

Planning Committee

Thursday, 7th December, 2023 at 7.30 pm

Council Chamber, Council Offices, Station Road East, Oxted

Agenda

The agenda for this meeting is set out below.

Members of the Planning Committee

Councillor Claire Blackwell (Chair)	Councillor Jackie Wren (Vice-Chair)
Councillor Bryan Black	Councillor Chris Botten
Councillor Perry Chotai	Councillor Chris Farr
Councillor Sue Farr	Councillor Jeffrey Gray
Councillor Judy Moore	Councillor Keith Prew
Councillor Lesley Steeds	

Substitute Members

Councillor Helen Bilton	Councillor Michael Cooper
Councillor Katie Montgomery	Councillor Helena Windsor

If a member of the Committee is unable to attend the meeting, they should notify Democratic Services. If a Member of the Council, who is not a member of the Committee, would like to attend the meeting, please let Democratic Services know by no later than noon on the day of the meeting.

If any clarification about any item of business is needed, contact should be made with officers before the meeting. Reports contain authors' names and contact details.

David Ford

Chief Executive

Information for the public



This meeting will be held in the Council Chamber, Council Offices, Oxted and the public are welcome to attend. Doors for the Council Offices will open 15 minutes before the start of the meeting.



The meeting will also be broadcast online at tinyurl.com/webcastTDC. In attending this meeting, you are accepting that you may be filmed and consent to the live stream being broadcast online and available for others to view.



Information about the terms of reference and membership of this Committee are available in the Council's Constitution available from tinyurl.com/howTDCisrun. The website also provides copies of agendas, reports and minutes.



Details of reports that will be considered at upcoming Committee meetings are published on the Council's Committee Forward Plan. You can view the latest plan at tinyurl.com/TDCforwardplan.

democraticservices@tandridge.gov.uk Tel: 01883 722000

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Tandridge District Council, Council Offices, 8 Station Road East, Oxted, Surrey, RH8 0BT

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 from the meeting held on the 2nd November 2023 (Pages 3 - 4)

4. Applications for consideration by committee (Pages 5 - 14)

4.1 2022/1658 - Development site at Plough Road, Smallfield, Surrey (Pages 15 - 60)

4.2 2022/267 - Former Shelton Sports Club, Shelton Avenue and land adjacent to 267 Hillbury Road, Warlingham, Surrey, CR6 9TL (Pages 61 - 108)

5. Recent appeal decisions received

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

6. Any urgent business

To deal with any other item(s) which, in the opinion of the Chair, should be considered as a matter of urgency in accordance with Section 100B(4)(b) of the Local Government Act 1972.

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 2 November 2023 at 7:30pm.

PRESENT: Councillors Blackwell (Chair), Wren (Vice-Chair), Chotai, Chris Farr, Sue Farr, Moore, Prew, Steeds, Black (Substitute) (In place of Montgomery) and Bilton (Substitute) (In place of Gray)

ALSO PRESENT: Councillor Cooper

ALSO PRESENT (Virtually): Councillor Nicholas White

APOLOGIES FOR ABSENCE: Councillors Botten, Gray and Montgomery

145. MINUTES FROM THE MEETING HELD ON THE 5TH OCTOBER 2023

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

146. 2022/1638 - HOLLOW LANE GARAGES

The Committee considered an application for the demolition of existing garages and construction of one bungalow and one building containing four apartments and a new parking court at New Farthingdale.

The Officer recommendation was to permit, subject to conditions.

Fiona Matthews, an objector, spoke against the application.

Councillor David Bright of Dormansland Parish Council spoke against the application.

Nicola Cresswell, representing the applicant, spoke in favour of the application.

RESOLVED – that the application be permitted subject to the conditions, including an additional condition in relation to entrance security.

147. 2023/595 - CATERHAM SCHOOL, HARESTONE VALLEY ROAD, CATERHAM, CR3 6YA

The Committee considered an application for the variation of condition 2 (hours of opening) on application reference 94/499/D3/A (Continued use of Sports centre and swimming pool by external clubs/organisations) to allow a variation to the hours.

The Officer recommendation was to permit, subject to Deed of Variation and conditions.

Martin Hurcomb, an objector, spoke against the application.

Suri Araniyasundaran, representing the applicant, spoke in favour of the application.

RESOLVED – that the application be permitted subject to Deed of Variation and the conditions. An additional informative to be added requesting the applicant to consider ways of minimising light pollution.

148. 2022/1659 - 63 TO 78 FEATHERSTONE, BLINDLEY HEATH, LINGFIELD, SURREY, RH7 6JY

The Committee considered an application for the demolition of 2 existing buildings containing 16 no. apartments, and the erection of 7 houses and 1 building containing 9 apartments.

The Officer recommendation was to permit, subject to conditions.

Nicola Cresswell, representing the applicant, spoke in favour of the application.

RESOLVED – that the application be permitted, subject to conditions.

149. 2023/1044 - SCOUT HUT, MILL LANE, HURST GREEN, OXTED, SURREY, RH8 9DF

The Committee considered an application for the Installation of a 20ft shipping container for storage of large scale Scouting equipment.

The Officer recommendation was to permit, subject to conditions.

RESOLVED – that the application be permitted, subject to conditions.

150. RECENT APPEAL DECISIONS RECEIVED

The Committee received an update on the following appeal decision:

TA/2022/685 – Land at the Old Cottage, Station Road, Lingfield, RH7 6PG. The appeal was dismissed on 17 October 2023 (appeal reference APP/M3645/W/23/3319149).

Rising 8.57 pm

REPORT TO THE PLANNING COMMITTEE ON 7 DECEMBER 2023

AGENDA ITEM 4

APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE

To consider the applications detailed in items 4.1 to 4.2

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.

Contacts:

Mark Berry, Interim Head of Development Management
01883 732799
Email: mberry@tandridge.gov.uk

Paul Batchelor, Senior Planning Officer
01883 732861
Email: pbatchelor@tandridge.gov.uk

Hannah Middleton, Senior Planning Officer
01883 732890
Email: hmiddleton@tandridge.gov.uk

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 – 7 DECEMBER 2023 – RECOMMENDATIONS

ITEM NO.	APPLICATION NO.	SITE ADDRESS	APPLICATION DETAILS	RECOMMENDATION
4.1	2022/1658	Development Site At 532253 143328, Plough Road, Smallfield, Surrey,	Development of up to 120 residential dwellings with associated infrastructure, open space and vehicular and pedestrian access, with additional engineering works to provide for flood relief. (Outline application with all matters reserved saved for access)	PERMIT, subject to conditions
4.2	2022/267	Former Shelton Sports Club, Shelton Avenue And Land Adjacent To 267 Hillbury Road, Warlingham, Surrey, CR6 9TL	Outline planning application with all matters reserved except access, for a residential development of 150 dwellings including 45% affordable housing with vehicular access from Hillbury Road, provision of public open space and associated ancillary works.	PERMIT, subject to conditions

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 4.1

Application: 2022/1658

Location: Development Site At 532253 143328, Plough Road, Smallfield, Surrey,

Proposal: Development of up to 120 residential dwellings with associated infrastructure, open space and vehicular and pedestrian access, with additional engineering works to provide for flood relief. (Outline application with all matters reserved saved for access)

Ward: Burstow, Horne & Outwood

Decision Level: Planning Committee

Constraints – Green Belt, article 4, areas of special advertising consent, ancient woodland(s) within 500m ea_floodzone_2, Gatwick bird strike zone, Gatwick safeguarding 45m, greenbelt, risk of flooding from surface water – 100, risk of flooding from surface water – 1000, special protection area(s)

RECOMMENDATION: Approve subject to conditions and:

1. The application being referred to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2021; and the application then not being called-in by the Secretary of State for determination; and
2. The completion of a Section 106 agreement to secure the following matters:
 - A. The delivery of 40% of the dwellings hereby approved as affordable housing in accordance with an Affordable Housing Delivery Plan (which shall be submitted for approval by the District Council at the time that the first Reserved Matters application is submitted) with provisions to secure the freehold being transferred/granted to a Registered Provider. All affordable housing shall be subject to nomination rights.
 - B. The implementation of the Flood Relief Scheme in accordance with details that will be required to be submitted for approval by the District Council at the time that the first Reserved Matters application is submitted. The details of the Flood Relief Scheme shall accord with principles submitted with the planning application. The subsequent maintenance and management of the Flood Relief Scheme will also be secured.
 - C. The provision of a financial contribution (£50,000) towards off site flood risk reduction measures including, but not limited to, works or repair and maintenance to the wider drainage network in Smallfield.
 - D. The provision of financial contribution (£5,000) related to Traffic Regulation Orders.
 - E. The implementation of a Travel Plan and the payment of the Travel Plan Monitoring Contribution (£4,600).
 - F. The provision of Open Space in accordance with a timetable that shall be submitted for approval by the District Council at the time that the first Reserved Matters application is submitted. The management of the Open Space would also be secured with the formation of a Management Company also included.

