of built form and infrastructure which is

considered harmful and would conflict with national and Development Plan policy.

55. There would be some improvements in the appearance of the site from an arboricultural perspective which has been identified by the Council's Tree Officer which is welcomed. The site currently comprises mainly grassland and large scrubby trees made up of young willow, elder, hazel and bramble. No high value trees are to be removed and there are few trees of any stature growing within the site. The proposed landscaping scheme shows new planting of high quality and a diverse mix of native species including beech, field maple, whitebeam, lime and several others. A native hedgerow is also proposed together with some ornamental hedge planting internally to separate the pitches. Green roofs are also proposed. Most of the planting would be to the north, east and south which is reasonable given the presence of the extensive landscape buffer to the west on the M23 embankment.
56. The landscaping scheme has evidently been carefully considered and would enhance the soft vegetation on the site. However, that alone does not outweigh the significant harms identified by the proposal to the local environment and Green Belt and AONB/AGLV.

### **Residential Amenities**

57. Policy CSP18 of the Tandridge Core Strategy states that new development proposals must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any other adverse effect. Policy DP7 of the Tandridge District Local Plan (2014) seeks to safeguard amenity and requires that proposals do not significantly harm the amenity and privacy of neighbouring properties and that they do provide a satisfactory environment for the occupiers of both existing and new development.
58. Policy DP22 of the Local Plan (2014) advises that for proposals involving new residential development sited close to transport derived noise sources, applications will be considered against the noise exposure categories as outlined in the Noise Exposure Categories table as well as other material considerations where necessary.
59. 57 In terms of the potential impact of the proposal on existing residential amenity, the nearest to the site is located at Pendell Camp directly to the north. The proposal would be adjacent to that site but sufficiently distanced so that the built forms/structures would not have an overbearing or harmful impact on amenity. The use of the site would evidently be more intensive than at present, but vehicles using the site would direct to the south from the vehicular access and it is not considered that traffic associated with the transit site would be harmful to the extent that significant harm to residential amenity would be caused. It is recognised that there are serious concerns about the suitability of this transit site adjacent to a permanent site but, as stated above, that is a matter that this LPA trusts the County Council, as landowner, will give serious consideration to when determining the application.
60. In terms of the living environment of future occupants of the development, Policy DP7 and DP22 seek to ensure that a satisfactory environment is created. The creation of a new transit site in this location is of serious concern and the Council's Environmental Health department have expressed their concern about the proximity of the site to the M23 motorway and the construction of the

caravans/homes not being able to insulate against noise in the same manner as houses.

61. The Noise Assessment accompanying the application identifies a number of matters in the development including that there are no designated amenity areas which would typically be included as part of new residential development but, for its assessment, the site has been considered an amenity space. The range of noise levels contained in the report (Table 4.2) is in every instance above the 55dB (noting that within amenity and external areas noise levels should be less than 50dB to 55dB where practically achievable). The assessment recommends a 3m high Noise barrier to the west of the site and north and south boundaries of pitches 1 and 4 to mitigate the noise impact on residents. Due to the elevated position of the M23 relative to the site, a barrier any lower would not mitigate noise. However, a 3m high barrier with a total length of approximately 82 metres against a landscaped embankment and in the Green Belt, AONB and AGLV is considered wholly inappropriate and would be an alien and incongruous feature which would be contrary to Development Plan policy. Furthermore, as referred to above, such an embankment is not part of the description of development for which planning permission is being sought.
62. At section 7.2.1 of the Noise Assessment, it is concluded that the provision of an environmental noise barrier would result in an “insignificant reduction in traffic noise levels” and recommendations to alter the site layout would not be practicable because of the loss of valuable habitat. The report then concludes that given the marginal noise exceedance and short-term occupancy that the proposed development is considered acceptable on noise grounds. However, this finding appears to have been weakly substantiated when the noise experts initial suggestion for a 3m barrier proves to be ineffective in addressing the noise. There is cause for serious concern at the apparent lack of regard to ensuring a satisfactory environment for future occupants based on their short-term occupation of the site. Residents should be entitled to a satisfactory living environment irrespective of the length of their stay and the transit nature of the site does not justify what appears to be suggested that a lower quality standard of residential amenity is acceptable. As such, this LPA considers the proposal fails to provide a satisfactory environment for future occupants contrary to Policies DP7 and DP22 of the Tandridge District Local Plan: Part 2 – Detailed Policies (2014).

### **Other matters**

63. Consultation responses to this application have raised a number of matters which the LPA, as the non-determining authority, are not in a position to consider. Infrastructure, road safety, additional health facilities and similar matters should be assessed by Surrey County Council when they come to determine the application. Other concerns relating to fly-tipping and relationships between occupants and the local community are not a planning consideration.

### **Very Special Circumstances**

64. It has to be acknowledged that there is an absence of transit sites for the GRT communities in the District and in the County. This site would be the first and for which there is an identified need. However, the only justification to support the identification of this site for the proposed transit use is the fact that it adjoins the existing SCC owned and operated permanent Pendell Camp traveller site.

65. The proposed development of a GRT transit site would not contribute to any identified need going forward for additional permanent pitches for travellers and, as such, this cannot be a very special circumstance in the determination of this application.
66. The Planning Statement accompanying the application at paragraph 6.5.5 states that “...the number of transit pitches proposed in this application responds directly to addressing the scale of need and resulting transit site requirement and will help resolve the issues that arise from unauthorised encampments across the County.” However, the application contains no information that quantifies that scale of need and how the ten pitches proposed in the application respond to that scale of need.
67. Likewise, the Planning Statement at paragraph 7.3.1 states “There will be extensive, albeit indirect economic benefits arising from the proposal. For the travelling community, a safe and secure temporary stopping place will be provided from which they can conduct their daily working and community-based lives. There will be economic benefits for Surrey Police and SCC together with the Districts and Boroughs, in meeting the requirement to cater directly for Gypsy, Roma and Traveller needs with a suitable tool they can use in seeking to reduce the number of unauthorised encampments and lessen or even remove the harmful impact they can have on settled communities.” However, the application contains no information on comparable transit site developments, that is areas of the country where such transit site provision has been made and measurable economic benefits have been derived. These statements are made without any supporting information.
68. Given that nature of the proposed development which will not contribute to making permanent provision for the GRT community resorting to Tandridge to live there permanently, and the absence of any justification for the claimed benefits of the GRT transit site development referred to in paragraphs 63 and 64 above, as reasons why planning permission should be granted, no very special circumstances for overriding Green Belt policy have been adduced on behalf of SCC. The proposal is inappropriate development in the Green Belt and would cause significant additional harm in respect of adverse visual impact and adverse impact on the character of the AONB, AGLV and local environment. Furthermore, the proposal would fail to provide a satisfactory living environment for future occupants by reason of the noise impact from the adjacent M23.

## Conclusion

69. In conclusion, the proposal would amount to inappropriate development in the Green Belt for which very special circumstances to clearly outweigh the harm have not been identified. The proposal would erode the openness of the Green Belt and cause significant harm to the Area of Outstanding Natural Beauty, Area of Great Landscape Value and countryside. The proposal would have adverse impact on the local landscape and character of the area by reason of overdevelopment and intensification in use. Furthermore, the future occupants of the development would be significantly impacted by noise levels generated by the M23. For these reasons, an **objection** is raised to this proposal.
70. The recommendation is made considering the National Planning Policy Framework (NPPF) and the Government’s Planning Practice Guidance (PPG) and Planning Policy for Traveller Sites (PPTS). It is considered that in respect

of the assessment of this application significant weight has been given to policies within the Council's Core Strategy 2008 and the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with the NPPF. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation. The policies of the emerging Local Plan are still subject to consideration and potentially may change such that limited, if any, weight can be afforded to them.

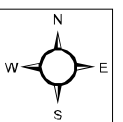
71. All other material considerations, including representations in support of the application, have been considered but none are considered sufficient to change the recommendation.

**RECOMMENDATION:**

**OBJECT ON THE FOLLOWING GROUNDS**

1. The proposal would constitute inappropriate development in the Green Belt. The openness and visual amenities of the area would be eroded and no 'very special circumstances' to clearly outweigh those harms have been identified. As such, the development is contrary to the NPPF (2021), Policy CSP9 of the Tandridge District Core Strategy (2008) and Policies DP10 and DP13 of the Tandridge District Local Plan: Part 2 – Detailed Policies (2014).
2. The site is in the Area of Outstanding Natural Beauty and Area of Great Landscape Value. The proposal would have an urbanising effect which would be incongruous to its setting and fails to conserve or enhance the landscape contrary to the NPPF (2021) and Policies CSP20 and CSP21 of the Tandridge District Core Strategy (2008).
3. The proposal would result in an intensification in the use of the land which is considered to cause significant harm to the character and appearance of the site and surrounding area contrary to the NPPF (2021), Policies CSP9 and CSP18 of the Tandridge District Core Strategy (2008) and Policy DP7 of the Tandridge District Local Plan: Part 2 – Detailed Policies (2014).
4. Due to the proximity of the site to the adjacent motorway (M23) and its elevated position, the proposal would fail to provide a satisfactory living environment to future occupants of the development by reason of noise and disturbance contrary to Policies DP7 and DP22 of the Tandridge District Local Plan: Part 2 – Detailed Policies (2014).





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## ITEM 5.2

**Application:** 2021/1948

**Location:** Hazelwood School, Wolfs Hill, Limpsfield RH8 0QU

**Proposal:** Variation of conditions 5 (Approved Operation hours) and 6 (Approved Floodlight usage hours) attached to pp 2020/1776 for the "Demolition of existing store room and erection of replacement equipment storage building. Part demolition to existing pavilion. Erection of extension to south elevation of, and alterations to, the existing pavilion. Erection of replacement store building. Construction of a new artificial turf sports pitch with 8 x flood lights. Erection of associated means of enclosure and formation of footpaths, assembly area and spectator area. Raising/re-levelling of land to provide extension to existing playing fields providing new natural turf sports areas with a new non-grass pitch cricket wicket and all associated groundworks including drainage and the creation of a swale".

**Ward:** Limpsfield

**Decision Level:** Planning Committee

*Constraints - GB, AGLV, T Road, AWd 500m, ASAC*

**PERMIT subject to conditions**

This application is reported to Committee following a Member request.