1. This application is reported to Committee as a departure from the Development Plan. Where the officer recommendation is for approval contrary to policy in the Development Plan, Neighbourhood Plans, DPD or other adopted guidance, an application that is subject to representations that object to the grant of planning permission should be considered at Planning Committee.
2. Please note that the requirement to refer the application is applicable as a result of Paragraph 10 of the Town and Country Planning (Consultation) (England) Direction 2021 which states that, where a Local Planning Authority does not intend to refuse inappropriate development in the Green Belt of the scale that is proposed, it shall refer the application to the Secretary of State who may wish to issue a direction with respect to the proposed development.

Summary

3. Outline planning permission (with all matters reserved other than access) is sought for the provision of up to 120 residential units. The site is within the Green Belt and, as such, the proposal constitutes inappropriate development in the Green Belt. The proposal would also cause harm to openness and loss of open countryside and thereby conflict with the purposes of the Green Belt. However, Very Special Circumstances exist that are considered, exceptionally in this case, to outweigh the harm to the Green Belt and other harm, most notably in terms of a benefit to housing land supply (including affordable housing) and provisions relating to alleviation of flood risk that would help to address an established issue that exists within the wider area.
4. Other than the principle of development, the only other matter to be determined is that of access. The proposal is considered to be acceptable in this respect.
5. Noting that the layout, appearance, scale and landscaping of the development and all associated impacts of those elements of the proposal would be considered at reserved matters stage, it is considered that the proposal should be found acceptable in outline form and, as such, outline planning permission should be granted.

Site Description

6. The application site is located in the Green Belt at the edge of Smallfield which is categorised as a Tier Two Settlement (Semi-Rural Service Settlements) in the adopted development plan. Smallfield lies at the western edge of Tandridge, approximately 1.3km from the western boundary of the District. Horley is approximately 1km to the west of Smallfield, and Gatwick airport is nearby to the south-west. The western edge of the village is close to the M23 motorway, which can be accessed from Smallfield via a contorted route to Junction 9 of the motorway.
7. The site covers a total of 12.47 hectares of mainly agricultural fields divided into three parcels of land extending north of Plough Road, each of which is bound by a continuous line of mature hedgerows and trees. Existing residential properties along Meadow View and Field Walk back onto the north-western boundary of the site. The current Green Belt boundary is on the western edge of the site and runs north to south following the edge of the settlement of Smallfield. The north and eastern boundaries of the site are characterised by the open countryside and an area of Ancient Woodland.

Relevant History

8. Relevant history is as follows:

2021/620/EIA - EIA Screening Opinion - Not EIA development 23/06/2021

2021/677/EIA - EIA Screening Opinion - Not EIA development 23/06/2021

2022/1657/EIA - EIA Screening Opinion - Not EIA development 23/01/2023

Key Issues

9. This proposal seeks outline permission for a residential development of up to 120 dwellings and additional works, with only details in relation to the proposed access being considered at this stage. Consequently, the primary key issue is whether the development would be inappropriate development in the Green Belt and whether any harm caused to the Green Belt, together with any other planning harm, would be outweighed by Very Special Circumstances. Other primary issues to be considered at this stage would be the principle of development in all other respects and any effects of the development on the local highway network and highway safety.
10. As the application is in outline form, the precise details of the proposal are not set. However, in generic terms, it is still reasonable and necessary to undertake a preliminary assessment of the proposal in terms of various secondary key issues including the character of the locality, the amenities of neighbouring properties and future occupiers, the impact upon protected trees, biodiversity, renewable energy and archaeology.

Proposal

11. Outline planning permission with all matters reserved, save for access, is sought for the development of up to 120 residential dwellings with associated infrastructure, open space and vehicular and pedestrian access, with additional engineering works to provide for flood relief. The scheme would propose 40% of the homes to be affordable, with an appropriate mix ranging from 1-bedroom flats (10%) to 2-bedroom (26%), 3-bedroom (36%) and 4+ bedroom houses (28%), although these details are indicative at this stage. 75% of the affordable housing would be for rent and the remaining 25% of affordable housing would be provided as shared ownership; this would be secured through the Section 106 Agreement. The total site area is 12.47ha, 4.2ha of which would be designated for residential use.
12. Vehicular and pedestrian access to the development will be provided to the site from Meadow View, where a new priority T-junction is proposed, as shown on drawing Access Drawing ref. ITB18107-GA-002 Rev A. The proposed vehicular access will be 5.5m wide and will accommodate two 2m wide footways on either side of the carriageway to facilitate pedestrian movements. An additional point of access is to be provided through the area of car parking to the north of Plough Road, where an existing field gate access is located. The access will be formalised and will provide access for emergency vehicles as well as pedestrians and cyclists. Off-site highways improvements will be secured through the agreement of a S278.
13. The proposed flood relief scheme includes measures to reduce the risk of flooding to the local community as well as meeting the needs of new residents.

The submitted Hydraulic Modelling confirms that the number of properties at risk would be reduced by 117. Further to this, surface water runoff generated from the proposed development (the roofs, roads and hardstanding areas) will be directed into a water holding basin located in the south of the site which is sized to take runoff from the whole development (including open green spaces and garden areas). The other flood relief basins are additional to provide a solution to some of the extensive flooding locally which is put forward by the applicant as a Very Special Circumstance. In the event of an approval, these works will be secured through the agreement of a S106 agreement.

14. Whilst a layout plan has been provided this is purely indicative and the layout, scale and appearance of the development would be considered as part of the reserved matters application.

Development Plan Policy

15. Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP4, CSP7, CSP11, CSP12, CSP14, CSP15, CSP17, CSP18, CSP19, CSP21
16. Tandridge Local Plan Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP10, DP13, DP19, DP20, DP21, DP22
17. Woldingham Neighbourhood Plan 2016 – Not applicable
18. Limpsfield Neighbourhood Plan 2019 – Not applicable
19. Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021– Not applicable

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)
22. Surrey Design Guide (2002)
23. Surrey Vehicular and Cycle Parking Guidance (2018)
24. Tandridge Landscape Capacity and Sensitivity Study (2016)
25. Interim Policy Statement for Housing Delivery (September 2022)

The Emerging Tandridge Local Plan

26. See comments below – no weight can be afforded to this plan.

National Advice

27. National Planning Policy Framework (NPPF) (2023)
28. Planning Practice Guidance (PPG)
29. National Design Guide (2019)

Consultation Responses

30. County Highway Authority – The proposed development has been considered by the County Highway Authority who having assessed the application on safety, capacity, and policy grounds, recommends the following S106/278 Obligations and Conditions be imposed in any permission granted:
- Amendment to Waiting Restrictions on Meadow View subject to a S106
 - Travel Plan subject to a S106
 - Works-in-Kind subject to a S278
 - i. Speed Table
 - ii. Village Entrance Gateway Feature
 - iii. Bus Stop Improvement Works

The Highway Authority have also recommend that 7 conditions be imposed upon any planning permission granted. These can be viewed online within their consultation response along with their full comments.

31. Burstow Parish Council (28/3) – “The Planning Committee is aware that this site is included in the Burstow draft Neighbourhood plan as a suitable site for development. So, Committee recommends its approval subject to some conditions. The District Council would like to see a programme of maintenance of the flood defence/mitigations for the lifetime of the housing enshrined as a planning condition. Furthermore, Committee wants to understand traffic flows and congestion by the Plough Road/ Meadow View junction and see what plans are in place to ensure the junction will be safe to all and keep traffic as free flowing as possible.”
32. Gatwick Airport (safeguarding) (25/7) – Gatwick Airport Safeguarding have stated that the proposed development has been examined from an aerodrome perspective and could conflict with safeguarding criteria. Gatwick Airport Safeguarding recommend 3 conditions along with an informative with regards to cranes. These can be viewed online within their consultation response along with their full comments.
33. Surrey County Council Historic Buildings Adviser (24/7) – The following comments have been summarised, full comments can be viewed online - “The Plough is on Tandridge District Council’s Buildings of Character List (2013) and as such is considered a non-designated heritage asset. Historically, much of the development site was undeveloped as can be seen on the 1768 Rocque map. The surroundings of Smallfield Place historically consisted of common land to the east and south which continued along to The Plough. The land to the north and west (which includes the application site) is shown as fields under cultivation. Smallfield Place is a Grade II* listed building, parts of which date from the 17th century. The Plough is noted within the heritage statement to be an 18th century dwelling. The outline application is for 120 residential dwellings to the north of Plough Road which is at least 250m from the application site. While I disagree with some of the points within the heritage statement about the setting of this building, I do agree there are no clear views between the application site and Smallfield Place. As such I do not consider that the scheme will result in harm to the designated heritage asset. With regard to The Plough, the development will be much closer and I suspect it is inevitable that the properties will be glimpsed behind the building regardless of the final form of the scheme. While I consider this will result in harm by detracting from the rural setting of the building, such harm would be very low owing to the distance between the buildings and intervening planting. On the basis that the building

is only locally listed and will not be directly affected by the scheme, I do not consider the aforementioned harm to be sufficient to refuse the scheme. I have assessed the proposal in accordance with paragraphs 195 and 199 of the NPPF and find that there will be no impact on the setting of Smallfield Place (Grade II*). There will be a small impact on the setting of The Plough as a non-designated heritage asset. However, as the loss is very small, I am not of the opinion there are built heritage grounds to refuse the application under paragraph 203 of the NPPF.”