### Summary

1. Planning permission has been granted under ref: 2020/1776 for the formation of an all-weather pitch with associated fencing, floodlights, extension works to the existing pavilion, replacement store building, assembly area, spectator area and landscaping within an existing school sports field. Engineering operations would be required for the raising/re-levelling of land to provide an extension to the existing playing fields to provide new natural turf sport areas and a non-grass cricket wicket.
2. The permission granted was subject to a number of conditions including condition 5 relating to the operational hours of the all-weather pitch and condition 6 relating to the hours of use of the floodlights. The hours of use conditions restrict the times when the facilities can be used. The conditions restrict the hours of use on Wednesday's and Saturdays to end by 17.00hours, whilst on Mondays, Tuesdays, Thursdays and Fridays, the conditions restrict the hours of use to end by 20.00hrs.
3. This application is seeking to amend the hours of use of the pitch and floodlights so that the all-weather pitch and floodlights can be used up to 20.00hrs on Wednesdays but would cease to be used by 17.00 hrs on Fridays.
4. The proposed change of the hours of use would not result in any additional harmful impact on the amenities of nearby local residents and would maintain the overall aggregate operating hours across a week as permitted by the original application. The later operating time permitted on a Wednesday would therefore be compensated for by the earlier closing time on a Friday.

## Site Description

5. The site comprises a parcel of land serving Hazelwood School which is located on the southern side of Wolfs Hill within the Green Belt area of Limpsfield. The application site currently comprises an outdoor sports area with a pavilion on an area of playing fields in close proximity to the school.
6. The previous application also included a larger parcel of land located further south east of the school buildings and comprises existing open sports playing fields. The application site bounds residential development in Home Park and Hazelwood Heights to the west and south.

## Relevant History

7. 2020/1776 – Demolition of existing store room and erection of replacement equipment storage building. Part demolition to existing pavilion. Erection of extension to south elevation of, and alterations to, the existing pavilion. Erection of replacement store building. Construction of a new artificial turf sports pitch with 8 x flood lights. Erection of associated means of enclosure and formation of footpaths, assembly area and spectator area. Raising/re-levelling of land to provide extension to existing playing fields providing new natural turf sports areas with a new non-grass pitch cricket wicket and all associated groundworks including drainage and the creation of a swale - Granted 05/03/2021.
8. A number of applications have been considered pertaining to the overall school campus, but none of these are relevant to this application.

## Key Issues

9. The site is in the Green Belt and the principle of development has been established with the grant of planning permission under ref: 2020/1776.
10. The main issue to be determined is the impact of the proposed change to the operating hours on the amenities of neighbouring properties.

## Proposal

11. This application seeks permission to amend the operating hours of the permitted all-weather sports pitch and floodlights. Conditions 5 and 6 on permission 2020/1776 are relevant and states as follows:

### *Condition 5*

The all-weather, artificial turf pitch hereby approved shall not be used by the school, external clubs or organisations outside the following times:

- Monday, Tuesday, Thursday and Friday (including school holidays) 08:00 – 20:00
- Wednesday 08:00 – 17:00
- Saturday 09:00 – 17:00

There shall be no usage on Sundays and Bank Holidays.

The above times shall be adhered to unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the visual amenities of the Green Belt, the character and appearance of the area and the residential amenities of neighbouring occupiers in accordance with Policies CSP18 and CSP21 of the Tandridge District Core Strategy 2008 and Policies DP7, DP10 and DP13 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

#### *Condition 6*

The floodlighting hereby approved shall not be illuminated outside the following hours and shall be extinguished as soon as practicable when the pitch has finished being used each day.

- Monday, Tuesday, Thursday and Friday (including school holidays) 08:00 – 20:00
- Wednesday 08:00 – 17:00
- Saturday 09:00 – 17:00

There shall be no usage on Sundays and Bank Holidays.

The above hours shall be adhered to unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the visual amenities of the Green Belt, the character and appearance of the area and the residential amenities of neighbouring occupiers in accordance with Policies CSP18 and CSP21 of the Tandridge District Core Strategy 2008 and Policies DP7, DP10 and DP13 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014

12. It is proposed that the operating hours for a Wednesday be transferred to a Friday and vice versa to allow for the later operating hours on Wednesdays.
13. In support of the application, the school make the following summarised points:
  - The application to vary the condition seeks no net increase in the weekly aggregate hours of use.
  - Wednesdays and particularly Wednesday afternoons are widely and commonly utilised nationally for sport throughout the education system. This is no different for the School - Wednesdays being the most intensive day in the week for the involvement of years 5-8 in sports - some 150+ children - and for hosting competitive events and hosting tournaments. Mid-week availability of the ATP will therefore be important for regular sports activities and after-School training/clubs when no competitive use is required - after School activities tending to be focussed during the core weekdays to enable and encourage attendance as Friday afternoons tend to conflict with other family, social and non-School activities and commitments.
  - The weekday after School use also has an important role in providing the much needed, and oft Central Government cited and financially supported, assistance for working families to allow them the opportunity to work whilst their children are safeguarded in a secure and supervised educational setting.

- Less restricted Wednesday hours of use of the ATP will also assist in the School delivering its community use obligations - mindful that mid-week bookings for its existing facilities are most popular - the Sports Hall for example being fully booked on a Wednesday - with Monday and Friday bookings/interest from third parties being noticeably less sought after.
- The intent behind the limitation imposed by Members was ostensibly to provide some 'relief' from the use of the ATP for neighbouring residents. With this in mind it is pertinent that the transfer of the 'early weekday closure' of the facility to Fridays will result in three continuous days including the weekend where use of the ATP will not be permitted beyond the hours of 17:00 (including no use on Sundays or Bank Holiday Mondays).

### **Development Plan Policy**

14. Tandridge District Core Strategy 2008 – Policies CSP1, CSP12, CSP13, CSP17, CSP18, CSP21
15. Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP10, DP13, DP18, DP19, DP21, DP22
16. Woldingham Neighbourhood Plan 2016 – Not applicable
17. Limpsfield Neighbourhood Plan 2019 – Policies LNP1, LNP5, LNP8, LNP12, LNP13
18. Caterham, Chaldon and Whyteleafe Neighbourhood Plan – 2021 – Not applicable
19. Emerging Tandridge Local Plan 2033 – Policies TLP01, TLP02, TLP03, TLP07, TLP08, TLP17, TLP18, TLP32, TLP34, TLP35, TLP37, TLP39, TLP46, TLP47

### **Supplementary Planning Documents (SPDs), Supplementary Planning Guidance (SPGs) and non-statutory guidance**

20. Tandridge Parking Standards SPD (2012)
21. Tandridge Trees and Soft Landscaping SPD (2017)

### **National Advice**

22. National Planning Policy Framework (NPPF) (2021)
23. Planning Practice Guidance (PPG)
24. National Design Guide (2019)

### **Statutory Consultation Responses**

25. Limpsfield Parish Council – No response received.

### **Non-statutory Advice Received**

26. Tandridge DC Environmental Health - No objection to the variation of hours proposed in this application.

## **Other Representations**

27. A number of objections have been received from local residents which can be summarised as follows:
- Proposal would remove the break in 'evening' usage in the middle of the week that was previously negotiated with the Parish Council and residents.
  - Residents maintain that fixed lighting, increased noise intrusion and traffic congestion would be inappropriate
  - Application demonstrates a lack of consideration by the school for the surrounding community.
  - Proposed hours of use are already a considerable intrusion on resident's quiet enjoyment of their property.
  - Any changes if permitted should be restricted to educational use only.
  - Changing the early closing evening to Friday would not solve the problem of continuous use during the week.
  - Floodlights and spectator area would impact on amenities

## **Assessment**

### Procedural note

28. The Tandridge District Core Strategy and Detailed Local Plan Policies predate the NPPF as published in 2021. However, paragraph 219 of the NPPF (Annex 1) sets out that existing policies should not be considered out-of-date simply because they were adopted prior to the publication of the Framework document. Instead, due weight should be given to them in accordance to the degree of consistency with the current Framework.

### Principle of development on the site

29. The principle of development has been established with the grant of planning permission under ref: 2020/1776. The previous application was considered by the Planning Committee who acknowledged that the proposals represented inappropriate development in the Green Belt, but that very special circumstances existed which were sufficient to outweigh the identified harm. Members also agreed that with imposition of the recommended conditions, any impact can be suitably controlled to ensure that significant harm is not caused as a result of the hours of use and floodlighting.
30. Therefore, the main issue to be determined in this application is the impact of the proposed change to the operating hours on the amenities of neighbouring properties.

### Impact on Residential Amenity

31. Policy CSP18 of the Core Strategy and Criteria 6 – 9 (inclusive) of Policy DP7 of the Local Plan Part 2: Detailed Policies require that development must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, noise, traffic and any adverse effect.
32. Local Plan Policy DP22 relates to Minimising Contamination, Hazards and Pollution and provides guidance in relation to noise and light pollution. In this regard, Policy DP22 states that noise generating forms of development are required to be accompanied by a statement detailing noise generation levels

and any mitigation measures to ensure that all noise is reduced to an acceptable level. Where a development proposal is able to demonstrate that acceptable noise levels will be achieved, the application will be supported. In relation to lighting and illumination, part F of Policy DP22 states:

“Proposals for external lighting as part of a new or existing development will be permitted where the applicant can demonstrate that the lighting scheme is the minimum necessary for security, safety, working or recreational purposes and that it minimises the potential pollution from glare or spillage. Particular attention will be paid to schemes in or close to open countryside or intrinsically dark landscapes, close to residential property and areas important for nature conservation.

33. Part G of Policy DP22 goes on to state as follows:

“Proposals for or including floodlighting will be permitted provided there is no significant harm to the character of the area, to the amenities of the occupiers of residential property or to areas important for nature conservation. In addition, within the Green Belt floodlighting to illuminate sport and recreation facilities will only be permitted where there is no harm to the openness of the Green Belt.”

34. In relation to Outdoor Sports and Recreation Facilities, the supporting text to Policy DP22 states: “Where existing sports and recreation facilities are refurbished or applications for new facilities are submitted, applicants may wish to include some form of artificial lighting in order to maximise the use of the facility. The Council recognises the advantages of making the most effective use of such facilities but is conscious that proposals can have an adverse environmental impact in terms of light pollution. A balance must therefore be struck between the need to provide suitable, functional lighting and the need to protect the environment and amenity of the surrounding area.

35. The previous application was carefully considered by Planning Committee who agreed with officers that the proposals were acceptable and that the impact of the all-weather sports pitch and floodlights on the amenities of nearby residents would be acceptable subject to conditions. The advice given to members on the original application was as follows:

*Due to the position of the development to the south of the main school campus, the primary impact of the proposal being the all-weather pitch would be to dwellings to the west, namely those in Hazelwood Heights, Home Park and the dwelling named Home Place Cottage within closest proximity of the proposed development. Although the use of the land is not currently controlled by any restrictions of operation, the scale of the development including the formation of an all-weather pitch and the addition of floodlighting to the pitch would change the nature of this use and the potential impact upon the neighbouring dwellings. The built form of the nearest neighbouring property would be located approximately 72m away from the application site to the west.*