34. Surrey County Council Archaeological Officer Nigel Randell (13/7) – “The applicants archaeological consultant has suggested the form of the required condition to secure the archaeological work. I am happy, in this instance, to use that condition; the ‘Reason’ will be the same as it normally ascribed.”
35. Surrey Police Crime Reduction (1/2) – “I have reviewed the Design and Access statement for the development and I warmly note that the developer has referenced health and wellbeing and “designing streets and spaces with community safety in mind.” To that end, I would welcome early dialogue with the developer to achieve these stated aims. I recommend the following planning condition is included. I offer the following wording for consideration. “The development shall achieve standards contained within the Secure by Design award scheme to be successfully granted the award.”
36. NATS Safeguarding (1/2) – “The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company (“NERL”) has no safeguarding objection to the proposal.”
37. Contamination Officer – The Contamination Officer has reviewed the application and the submitted desk study and recommends that a site investigation condition be imposed.
38. Surrey Wildlife Trust (26/5) – Comments have been summarised in the table provided, full comments can be found online

Planning Stage	Recommendation
Prior to determination	N/A
Prior to commencement	Construction Environmental Management Plan Landscape and Ecological Management Plan Sensitive Lighting Management Plan

Surrey Wildlife Trust made the following comments:

- We would advise that long term management of habitat(s) for birds is secured through a Landscape and Ecological Management Plan.
- We would advise full detail of the biodiversity net gain is secured through a Landscape and Ecological Management Plan, which is submitted prior to commencement/as part of reserved matters
- Should the LPA be minded to grant permission for the proposal the applicant should be required to implement the development only in accordance with an appropriately detailed CEMP.
- Should the LPA be minded to grant planning permission for this proposed development, we recommend that the LPA requires the development to be implemented in accordance with an

appropriately detailed landscape and ecological management plan (LEMP).

- We advise that compliance with this best practice guidance is secured through a Sensitive Lighting Management Plan submitted to the LPA for approval in writing prior to commencement of development.

39. Local Lead Flood Authority (09/08) – “The applicant has addressed our previous comments. We are satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents and are content with the development proposed, subject to our advice below. Our advice would be that, should planning permission be granted, suitably worded conditions are applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development. Suggested conditions are below: The flood relief scheme forms a key part of the development proposal, and we recommend that the scheme is secured via a Section 106 obligation.” The conditions are outlined in full within their consultation response and also included within the recommended conditions and S106 below.
40. National Highways (11/7) – No objections raised as the development can be accommodated on the Strategic Road Network without additional mitigation measures.
41. Tree Officer – Tandridge Council (26/4) – “The areas proposed for development are currently in agricultural use, with existing trees limited to the field boundaries. The western boundary, adjacent to the existing housing estate, has one mature oak and a small number of purple Norway maple and field maple growing within the hedgerow. There is an existing field access through a private car park with an overgrown hedge along the site boundary. The two southern fields are separated by a mixed species hedge interspersed with oak. The northwestern part of the site is situated next to a small ancient woodland as described above with some aspen and large hawthorn and blackthorn shrub groups. The northern and southern fields are sectioned off with a well-established hawthorn hedge and one large oak adjacent to the western boundary, and several trees are situated within the adjacent gardens, many of which are early mature oak. Looking at the illustrative masterplan I am satisfied that the arboricultural constraints have been considered, and as the area to the northwest is to remain as amenity space, there would be scope to negotiate a suitable buffer from the ancient woodland, in excess of the 15m minimum. As such I raise no objection in principle to the proposal, subject to detailed layout and landscape strategy”. Full comments can be reviewed online.
42. Environmental Agency (12/7) – “No comments”
43. Environmental Health 24/2) – “No objections.”
44. Thames Water – “Waste comments: Thames Water would advise that with regard to FOYL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided. Should the District Council be minded approving the planning application, Thames Water would like the following informative to be attached to the planning application – a Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer.” Full comments can be reviewed online.

45. Housing Development Support Officer – Tandridge Council (26/5) – “The applicant is proposing the construction of 120 homes including a contribution of 40% affordable which exceeds the policy requirement of ‘up to 34%. This equates to 48 affordable units which will be a welcome contribution to the supply of affordable housing in the district. We expect 75% of the affordable housing to be for rent (36 homes) broadly in line with the following mix: 4 x 1-bed flats, 6 x 2 bed flats, 6 x 2 bed houses, 20 x 3 bed houses. The remaining 25% of affordable housing should be provided as shared ownership (12 units). The shared ownership units should comprise a mixture of 2 and 3-bedroom houses. The affordable housing units should be thoughtfully integrated across the site to ensure there is no clear demarcation between the open market units and the affordable housing. Furthermore, the design of affordable housing should be “tenure blind,” in terms of design and materials.”

Other Representations

46. Third Party Comments (comments have been summarised and grouped):

47. Objections

- Lack of existing infrastructure
- Development could cause increased traffic flows and congestion
- Existing issues with flooding, development would exacerbate this
- Site is located within the Green Belt where development is inappropriate
- Insufficient space for so many properties, surrounding area already overdeveloped
- Increase in traffic would cause damage to highways/ roads are dangerous
- Impact upon wildlife and ecology
- Green Belt land should be protected
- Not in keeping with rural area
- Development would destroy village
- Schools and doctors surgeries already at capacity
- Smallfield will no longer be a village with so many additional houses
- Frequent power cuts already
- Drainage not adequate for development, increase pressure of sewage systems
- Unsafe for pedestrians
- Children hit by vehicles due to traffic
- No need for more housing
- Parking issues in the local area
- No phone signal
- Alternative sites available that have been overlooked by developers
- Not a sustainable location and loss of countryside
- Significant disruption from construction
- Significant development going on already in surrounding area
- Village is poorly serviced by public transport
- Development of such scale will ruin the character of a village
- Major congestion at peak times
- Use of land for agriculture is important
- Assurances required that emergency access will be maintained
- Despite transport assessment plough road is a busy road
- Pavements not adequate for safe pedestrian access
- Green Belt land should be protected, development and removal of hedgerows will impact the openness of the Green Belt
- Substantial increase in light and noise pollution

- Overdevelopment due to number of units
- Local wildlife would be harmed
- Impact to mobile service which is already poor serving existing residents
- Speed restrictions required
- Security concerns with proposed development
- Impacts outlook from existing properties and resulting overlooking and privacy effects
- Ancient Woodland in close proximity to development
- Development includes an uncontrolled crossing point which would be dangerous
- Poor view and sight lines from proposed access roads due to parked cars
- Double yellow lines have been introduced in Meadowlands to control parking
- Objections over access point
- Application site located within a flood zone
- Flatted apartment blocks would not be in keeping
- Loss of open space
- Village is already overcrowded
- No provision for improving services
- Bus services are minimal in the village
- Impact on appearance of the bungalows on existing streets

48. Comments in support

- It would provide opportunity for first time buyers
- It would bring business to Smallfield and increase infrastructure
- Area has a chronic shortage of housing which is affordable

Assessment

Procedural note

49. The Tandridge Development Plan, (formed of Tandridge District Core Strategy 2008, Tandridge Local Plan Part 2: Detailed Policies 2014-2029, Caterham, Chaldon & Whyteleafe Neighbourhood Plan 2021, Limpsfield Neighbourhood Plan 2019 and Woldingham Neighbourhood Plan 2016), predates the NPPF as published in 2023. 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 NPPF. Instead, due weight should be given to them in accordance with their degree of consistency with the NPPF.

50. The NPPF and its content in relation to the development plan is noted as a material consideration. However, it is also the case that section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require decisions to be taken in accordance with the development plan, unless there are material considerations that indicate otherwise. The NPPF does not diminish this statutory requirement or the standing of the development plan.

The Status of the Emerging Tandridge Local Plan and its evidence base

51. At present, the emerging Local Plan “Our Local Plan 2033” technically remains under examination. However, no weight can be given to policies in the emerging Local Plan due to the Inspector’s findings that the emerging Local Plan cannot be made sound. Therefore, the adopted Local Plan remains the 2008 Core Strategy, the Local Plan Part 2: Detailed Policies 2014-2029, the

Caterham, Chaldon & Whyteleafe Neighbourhood Plan, the Limpsfield Neighbourhood Plan and the Woldingham Neighbourhood Plan.