*The submission included details of restrictions of the use and floodlighting being that floodlighting would be turned off by 21:15 Monday to Saturday, and 19:15 on Sundays and Bank Holidays. The Council’s Environmental Health Team were consulted on the proposal and their response stated;*



*“Environmental Health has no objections on grounds of noise and lighting providing that the applicant fully complies with the Planning statement for noise and lighting and that the floodlights are turned off at the following times:*

*Monday to Saturday – 21:15  
Sunday/Bank holidays 19:15”*

*The proposal includes the installation of 8 x 12m high masts to provide floodlighting for the all-weather pitch. The submitted Planning Statement states that lighting will be provided for safe sporting activity for the school during normal school daytime hours (up to 18:00) and that it would be used in adverse weather conditions, poor daylight and sunlight conditions generally between the months of October to March. The submission confirms that use of the floodlighting if required by community groups would not be continuous but on demand. The lighting has been designed to ‘drop’ illumination onto the playing surface to limit ‘spill’ outside of the required area for ecological purposes and in response of residential and visual amenities.*

*In relation to screening, additional landscaping is proposed to the south and east with the existing screening to the west to be retained. Many third-party comments have been received in relation to the lighting and noise impacts of the proposals upon the amenities of neighbouring residents. In this regard, it is important to note that the Environmental Health Team confirmed that they are satisfied with the proposal on its own merits in relation to noise and lighting and this is not dependant on planting being carried out;*

*“I am satisfied that the hours of operation will minimise the impact of noise and lighting on nearby residents. If planning permission is granted and it later shows that the noise or lighting is causing a statutory nuisance then there are powers available under the Environmental Protection Act 1990 to enable us to take action.*

*The landscaping at a later date may provide some screening but my observations on the impact of noise and lighting is based upon the relevant guidelines when we assess planning applications. In the case of lighting we use the Institute of Lighting Professionals Guidance Notes for the Reduction of Obstructive Light. The report submitted in support of the application states that the new lighting will meet the maximum recommended illuminance levels. The Acoustic Report indicated that the noise levels will not exceed the World Health Organisation recommended levels at neighbouring properties. At these levels the noise should not cause a problem to residents.”*

*Whilst noting the above assessment made by the Environmental Health Team, in relation to the floodlighting, noise and hours of use, given the close relationship and proximity with neighbouring properties within Hazelwood Heights and Home Park, it is recommended that the hours of operation be reduced to that submitted within the application and of the hours which were acceptable to the Environmental Health Team. The following hours of operation and floodlighting restriction is recommended to be controlled by means of planning condition.*

*Monday – Friday: 08:00 – 20:00  
Saturdays, Sundays and Bank Holidays: 09:00 – 17:00*

*It is considered reasonable to restrict the hours of operation and floodlighting to the above timescales to preserve the reasonable amenity and enjoyment of the neighbouring residents. These restrictions would apply to any and all users of the site. Furthermore, similar time restrictions have been imposed on similar proposals on school sites in recent years within the District. It is considered that the proposal would, subject to the imposition of the above conditions, not result in significant harm to residential amenities and would comply with Development Plan policies.*

36. At the Planning Committee, members considered that a midweek early evening ending should be imposed and amended the condition recommended by officers accordingly.
37. The applicants are proposing that the earlier closing time for the use of the pitch and floodlights be moved to a Friday so that residents have the benefit of a longer break from the activity on the pitch over the weekend. The applicants state that Wednesdays and particularly Wednesday afternoons are widely and commonly utilised nationally for sport throughout the education system. This is no different for the School - Wednesdays being the most intensive day in the week for the involvement of years 5-8 in sports - some 150+ children - and for hosting competitive events and hosting tournaments. They state that mid-week availability of the ATP will therefore be important for regular sports activities and after-School training/clubs when no competitive use is required - after School activities tending to be focussed during the core weekdays to enable and encourage attendance as Friday afternoons tend to conflict with other family, social and non-School activities and commitments.
38. The applicants have also stated that the weekday after school use also has an important role in providing the much needed, and oft Central Government cited and financially supported, assistance for working families to allow them the opportunity to work whilst their children are safeguarded in a secure and supervised educational setting.
39. The school considers that a less restricted Wednesday afternoon and evening hours of use of the ATP will also assist in the School delivering its community use obligations - mindful that mid-week bookings for its existing facilities are most popular - the Sports Hall for example being fully booked on a Wednesday - with Monday and Friday bookings/interest from third parties being noticeably less sought after.
40. This application is seeking to amend the hours of use of the pitch and floodlights so that the all-weather pitch and floodlights can be used up to 20.00hrs on Wednesdays but would cease to be used by 17.00 hrs on Fridays.
41. The proposed change of the hours of use would not result in any additional harmful impact on the amenities of nearby local residents and would maintain the overall aggregate operating hours across a week as permitted by the original application. The later operating time permitted on a Wednesday would therefore be compensated for by the earlier closing time on a Friday.

42. In conclusion, it is not considered that the proposed changes to the operating hours of the all-weather pitch and floodlights would have a detrimental impact upon neighbour amenity and is therefore considered to be in accordance with the objectives of the aforementioned policies and guidance.

### **Re-imposition of conditions**

43. The result of any new grant of permission under section 73 of the Town and Country Planning Act 1990 (as amended) is the issuing of a new permission which sits alongside the original planning permission. In these circumstances the conditions imposed on this grant of permission would be re-imposed, subject to the changes permitted to the operating hours under conditions 5 and 6.

### **Conclusion**

44. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that proposals should be determined in accordance with the adopted development plan unless material considerations indicate otherwise.
45. Planning permission has been granted under ref: 2020/1776 for the formation of an all-weather pitch which was subject to a number of conditions including condition 5 relating to the operational hours of the all-weather pitch and condition 6 relating to the hours of use of the floodlights. The hours of use conditions restrict the times when the facilities can be used. The conditions restrict the hours of use on Wednesday's and Saturdays to end by 17.00hours, whilst on Mondays, Tuesdays, Thursdays and Fridays, the conditions restrict the hours of use to end by 20.00hrs.
46. This application is seeking to amend the hours of use of the pitch and floodlights so that the all-weather pitch and floodlights can be used up to 20.00hrs on Wednesdays but would cease to be used by 17.00 hrs on Fridays.
47. The proposed change of the hours of use would not result in any additional harmful impact on the amenities of nearby local residents and would maintain the overall aggregate operating hours across a week as permitted by the original application. The later operating time permitted on a Wednesday would therefore be compensated for by the earlier closing time on a Friday.
48. For the reasons outlined above, the application is recommended for approval.
49. The recommendation is made in light of the National Planning Policy Framework (NPPF) and the Government's Planning Practice Guidance (PPG). It is considered that in respect of the assessment of this application significant weight has been given to policies within the Council's Core Strategy 2008 and the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with paragraph 213 of the NPPF. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.
50. All other material considerations have been considered but none are considered sufficient to change the recommendation.

**RECOMMENDATION: PERMIT subject to the following conditions:**

1. The development hereby permitted shall start not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This decision refers to drawings numbered D19-046/DWG/LP0001 Rev 01 (including the rededged site location plan), D19-046/DWG/SP0001 Rev 03, D19-046/DWG/ES0001 Rev 01 scanned on 7 October 2020, 7236-PD-02 Rev A, 7236-PD-03 Rev A, D19 046/VW/CS000.01, D19-046/DWG/EP0001 Rev 02, D19-046/DWG/SP0002 Rev 03, D19-046/DWG/SP0003 Rev 04 scanned on 8 October 2020, D19-046/DWG/ED0001 Rev 02 A and HLS821 scanned on 15 October 2020. The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

Reason: To ensure that the scheme proceeds as set out in the planning application and therefore remains in accordance with the Development Plan.

3. The ATP (artificial turf pitch) facility and extended playing fields shall not be brought into use until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the artificial grass pitch, the cricket pitch and the grass pitches, and include details of pricing policy, hours of use, access by non-[educational establishment] users [/non-members], management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy.

4. No above ground works for the ATP (artificial turf pitch), Pavilion, store building or extended playing fields shall start until details of the materials to be used in the construction of the external surfaces of the proposed development, including the hard-surfacing materials of the artificial turf pitch, for that part of the development, hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

Reason: To enable the Local Planning Authority to exercise control over the type and colour of materials, so as to enhance the development and to ensure that the new works are appropriate to the landscape character of the area accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

5. The all-weather, artificial turf pitch hereby approved shall not be used by the school, external clubs or organisations outside the following times:

Monday, Tuesday, Wednesday and Thursday                      08:00 – 20:00  
(including school holidays)

Friday 08:00 – 17:00  
Saturday 09:00 – 17:00

There shall be no usage on Sundays and Bank Holidays.

The above times shall be adhered to unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the visual amenities of the Green Belt, the character and appearance of the area and the residential amenities of neighbouring occupiers in accordance with Policies CSP18 and CSP21 of the Tandridge District Core Strategy 2008 and Policies DP7, DP10 and DP13 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

6. The floodlighting hereby approved shall not be illuminated outside the following hours and shall be extinguished as soon as practicable when the pitch has finished being used each day.

Monday, Tuesday, Wednesday and Thursday 08:00 – 20:00  
(including school holidays)  
Friday 08:00 – 17:00  
Saturday 09:00 – 17:00

There shall be no usage on Sundays and Bank Holidays.

The above hours shall be adhered to unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the visual amenities of the Green Belt, the character and appearance of the area and the residential amenities of neighbouring occupiers in accordance with Policies CSP18 and CSP21 of the Tandridge District Core Strategy 2008 and Policies DP7, DP10 and DP13 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

7. No development shall start until the tree protection measures detailed within the approved Tree Protection Plan (174038/TPP) and Arboricultural Method Statement have been implemented. Thereafter these measures shall be retained and any specified staging of works strictly adhered to throughout the course of development and shall not be varied without the written agreement of the Local Planning Authority. In any event, the following restrictions shall be strictly observed unless otherwise agreed by the Local Planning Authority:

- (a) No bonfires shall take place within the root protection area (RPA) or within a position where heat could affect foliage or branches.
- (b) No further trenches, drains or service runs shall be sited within the RPA of any retained trees.
- (c) No further changes in ground levels or excavations shall take place within the RPA of any retained trees.

Reason: To prevent damage to trees in the interest of the visual amenities of the area in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014

8. No development shall start until a method of construction statement, to include details of temporary construction access works has been submitted to

and agreed in writing by the Local Planning Authority. These details shall include specifications of a no dig cellular confinement construction for that part of the construction haul route for the ATP (artificial turf pitch) within the Root Protection Area (RPA) of trees to be retained as identified in the Tree Protection Plan (TPP) to minimise harm to the roots of the retained trees. Thereafter, all works shall be carried out and constructed in accordance with the approved details and shall not be varied without the written consent of the Local Planning Authority.