52. The evidence base published alongside the emerging Local Plan does not form part of the proposed Development Plan. The eventual non-adoption of the emerging Local Plan does not place more or less weight on the emerging Local Plan evidence base than on any other evidence base published by the Council. Until such time that evidence base studies are withdrawn, they remain capable of being a material consideration for planning applications.

Interim Policy Statement for Housing Delivery (September 2022)

53. The council published an Interim Policy Statement for Housing Delivery in September 2022, which is a material consideration in the assessment of planning applications. The statement sets out a list of criteria for new housing sites. In addition to assessing applications against the Development Plan and national policy and guidance, this application has been assessed in relation to the criteria.

54. The proposed site aligns with the criteria set out in the Interim Policy Statement, which is a material consideration for this application.

55. The key criteria with which this proposal aligns are:

- ii) Housing sites included in the emerging Local Plan where the Examiner did not raise concerns (see Appendix A);
- vii) Housing development meeting a recognised local community need or realising local community aspirations including affordable housing and the bringing forward of rural exception schemes in appropriate locations;
- viii) Sites that deliver flood mitigation measures for already identified areas of the District at serious risk of flooding;

56. Any such sites identified according to the above criteria must be deliverable and viable, having regard to the provision of any necessary on-site and off-site infrastructure, affordable housing requirements and payment of the Community Infrastructure Levy. All development proposals will be expected to comply with the requirements of the NPPF and the policies of adopted development plan, that is the Core Strategy (15th October 2008), Tandridge Local Plan Part 2: Detailed Policies 2014-2029 (July 2014), all adopted Neighbourhood Plans and Supplementary Planning Guidance where relevant.

57. Notwithstanding the position with respect to Our Local Plan 2033, it is considered that the allocation can still be afforded weight as a result of the Interim Housing Delivery Plan and the manner that it encourages previously proposed allocated sites to be brought forward.

58. The application site subject to this Outline application is one of these sites - (Ref HSG03).

59. The following extract from that policy provides useful context:

- Exceptional circumstances to justify release of the Site from the Green Belt have been identified and the allocation of the Site has resulted in an alteration to the Green Belt boundary.
- Proposals will be required to provide 40% affordable housing.
- Design and layout will need to ensure that any visual impact of the development is minimised and sympathetically reflects the edge of settlement location.
- An enhanced ecological network including buffers to the north and east boundaries would be required.
- Design and layout should seek to create and preserve defensible boundaries between the Site and the Green Belt.
- Proposals should respond to the risk of fluvial flooding (Flood Zone 2) along its southern boundary, the risk of surface water flooding along the northern boundary, through the centre of the Site from the east and potential ponding to the west of the Site and close to the Site.
- The redevelopment of this Site is required to enable flood mitigation for the wider area. Proposals which do not make provision for flood mitigation as a main focus in design and layout, will not be supported.
- Financial contributions to / onsite provision of the following infrastructure will be a requirement for any proposal:
 - Explore opportunities for junction improvements at Plough Road / Redehall Road / Chapel Road / Wheelers Lane
 - On site provision of attenuation ponds
 - Plough Field Park Youth Provision

Green Belt

60. The site is located in the Green Belt. The NPPF 2023 supports the protection of Green Belts and the restriction of development within these designated areas. Paragraph 137 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, the essential characteristics of the Green Belt being its openness and permanence.
61. Paragraph 140 of the National Planning Policy NPPF (2023) sets out that Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Whilst it is noted that the Emerging Local Plan sought to allocated the site for development, it remains within the Green Belt as identified within the adopted development plan.
62. General residential development is considered to be inappropriate development in the Green Belt. The NPPF (paragraphs 147 and 148) states:

“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. ‘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.”

63. Paragraph 149 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt and lists a number of exceptions.
64. Policy DP10 of the Local Plan reflects the NPPF in setting out that inappropriate development in the Green Belt is, by definition, harmful and that substantial weight must be attributed to this harm. Permission should only be granted where very special circumstances can be demonstrated to outweigh the harm by reason of inappropriateness and any other harm identified.
65. Policy DP13 states that unless very special circumstances can be clearly demonstrated, the District Council will regard the construction of new buildings as inappropriate in the Green Belt. Policy DP13 sets out the exceptions to this.
66. None of the exceptions set out within national or local planning policy are applicable to this application. The proposal is, therefore, inappropriate development in the Green Belt.
67. With respect to the flood alleviation works, NPPF paragraph 150 includes engineering operations that do not harm openness or conflict with the purposes of the Green Belt as an exception to what is deemed to be inappropriate development. The proposed flood alleviation works are within this exception and would not therefore conflict with the purposes of the Green Belt or cause harm to openness. These works would not, therefore, be contrary to national or local planning policy.
68. In the context of the above-mentioned policies, the residential element of the proposal represents inappropriate development. This is, by definition, harmful. This Green Belt harm and other harm such as loss of open countryside is required to be afforded substantial weight. Other parts of the development not being inappropriate in the Green Belt do not alter this assessment.

Purposes of the Green Belt

69. The NPPF sets out that the Green Belt serves 5 purposes. These are as follows:
 - a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land
70. The proposal is not considered to be conflict with most of these purposes, but it would involve encroachment into the countryside, effectively extending the built-up area of Smallfield to the East which amounts to moderate conflict with respect to purpose c).

Openness of the Green Belt

71. The fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open. The NPPF advises at Paragraph 137 that openness

and their permanence are essential characteristics of Green Belts. Planning Practice Guidance states that undertaking an assessment of the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case having regard to factors that include, but are not limited to:

openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;

the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and

the degree of activity likely to be generated, such as traffic generation.

72. With respect to the spatial dimension, the proposal would involve the erection of buildings where none currently exist. Consequently, the development would have a substantial impact on openness in this respect. The spatial harm is readily identifiable with the spread of new dwellings, roads, attendant parking, and domestic garden paraphernalia which would cover an extensive area of undeveloped pastureland.
73. In visual terms the collective mass, height and volume of the proposed dwellings would be clearly visible where the site abuts Meadow View, and also from Plough Road. Views would also be possible from nearby footpaths (including FP457, FP485 and FP494). The buildings would be up to three storeys in height and, as a result of the number of buildings proposed, there would be a substantial imposition of built form whether this is considered in terms of its volume or footprint. This change would be accompanied by increased activity from prospective occupants and visitors reasonably associated with a residential use.
74. However, the impact on openness in the wider context would be somewhat mitigated because the majority of the proposed development would be partially screened and the built form would be contained to a limited area. The majority of the substantial trees and other soft landscaping at and near the boundaries of the site would be able to be retained. This landscaping currently restricts views into the site to a substantial degree and it is considered that this would largely remain the case. Clearly there would be openings associated with the entrance into the site and there would inevitably be gaps which would enable views into the site from the surrounding public footpaths and the highway frontages. However, in most instances, views into the residential part of the site would be softened by trees and other soft landscaping. As a result, proposal would be likely to have a moderate impact on openness.

Green Belt Summary

75. In summary, the housing element of the proposals would constitute inappropriate development in the Green Belt which is, by definition, harmful. The proposal would also cause limited to moderate harm to openness and cause conflict with one of the purposes of the Green Belt. Substantial weight should be afforded to each of these elements of harm that have been identified and, as such, the development should not be approved unless very special circumstances exist. An assessment in this respect will be undertaken further below.

76. The proposed engineering operations do not constitute inappropriate development in the Green Belt

Wider Principle of Development / Locational Sustainability

77. Smallfield is a category 2 larger rural settlement (or semi-rural service settlement as identified in the Settlement Hierarchy 2015 in support of the emerging local plan). This identified the village as a stand-alone settlement which caters comfortably for day-to-day local needs of the community and provide access to a range of other facilities including community, recreational, education and health. Development appropriate to the needs of rural communities will be permitted within the settlement boundaries under policy CSP1. The policy goes on to say that there will be no change in the Green Belt boundaries, unless it is not possible to find sufficient land within the existing built-up areas and other settlements to deliver current and future housing allocations.
78. The status of the village as a sustainable location for development and as a centre that has sufficient facilities to support growth was also recognised in that the emerging local plan sought to allocate sites at Smallfield, including this one, for housing development. The proposed site, whilst falling outside the settlement boundary, is considered to be in a sustainable location and the adopted plan does indicate that it may be required to direct growth to land immediately adjoining built up areas, i.e. which are within the Green Belt. The precise location of such land would depend on its accessibility to services, public transport and other infrastructure, in other words the most “sustainable locations”.
79. This site would appear to comply with that requirement. It is within 480m of the centre of the village, easy walking distance. It is also within easy walking distance of bus stops either on Plough Road or Chapel Lane.
80. The Our Local Plan 2033 identified the site as a proposed allocation for residential development. The inspector examining that plan raised no fundamental concerns about the proposed allocation. By extension, the Interim Policy Statement for Housing Delivery includes the application site and is a material consideration.

Housing Supply

81. The Council accepts that it does not have a five-year housing land supply (5-YHLS). However, the local housing need figure is only the starting point for establishing the local housing requirement. The major policy constraints (including 94% Green Belt, two AONBs and flooding) and significant infrastructure capacity constraints (for example around the M25 J6) within the District can reasonably be expected to significantly reduce this requirement.
82. Nevertheless, as demonstrated in the work for the emerging Local Plan (currently awaiting final Inspector’s report), the Council is committed to bringing forward sites in line with criteria set out in the Interim Housing Policy Statement as part of the Housing Delivery Test Action Plan.
83. A recent assessment of the District Council’s Housing Land Supply situation was undertaken as part of an appeal in respect of application 2021/2178 at Land West of Limpsfield Road, Warlingham. The District Council’s position (as

set out within the Annual Monitoring Report) was set out to be that the housing land supply figure amounted to a 1.57 year provision. The result of the Housing Delivery Test (the HDT) also shows that the District Council has failed to deliver its annual housing requirement in previous years.

84. It is also relevant that the recent appeal (APP/M3645/W/23/3319/149) at Land at the Old Cottage, Station Road, Lingfield (the “Starfields appeal”) found that “very significant weight” should be afforded to the benefit of providing 99 dwellings at that site. Although that appeal was dismissed, the shortcomings of the housing supply provision were repeated and the weight afforded to this matter aligns with the abovementioned appeal.

Housing Type and Mix

85. Policy CSP 7 of the Core Strategy 2008 states that the District Council will require all housing developments of 5 units and above to contain an appropriate mix of dwelling sizes in accordance with current identified needs for particular areas of the District, as set out in future Housing Need Surveys and Strategic Housing Market Assessments.
86. The proposed indicative mix ranges from 1-bedroom flats (10%), to 2-bedroom (26%), 3-bedroom (36%) and 4+ bedroom houses (28%), varying in type to include terraces, semi-detached and detached homes. As the application is in outline form, the exact housing mix would be developed at detailed design stage. The indicative mix does, however, give a useful understanding of the type of mix which could be achieved. The Housing Strategy would encourage this mix of housing to be provided on sites to ensure that the right product is available in the district. This is applicable to both market and affordable housing.
87. When finalising the reserved matters, the applicant should be aware that between 30%-40% of the housing should be 3 bedrooms, there should be no more than 30% 4+ bedrooms and of this mix, under 20% should be apartments. These figures should be met to accord with Policy HS1 within the Tandridge Housing Strategy. The indicative housing mix provision within the Design and Access Statement (page 26) would appear to accord with these statistics.
88. Overall, and in the context of the type of housing in the locality, the indicative mix would support the district’s requirements for small dwellings and mix, as identified in the document – ‘Addressing the Needs of All Household Types – Updated Technical Paper for Tandridge District Council - June 2018’ Prepared by Turley in support of the District Council’s emerging Local Plan. Exact details would be determined at reserved matters stage.

Affordable Housing

89. As the site is above the threshold for affordable housing, Core Strategy Policy CSP4 requires that up to 34% of the units are affordable (with the actual provision to be negotiated on a site-by-site basis). However, when considering the Emerging Local Plan, the development would be required to meet a minimum of 40% to accord with the draft allocation. Core Strategy CSP4 highlights that the District Council may require up to 75% of the affordable housing to be social rented.

90. The applicant confirms that 40% of the dwellings proposed would be affordable, this should be split between 75% social/affordable rent and 25% shared ownership.
91. In the case of the two appeal decisions (Warlingham and Lingfield) cited above, the Inspectors gave the provision of 40% affordable housing "very significant weight" In favour of a grant of planning permission.
92. On this basis, it is considered that the proposed provision of affordable housing is acceptable and meets the requirements of Local Plan Policy CSP4 and is also a factor to be afforded weight as a benefit.

Character and Appearance

93. The NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It goes on to state that planning decisions should ensure that developments will function well, add to the overall quality of the area, be sympathetic to local character and history (whilst not discouraging innovation) and establish a strong sense of place. It also states that development that is not well designed should be refused.
94. Policy CSP18 of the Core Strategy requires that new development should be of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained.
95. Policy DP7 of the Local Plan Part 2: Detailed Policies requires development to, inter alia, respect and contribute to the distinctive character, appearance and amenity of the area in which it is located, have a complementary building design and not result in overdevelopment or unacceptable intensification by reason of scale, form, bulk, height, spacing, density and design.
96. Policy CSP19 of the Core Strategy states that within the NPPF for the character and design of density as set out in Policy CSP18, the density of new development within the built-up areas would be within a range of 30 to 55 dwellings per hectare, unless the design solution for such a density would conflict with the local character and distinctiveness of an area where a lower density is more appropriate.
97. Policy CSP21 of the Tandridge District Core Strategy 2008 advises that the character and distinctiveness of the Districts landscapes and countryside will be protected for their own sake and that new development will be required to conserve and enhance landscape character.
98. The site is currently comprised of a field which has been in agricultural use. It appears to have distinct boundary features in the form of hedges and trees which separate it from the surrounding land. These features significantly limit views of the site in the wider landscape.
99. The proposal seeks outline planning permission for up to 120 dwellings on the site. An indicative layout has been provided by the applicant to illustrate how

this number of units could be accommodated, however, the detailed layout would be dealt with at the reserved matters stage. It is considered that in broad terms the layout is acceptable, and that the site could potentially accommodate 120 units, but this is subject to the details of their scale and massing, and the building's relationships with each other and areas of open space. As submitted the layout does not fully demonstrate that these issues have been satisfactorily addressed, hence the description of this development being 'up to 120 dwellings'. The acceptability of this number of units would need to be demonstrated at the detailed stage.

100. The residential development area is approximately 4.2ha, which at 120 homes equates to a density of 29 dwellings per hectare. Within Smallfield, specifically the area within the Larger Rural Settlement, which is excluded from the Green Belt, the density of development should be within 30 – 40 dwelling per hectare. Whilst the development site would fall adjacent to this designated area within the Green Belt, given the buffer zones to the site boundaries and proposed density falling just below the built-up area, this is considered acceptable in this case.
101. Indicative elevations have not been provided as part of this application although the applicant has noted on the indicative layout plan that built form would be incorporated within two (9m maximum ridge height from existing ground level +/-1m) and two and a half storey buildings (11m maximum ridge height from existing ground level +/-1m). The houses would primarily be within terraces, pairs of semi-detached buildings and detached buildings (including apartment blocks to provide 1-bedroom flats (potential for 12 1-bedroom apartments in total within two apartment blocks)). The two and a half storey buildings would be located within the central bulk of the development with the two storey buildings to the outskirts of the residential development; this would soften the transition between the Green Belt and proposed development.
102. Whilst appearance would be dealt with as a reserved matter in principle some form of two and a half storey development would be acceptable. This would provide a more varied form of development and would enable the provision of a mix of units across the site. The scale of the development and its relatively self-contained nature would provide scope for a design concept to be developed which established an identity and visual cohesion for the site, though regard would also need to be had to the character of the housing in Meadowlands to the West.
103. In terms of the landscape impact, a Landscape and Visual Impact Assessment has been prepared by Cooper Landscape. This confirms that the location of the Site presents a logical eastern extension to the existing settlement of Smallfield and concludes that there will be no significant landscape effects. While the character of the Site would change from countryside to developed land uses, development would be limited to the central part of one field only, with the remaining areas within the Site retained in open uses or as water management areas. The mitigation proposals will include appropriate buffers from the settlement edges, retention and reinforcement of existing vegetation and new planting within the areas of open space and greenways.
104. The site displays a high degree of visual enclosure, with limited local views from the east, where new development would be seen in context of the existing development of Smallfield. Views from the higher ground to the north are almost all enclosed by vegetation, apart from a view from the long-distance footpath north of Rookery Farm.

105. Landscape buffer zones have been illustrated on the Green Infrastructure Parameter Plan and the Landscape Strategy Plan. The landscape treatment of the area within the buffer zone includes retention and reinforcement of existing vegetation along with a mix of native tree planting, which will help to soften views, create a physical and visual barrier between the development countryside beyond and contribute to biodiversity net gain.
106. The potential landscape impact of the site was examined in 2016 (Capacity and Sensitivity Study (2016) in the lead into the emerging plan in terms of landscape sensitivity to development. The site (SMA 030) was judged to have a substantial visual sensitivity being visible from the west and the east. It was, however, considered to have a moderate landscape sensitivity to development, hence the choice of the site as an allocation. Given the indicative layout plans, it is considered that development could be carefully positioned to mitigate harm with regards to the landscape with appropriate buffer zones. Landscaping can also be introduced at reserved matters stage to soften built form and encourage vegetation.
107. Therefore, whilst the proposals are indicative, it is considered that there is scope for the development to accord with the abovementioned policies. As such, the outline planning application should not be refused for this reason and the proposal should be found to be able to accord with the various requirements of Local Plan Policy DP7 and Core Strategy Policy CSP18 as they relate to character and design.