Reason: To prevent damage to trees in the interest of the visual amenities of the area in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

9. No works for the alteration and extension of the Pavilion building shall commence until a further Bat roost assessment has been undertaken by a suitably qualified ecologist and thereafter the works should only proceed in accordance with any further recommendations made. The further Bat roost assessment shall be submitted to and approved by the Local Planning Authority in writing.

Reason: To ensure that the ecological interests of the site are adequately safeguarded and enhanced throughout the development, in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

10. No development shall commence on the ATP (artificial turf pitch), Pavilion or extended playing field sites until a pre-commencement walkover survey of the site that is the subject of commencement has been undertaken in order to provide an up-to-date assessment of its use by Badgers. The walkover survey should be undertaken within four weeks prior to the commencement of works and be conducted by a qualified ecologist in accordance with best practice. A written report of findings – including any necessary mitigation and provision for monitoring in the event that badger activity is identified – shall be submitted to the Local Planning Authority for approval within two weeks of the commencement of development.

Reason: To ensure that the ecological interests of the site are adequately safeguarded and enhanced throughout the development, in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

11. The development hereby permitted shall be carried out in accordance with the recommendations and mitigation and enhancement measures set out in the Revised Preliminary Ecological Appraisal and Bat Activity Transect Survey dated October 2020 and scanned on 15 October 2020.

Reason: To ensure that the ecological interests of the site are adequately safeguarded and enhanced throughout the development, in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

12. All hard landscape works shall be carried out in accordance with the approved details including the proposed finished levels shown within drawing numbers D19-046/DWG/ES0001 Rev 01 scanned on 7 October 2020 and D19-046/DWG/ED0001 Rev 02 scanned 15 October 2020, the means of enclosure

shown within drawing number D19-046/DWG/EP0001 Rev 02 scanned 8 October 2020, the pedestrian access and circulation areas shown within drawing number D19-046/DWG/SP0001 Rev 03 scanned 7 October 2020. The works shall be completed prior to the occupation of any part of the development.

Reason: To maintain and enhance the visual amenities of the development in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

13. All soft landscape works shall be carried out in accordance with the approved details including the drawing numbered L3 Rev A and titled 'Landscape Proposals Plan' by David Williams Landscape Consultancy scanned 21 October 2020. Existing trees and boundary treatments shall be retained other than those specifically stated to be removed within the submission. The works shall be completed prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed, or, in the opinion of the Local Planning Authority, become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and enhance the visual amenities of the development in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

14. No development shall commence until a Construction Transport Management Plan, to include details of:
  - (a) access for construction vehicles
  - (b) parking for vehicles of site personnel, operatives and visitors
  - (c) loading and unloading of plant and materials
  - (d) storage of plant and materials
  - (e) timing of HGV deliveries and hours of operation (to avoid the start and end of the school day)
  - (f) programme of works (including any measures for traffic management)
  - (g) vehicle routing to and from the site
  - (h) measures to prevent the deposit of materials on the highway
  - (i) no HGV movements to or from the site shall take place between the hours of 8.15 and 9.15 am and 3.15 and 4.15 pm, nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Wolfs Hill during these times
  - (j) on-site turning for construction vehicles

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users. These conditions are required to meet the objectives of the NPPF (2019), and to satisfy policy CSP12 of the Core Strategy DPDS (2008) and policies DP5 and DP7 of the TLP Part 2: Detailed Policies (2014).

15. There shall be no community use of the facilities during the school day during term time.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users. These conditions are required to meet the objectives of the NPPF (2019), and to satisfy policy CSP12 of the Core Strategy DPDS (2008) and policies DP5 and DP7 of the TLP Part 2: Detailed Policies (2014).

16. The development of the hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 1.9 l/s.

- b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). The attenuation swale cross section should include details of the existing ditch.

- c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.

- d) Details of drainage management responsibilities and maintenance regimes for the drainage system.

- e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

17. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the Drainage System is designed to the National Non-Statutory Technical Standards for SuDS.

18. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.



Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 170 of the National Planning Policy Framework.

19. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the National Planning Policy Framework.

20. Details of any external lighting (not including the floodlights hereby permitted) shall be submitted to and approved by the Local Planning Authority in writing prior to any such provision on the site.

Reason: To ensure that the provision of any lighting on site minimises the impact on the Green Belt and the rural landscape and protects the amenities of occupiers of adjoining properties in accordance with Policies CSP18 and CSP21 of the Tandridge District Core Strategy 2008 and Policies DP7 and DP13 of the Tandridge Local Plan; Part 2 – Detailed Policies 2014