Impact upon neighbouring amenity and future occupiers

108. Policy CSP18 of the Core Strategy advises that development must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any adverse effect. Criteria 6-9 of Policy DP7 of the Local Plan Part 2: Detailed Policies seek also to safeguard amenity, including minimum privacy distances that will be applied to new development proposals.
109. The above policies reflect the guidance at Paragraph 130 of the NPPF, which seeks amongst other things to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users of development.
110. It is considered that this amount of development could be accommodated such that the amenities of neighbouring occupiers in Meadowlands would be adequately safeguarded. It is recognised that some of these properties have an outlook over the site from rear and side windows, however sufficient separation distances can be demonstrated to ensure that the minimum separation distances as set out in Local Plan Policy DP7 could be met at the detailed stage. The trees on this boundary would also assist in providing screening for the development.

Living Conditions for Future Occupiers

111. Policy DP7 also requires that development provide acceptable living conditions for occupiers of the new dwellings. In terms of internal accommodation, the proposed dwellings would satisfy the minimum dwelling sizes set out in the Government's Nationally Described Space Standards. The Technical housing standards – nationally described space standard 2015 sets out requirements

for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.

112. Proposals should provide a satisfactory environment for the occupiers of both the existing and new development, and appropriate facilities should be provided for individual and communal use including bicycle storage, amenity areas and garden areas (proportionate to the size of the residential units and appropriate for the intended occupiers); as well as facilities for the storage and collection of refuse and recycling materials which are designed and sited in accordance with current Council standards, avoiding adverse impacts on the street scene and the amenities of the proposed and existing properties.
113. In relation to amenities of future occupiers, it is acknowledged that the proposal would be located close to the M23 and therefore consideration must be given to whether the associated noise and disturbance would be acceptable to future occupiers. Advice has been sought from the Environmental Health Officer (EHO) accordingly who have raised no objections to the proposal. In this context it is unlikely that the additional traffic generated by the proposed development would have any significant effect in terms of the noise levels experienced by existing residents.
114. Furthermore, the site is also located within reasonably close proximity to Gatwick Airport where the site and local area currently experience some noise disturbance arising from overflying aircrafts. It is noted that Gatwick Airport were consulted and raised no objections subject to conditions; however, their response was directly in relation to safeguarding matters. It is an objective of Government policy to limit the number of people significantly affected by aircraft noise as set out in the Aviation Policy NPPF (APF). The Planning Practice Guidance (PPG) and Noise Policy Statement for England (NPSE) refer to observed noise effect levels, including the Significant Observed Adverse Effect Level (SOAEL) above which significant adverse effects on health and quality of life occur and the Lowest Observed Adverse Effect Level (LOAEL) above which adverse effects on health and quality of life can be detected. It is accepted that noise can affect both health and quality of life. There are no set LOAEL or SOAEL levels in planning policy. In the absence of any definitive policy or guidance, it is therefore up to the decision maker to decide what the appropriate LOAEL and SOAEL levels for aircraft noise should be with regard to the particular circumstances of this application.
115. A Noise Assessment has been carried out by 24Acoustics to assess the impact of noise from traffic using Plough Road, as well as aircraft movements associated with Gatwick airport, on the proposed residential dwellings. Recommendations have been provided within the Assessment in relation to the use of standard thermal double glazing and trickle ventilators to ensure that internal noise levels would be achieved within the proposed properties, in accordance with defined criteria (BS 8233:2014 and WHO:2000).
116. Whilst there are undoubtedly impacts arising from aircraft noise exposure, health impacts are primarily associated with night time noise which affects the site less due to the way that the runways operate. Given the location of the development to the east of an already built-up residential area, noise levels within gardens would be considered acceptable. In the absence of an objection from EH, noting the weight that is required to be afforded to specialist advised, it is considered that no objection can be raised on this ground.

117. As the proposal is for outline permission with layout to be agreed as part of the reserved matters, details with regard to the acceptability of private amenity spaces will need to be agreed at that stage. As addressed in relation to layout generally, there is scope for the provision of up to 120 units to be achieved such that all relevant policy requirements are met, including that of private and shared amenity spaces. The proposal is therefore considered to accord with Core Strategy Policy CSP18 and Local Plan Policy DP7 in this regard.

Highways, Parking and Access

118. Policy CSP12 of the Core Strategy advises that new development proposals should have regard to adopted highway design standards and vehicle/other parking standards. Criterion 3 of Policy DP7 of the Local Plan also requires new development to have regard to adopted parking standards and Policy DP5 seeks to ensure that development does not impact highway safety.
119. The NPPF acknowledges that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
120. As the proposed development comprises over 50 dwellings, the applicant is required to submit a Travel Statement. The structure of the Travel Statement should follow the template in section 5 of Surrey County Council's 'Travel Plans Good Practice Guide' and should include an overarching aim which sets out the intended outcome of the Travel Statement, a list of objectives to achieve the aim and a package of measures to promote and encourage sustainable travel to and from the site.
121. A Transport Assessment has been prepared by i-Transport, which considers matters of access, network, layout, and traffic impacts in line with relevant local and national policies and guidance. Access to the Site is proposed onto Meadow View, through the provision of a new priority-controlled T-junction. An additional point of access is to be provided for pedestrians and cyclists through the area of car parking to the east of Meadow View and to the north of Plough Road, where an existing agricultural access is located.
122. The Transport Assessment prepared by i-Transport concludes that the proposal is acceptable in transport terms for the following reasons:
- The proposals ensure that appropriate opportunities to promote sustainable transport modes can be taken up. The site is in a sustainable location, and the proposals provide safe pedestrian / cycling routes to connect with the existing services and facilities within Smallfield and those further afield.
 - Safe and suitable access can be provided for all users.
 - The internal site layout (to be determined at the Reserved Matters stage) will be designed in accordance with National and Local design standards/codes; and
 - The traffic impacts resulting from the development will be modest and will fall far below a level that could be considered to be severe.
123. The applicant has also proposed off-site highway improvements within a draft Section 106. Surrey County Council Highways Authority have been consulted with regards to both the Section 106 and proposed details/plans for access. The County Highways Authority do not object to the scheme subject to the recommended conditions as outlined within this report and the following off-site

highways improvements/finance contributions to be secured through a Section 106 Agreement:

- Amendment to waiting restrictions of Meadow View
- Travel Plan
- Speed table
- Village entrance gateway feature
- Bus stop improvement works

124. As the scheme is in outline, parking provision cannot be fully assessed at this stage. However, the indicative layout has been prepared to take account of the District Council's parking standards and as such provision in accordance with these standards should be achievable at the reserved matters stage to meet the requirements of Local Plan Policy DP7 in this regard.
125. Taking the above into account and subject to the imposition of conditions and the Section 106, no objections are raised from a highway safety perspective. The proposal is therefore considered to comply with Core Strategy Policy CSP12 and Local Plan Policy DP5.

Landscaping and Trees

126. Policy CSP18 of the Core Strategy requires that development must have regard to the topography of the site, important trees and groups of trees and other important features that need to be retained. Criterion 13 of the Local Plan Policy DP7 requires that where trees are present on a proposed development site, a landscaping scheme should be submitted alongside the planning application which makes the provision for retention of existing trees that are important by virtue of their significance within the local landscape.
127. The Tandridge Trees and Soft landscaping SPD (2017) outlines the importance of landscaping which applies to urban and rural areas and advises that it is *'essential that the design of the spaces around building is given the same level of consideration from the outset as the design of building themselves'*. Trees are not only a landscape environmental benefit but, as the SPD outlines, a health benefit for people which enhances their environment.
128. The Site is currently in agricultural use, with the tree cover limited to the field boundaries, some falling within the boundaries of neighbouring properties. A Preliminary Arboricultural Impact Assessment (AIA) has been prepared by AT Coombes which identifies 15 individual trees and 3 tree groups classed as Category A, 15 individual trees and 7 tree groups classed as Category B, and 12 individual trees and 8 tree groups classified as Category C. The AIA sets out various protection and management measures for the trees and hedgerows on the Site.
129. The Tree Officer has reviewed the details and makes the following comments:
- "There are no tree preservation orders currently in place at this site and nor is it located within a conservation area. However, a woodland that is designated as ancient semi natural woodland abuts the site to the north west, and as such its semi natural buffer zone as recommended by Natural England would extend into the site.*

The application is supported by an arboricultural report which highlights the main arboricultural constraints, which are detailed below.

The areas proposed for development are currently in agricultural use, with existing trees limited to the field boundaries. The western boundary, adjacent to the existing housing estate, has one mature oak and a small number of purple Norway maple and field maple growing within the hedgerow.

There is an existing field access through a private car park with an overgrown hedge along the site boundary. The two southern fields are separated by a mixed species hedge interspersed with oak. The north western part of the site is situated next to a small ancient woodland as described above with some aspen and large hawthorn and blackthorn shrub groups.

The northern and southern fields are sectioned off with a well-established hawthorn hedge and one large oak adjacent to the western boundary, and several trees are situated within the adjacent gardens, many of which are early mature oak.

Looking at the illustrative masterplan I am satisfied that the arboricultural constraints have been considered, and as the area to the North west is to remain as amenity space, there would be scope to negotiate a suitable buffer from the ancient woodland, in excess of the 15m minimum. As such I raise no objection in principle to the proposal, subject to detailed layout and landscape strategy. Of course any detailed proposals would need to be accompanied by a detailed arboricultural impact assessment and tree protection details.”

130. For these reasons it is considered that the various requirements of Local Plan Policy DP7, Core Strategy Policy CSP18 and The Tandridge Trees and Soft landscaping SPD (2017) can be met at the detailed stage, and no objection is therefore raised in this regard.

Biodiversity

131. Policy CSP17 of the Core Strategy requires development proposals to protect biodiversity and provide for the maintenance, enhancement, restoration and, if possible, expansion of biodiversity, by aiming to restore or create suitable semi-natural habitats and ecological networks to sustain wildlife in accordance with the aims of the Surrey Biodiversity Action Plan.
132. Policy DP19 of the Local Plan Part 2: Detailed Policies 2014 advises that planning permission for development directly or indirectly affecting protected or Priority species will only be permitted where it can be demonstrated that the species involved will not be harmed or appropriate mitigation measures can be put in place.
133. An Ecological Assessment has been prepared by Ecology Solutions to assess the ecological interest of the application Site. The Assessment states that, given the separation of the application Site from both any statutory and non-statutory designated sites, and subject to the implementation of standard engineering protocols and best practice throughout the construction period, the proposed development is considered unlikely to have any significant impacts upon statutory designated sites, during either the construction or operation phase. A number of protected species surveys have been undertaken, including surveys in respect of Bats, Badgers, Hazel Dormice and Great

Crested Newts. Appropriate mitigation measures have been proposed, including measures to safeguard Bats, Badgers and nesting Birds.

134. The submitted Ecological Assessment on the evidence of the ecological surveys undertaken previously and updated surveys taken, considers that the application site is not of particularly high intrinsic value from a nature and conservation perspective.
135. Surrey Wildlife Trust were consulted and have requested the submission of a Landscape and Ecological Management Plan, Sensitive Lighting Management Plan and Construction Environmental Management Plan. This can either be dealt with by condition to be submitted at detail stage.
136. Subject to the submission of such details, the proposals are considered acceptable in relation to Core Strategy Policy CSP17 and Local Plan Policy DP19.

Flood Risk and Surface Water Drainage

137. One of the twelve land-use planning principles contained in the NPPF and to underpin plan-making and decision-taking relates to taking full account of flood risk. Paragraph 159 of the NPPF advises that; 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere'.
138. NPPF, paragraph 162 seeks to steer new development to areas with the lowest risk of flooding. NPPF, paragraph 167 requires development in areas at risk of flooding to demonstrate that the most vulnerable development is located in areas of lowest flood risk, that development is appropriately flood resistant/resilient, incorporates Sustainable Drainage Systems, and safely manages risk.
139. Policy DP21 of the Tandridge District Local Plan Part 2: Detailed Policies 2014 advises that proposals should seek to secure opportunities to reduce both the cause and impact of flooding. Development proposals within Flood Risk Zones 2 and 3 or on sites of 1 hectare or greater in zone 1 will only be permitted where, inter alia, the sequential test and, where appropriate, exception tests of the NPPF have been applied and passed and that it is demonstrated through a Flood Risk Assessment (FRA) that the proposal would, where practicable, reduce flood risk both to and from the development or at least be risk neutral.
140. The impact of climate change on the global environment is recognised and flooding from surface water runoff is one of the main consequences. The planning system is expected to play a critical role in combating the effects of climate change by pursuing sustainable development and use of Sustainable Urban Drainage Systems.
141. Whilst it can be afforded little weight as a development plan document, it should not be ignored that the Emerging Local Plan states that development within Smallfield needs to be carefully considered to avoid an increase in surface water runoff from the development site contributing to flooding elsewhere in the catchment. As a minimum surface runoff within this catchment should be limited to greenfield runoff rates. Opportunities should be taken to implement SuDS schemes which retain water within the development site, reducing flood risk elsewhere. Emerging Policy TLP47 seeks to ensure development reduces

flood risk and minimise the impacts of flood, accounting for impacts of future climate change. Sustainable Drainage Systems or flood relief areas are required in all residential development schemes.

142. The northern boundary of the site is marked by the Weatherhill Stream. The stream is a shallow, ephemeral channel which runs westwards, becoming deeper as it enters the woodland to the north-west of the site. The other 'notable' channel is the ditch along the southern boundary of the site which enters a pipe/ culvert (protected by a grille) at the south-western corner of the site. The two flood relief basins and the cut-off ditch along the eastern boundary therefore provide effective interception of overland flow from the east, as well as allowing peak flows in the Weatherhill Stream to be reduced. These land parcels in the north and east have therefore been identified as opportunity areas for flood relief, which would benefit the wider community.
143. The application site is made up of 98.7% Flood Zone 1 and 1.3% Flood Zone 2. The proposed use is for residential purposes, which is classified as More Vulnerable. More Vulnerable development is appropriate in Flood Zones 1 and 2; as such the Exception Test is not required to be passed. However, it would be expected that all built development will be sequentially located within Flood Zone 1 and that any other sources of flooding are addressed. The Level 2 SFRA identifies a negligible risk of groundwater flooding but a high risk of surface water flooding.
144. The site is located within Flood Zones 1 and 2 and as a result a Flood Risk Assessment has been submitted by the applicant and consultation has been carried out with the Environment Agency. A Flood Risk Assessment has been prepared by Cannon. This identifies that the majority of the Site is located within Flood Zone 1, with small areas in the south of the Site falling within Flood Zone 2, albeit these will remain undeveloped. A surface water attenuation area to meet the needs of the development is to be provided south of the residential parcel.
145. The development proposals also include flood relief provisions in the north and east to help address overland surface water flows from the land to the east and flood flows in the Weatherhill Stream, this would help to address the existing problems with regards to flooding within Smallfield. The delivery of these two elements would be consistent with the Site allocation Policy HSG03; Item V, which seeks 'to enable flood mitigation for the wider area. According to the technical reports submitted, on the basis of the modelled flood event, in the order of 80 to 100 properties would be removed completely from the risk of flooding together with a reduction in flood levels elsewhere across Smallfield. This is a significant benefit which would result directly from the application proposals and therefore given significant weight when determining this planning application.
146. The Local Lead Flood Authority were consulted and have not objected subject to conditions. The proposed flood relief scheme offers significant benefit to Smallfield whilst improving an existing flooding mitigation scheme and offering additional flood attenuation to deal with the capacity and prevent the overflow of excess water causing flooding.
147. On the basis of the advice, and subject to the imposition of a number of conditions, the proposal is considered to meet the requirements of Core Strategy Policy CSP15, Local Plan Policy DP21 and the terms of draft allocation HSG03.

Archaeology and Heritage

148. Section 16 of the NPPF, 'Conserving and enhancing the historic environment', advises that heritage assets range from sites and buildings of local historic value to those of the highway significant, such as World Heritage Sites. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 189 advises that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Paragraph 190 adds that LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposed (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.
149. Policy DP20 of the Local Plan (2014) relates to 'Heritage Assets' and sets out that there will be a presumption in favour of development proposals which seek to protect, preserve and wherever possible enhance the historic interest, cultural value, architectural character, visual appearance and setting of the District's heritage assets or historic environment. With the granting of permission or consent, criterion C requires that the works proposed should be sympathetic to the heritage asset and /or its setting in terms of quality of design and layout and material and in the case of Conservation Area, should conserve or enhance the character of the area and its setting.
150. As the site area comprises over 0.4ha, in order to comply with Local Plan Policy DP20 an archaeological desk-top assessment has been submitted by the applicant.
151. A Historic Environment Desk-based Assessment has been prepared by Landgage Heritage Ltd to assess the effect the proposed development would have on the significance of heritage assets, both through any direct physical effects and also through changes to their setting. No significant archaeological remains have been identified within the study Site by the assessment. The assessment has shown that the study Site has a moderate potential to contain Post Medieval field boundaries and other evidence of agricultural use, and a general potential for ephemeral archaeology relating to the Prehistoric and Roman eras. The assessment considered that any potential Post Medieval archaeological remains, which may be present within the study Site, would be of no more than limited significance and of local interest. Any potential archaeology relating to all other eras are also likely to be of limited significance and of local interest.
152. The County's Archaeological Officer advises that the report provided by the applicant's archaeological consultant is acceptable and that he supports the recommended conditions. As such, no objection is raised with regards to Archaeology.
153. Further to the above, the assessment from the consultant also concluded that the proposed development would not affect the setting or significance of any built heritage assets in the wider area, due to the presence of intervening features in the surrounding landscape, and also due to embedded measures within the proposed development.