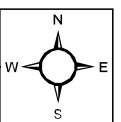
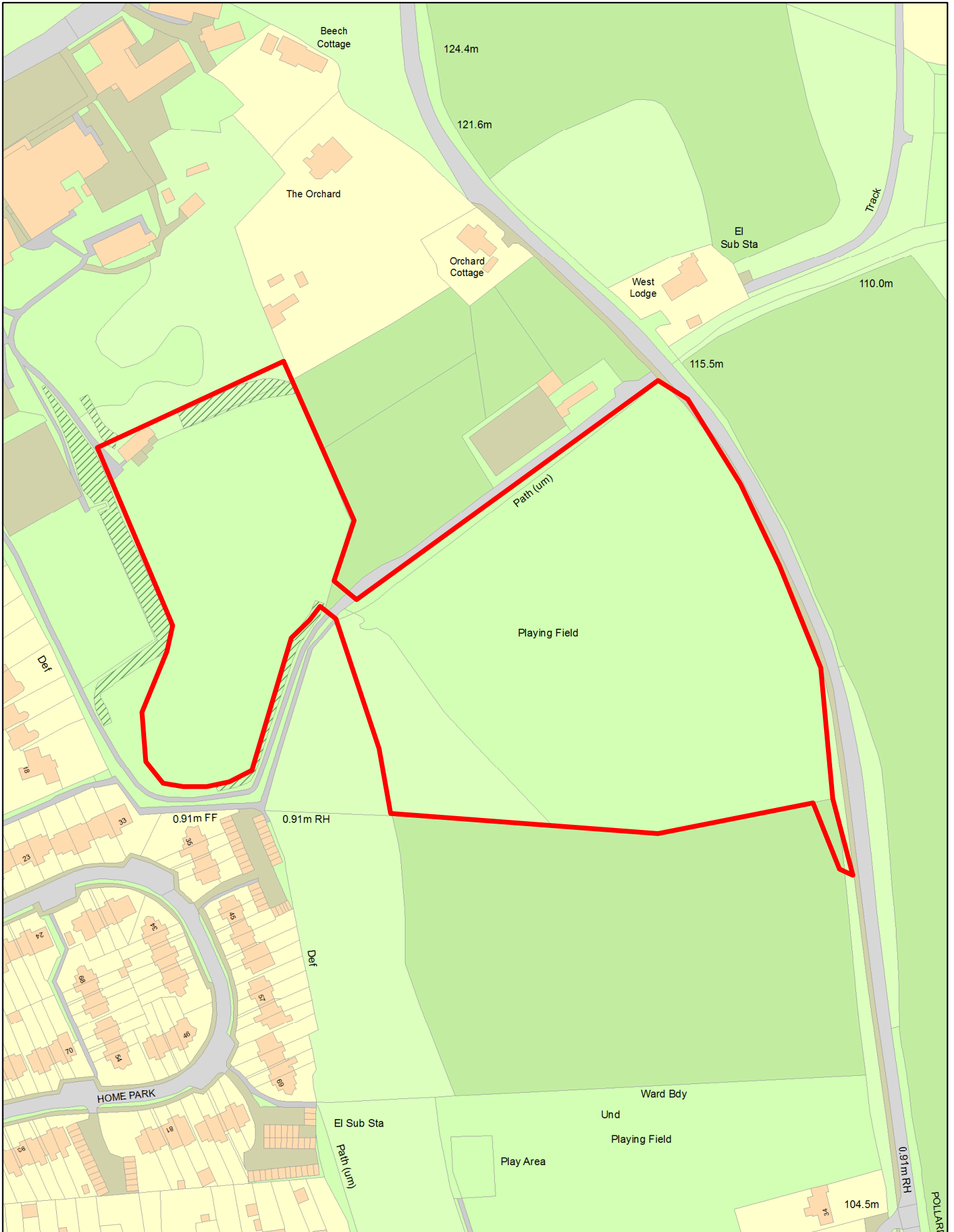
## Informatives

1. Condition 2 refers to the drawings hereby approved. Non-material amendments can be made under the provisions of Section 96A of the Town and Country Planning Act 1990 and you should contact the case officer to discuss whether a proposed amendment is likely to be non-material. Minor material amendments will require an application to vary condition 2 of this permission. Such an application would be made under the provisions of Section 73 of the Town and Country Planning Act 1990. Major material amendments will require a new planning application. You should discuss whether your material amendment is minor or major with the case officer. Fees may be payable for non-material and material amendment requests. Details of the current fee can be found on the Council's web site.
2. The development permitted is subject to a Community Infrastructure Levy (CIL) liability for which a Liability Notice will be issued. It is important that you ensure that the requirements of the CIL Regulations are met to ensure that you avoid any unnecessary surcharges and that any relevant relief or exemption is applied.
3. If there is a reason to believe contamination could be an issue, applicants should provide proportionate but sufficient site investigation information (a risk assessment) prepared by a competent person to determine the existence or otherwise of contamination, its nature and extent, the risks it may pose and to whom/what (the 'receptors') so that these risks can be assessed and satisfactorily reduced to an acceptable level. The National Quality Mark Scheme (NQMS) accredits competent persons with regard to assessing and reporting land contamination issues.

4. Any surface or fly-tipped waste materials should be removed to suitable permitted sites as part of any site clearance/preparation works.
5. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.
6. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
7. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
8. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
9. The applicant's attention is drawn to the comments made by Surrey Wildlife Trust dated 25<sup>th</sup> November 2020 in relation to a precautionary approach to works.

The development has been assessed against Tandridge District Core Strategy 2008 Policies CSP1, CSP12, CSP13, CSP17, CSP18, CSP21, Tandridge Local Plan: Part 2: Detailed Policies – Policies DP1, DP5, DP7, DP10, DP13, DP18, DP19, DP21, DP22, Limpsfield Neighbourhood Plan 2019 – Policies LNP1, LNP5, LNP8, LNP12, LNP13 and material considerations, including third party representations. It has been concluded that the development would constitute inappropriate development in the Green Belt but that there are very special circumstances and that subject to the conditions as set out above the scheme is acceptable.

The Local Planning Authority has acted in a positive and creative way in determining this application, as required by the NPPF (2019), and has assessed the proposal against all material considerations including the presumption in favour of sustainable development and that which improves the economic, social and environmental conditions of the area, planning policies and guidance and representations received.



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