154. The County's Heritage Building Officer provided the following comments:

"The outline application is for 120 residential dwellings to the north of Plough Road which is at least 250m from the application site. While I disagree with some of the points within the heritage statement about the setting of this building, I do agree there are no clear views between the application site and Smallfield Place. As such I do not consider that the scheme will result in harm to the designated heritage asset.

With regard to The Plough, the development will be much closer and I suspect it is inevitable that the properties will be glimpsed behind the building regardless of the final form of the scheme. While I consider this will result in harm by detracting from the rural setting of the building, such harm would be very low owing to the distance between the buildings and intervening planting. On the basis that the building is only locally listed and will not be directly affected by the scheme, I do not consider the aforementioned harm to be sufficient to refuse the scheme."

155. In light of the Historic Building Officers comments, officers have proceeded to make an assessment of the works and its impact to heritage from a planning perspective. The proposed development does not propose to alter any listed buildings directly and would not cause more than negligible harm the setting of the nearby listed buildings. This harm is clearly outweighed by the public benefits arising from the scheme that are set out elsewhere within this report.

156. Taking the above into account and subject to the imposition of conditions, it therefore accords with the requirements in paragraph 202/203 of the NPPF (2023) and Policy DP20 Heritage Assets of the Tandridge Local Plan Part 2 (2014).

Renewable Energy

157. Policy CSP14 requires the reduction of carbon dioxide (CO₂) emissions by means of on-site renewable energy technology. An Energy Statement has been prepared by Sol Environmental in support of the application which sets out a high-level energy strategy for the development, focusing on passive solar design, energy efficient design, and the incorporation of LZC heating / cooling technologies. The Energy Statement confirms that the development will achieve a 20% reduction in carbon emissions through the incorporation of renewable energy measures, in accordance with adopted Core Strategy Policy CSP 14.

158. The proposed energy strategy is based on utilising passive design measures, well insulated and airtight building fabric and high efficiency Air Sourced Heat Pump (ASHP) heating system. In addition, renewable technologies such as PV will be used to achieve a saving of 20% of the development's CO₂ emissions. Therefore the proposal accords with the abovementioned policies.

Contamination

159. Policy DP22 of the Local Plan states that proposals for development on land that is or may be contaminated will be permitted provided that there will be no unacceptable risk to health or the environment and provided adequate remedial measures are proposed which would mitigate the effect of any contamination and render the site suitable for use. Where there is evidence of a high risk from

residual contamination the applicant will be required to show as part of the application how decontamination will be undertaken.

160. A desk-based Ground Conditions and Contaminated Land Assessment has been carried out by Nott Group. The potential on-site sources of contamination that have been identified within the assessment include possible man-made ground, farming activities and infilled ground associated with the infilling of a pond. Based upon the development of the preliminary conceptual site model, the risk of encountering contamination during development has been assessed as low to medium. As a result, it is recommended that prior to development a site investigation (to include chemical testing of soil samples) and ground gas monitoring is undertaken. Based upon the findings of the investigation, the conceptual site model should be updated and remedial works undertaken if required. The findings of this report and subsequent testing and monitoring should be forwarded to the Local Authority for discussion.
161. The Contaminations Officer has reviewed the Assessment and above findings and has recommended a condition to request that before the development hereby permitted commences, a detailed written scheme of assessment consisting of site reconnaissance, conceptual model, risk assessment and schedule of investigation shall be submitted to and approved in writing by the District Planning Authority. As such, no objections are raised on these grounds subject to the imposition of conditions.

Very Special Circumstances

162. As discussed above, it is considered that the proposed development would comprise inappropriate development within the Green Belt which would have an adverse impact on openness. The development would also conflict with the purposes of the Green Belt.
163. In accordance with paragraph 147 of the NPPF, inappropriate development is, by definition, considered harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 of the NPPF goes on to state that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. '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.
164. Very Special Circumstances that have been identified by the applicant are summarised in turn below with a brief officer response provided below:
- A. Failure of the development plan process to provide a plan led spatial strategy to meet housing and wider infrastructure needs in a timely manner.
165. It is integral to the Planning System that it is plan-led and, whilst progress on the emerging local plan has stalled and the existing development plan does not meet the identified housing targets, it is the case that the District Council does have a development plan. The consequences of the development plan not meeting the identified housing requirements are addressed elsewhere. In itself, the age and alleged inadequacy of the development plan is not a matter to afford any weight.

B. Unmet Housing Need (Open-Market and Affordable)

166. The case of the applicant largely aligns with the assessment of open-market housing supply and delivery that has been set out above. The applicant suggests that the housing supply and delivery benefit arising from this proposal should be afforded very substantial weight.
167. The NPPF states that Government objective is to significantly boost the supply of housing. In another recent appeal decision (APP/M3645/W/22/3309334 - Warlingham), significant weight was afforded to the housing supply benefit by the Inspector. Therefore, it is considered that it is logical to apply the same weight to this benefit as was applied in the recent appeal decision i.e. significant weight.
168. It is considered relevant to note that the affordable housing offer in this application equates to 40% of the proposed units and that this exceeds the development plan policy requirement under CSP4; . The submitted legal agreement contains planning obligations which are capable of securing the appropriate level and mix of proposed affordable housing provision, management of the nomination rights and local criteria to support the delivery of the affordable home for local people in Tandridge. The legal agreement, as a mechanism to ensure that the scheme delivers the important housing benefits of the appeal proposal weighs very heavily in favour of the proposal.
169. Significant weight was afforded to the affordable housing supply benefit by the Inspector in the recent Warlingham appeal that is referred to above and significant weight was afforded to this matter in the Lingfield appeal. Therefore, notwithstanding the position of the applicant in respect of this matter, it is considered that it is logical to apply the same weight to this benefit as was applied in the recent appeal decision i.e. significant weight. It is, however, considered appropriate to repeat that this is a significant benefit in this case as the affordable provision amounts to 40% of affordable units.

C. The provision of wider flood relief to the evidenced benefit of the existing village residents.

170. The NPPF (NPPF) states that the sequential test aims to steer new development to areas with the lowest risk of flooding. But this policy acknowledges that it might not be possible to do so in all circumstances. The wording of the policy, which aims to 'steer' development, and indicates that development 'should' not be permitted if there are reasonably available sites appropriate for the development, admits of some discretion rather than requiring a mandatory refusal.
171. The flood alleviation scheme proposed would certainly result in a very significant reduction in flood risk, to the benefit of the wider area. Although the implementation of a flood alleviation scheme is not a guarantee that flooding will not occur again in the future, the likelihood of flooding would be reduced. It is also clear that the effects of flooding and the fear of flooding for the local residents concerned are very significant.
172. In terms of the history of flooding in Smallfield, during winter 2013/14 it was reported that 130 houses locally were impacted by internal flooding. The Atkins Report that flooding in Smallfield is not just related to the maintenance of assets, but that there is insufficient capacity in the river and existing drainage systems even when properly maintained.

173. In Section 3 of their report, Atkins identified a list of 13 options to reduce flooding in Smallfield, 6 of which were short listed for a more detailed assessment. Option 2 and Option 3 were identified as having 'good potential to reduce flood risk to central Smallfield'. Both of these options are put forward within this submission. With the limited prospect of the public sector funding for flood alleviation works in Smallfield, the applicants claims they (Landform) has an opportunity to bring forward developer funded flood relief works as part of the development proposals which will otherwise not be delivered. In other words, without the implementation of the development, the flood alleviation is unlikely to be implemented and so no risk reduction would be achieved. This is considered a significant benefit and its combined effects with attenuation tanks would work together to provide an overall benefit to the wider community along with the future occupants of the proposed development.

174. In terms of continued maintenance of the flood relief scheme, the applicant proposes to deal with this by means of a Section 106 obligation. This would require the provision of the flood alleviation works before construction commences on any of the dwellings and long term maintenance. The District Council's Solicitor has confirmed that she is satisfied that the owners of the dwellings will be sufficiently bound by the obligation and they will have the ability to perform the obligations.

D. Compliance with the adopted Interim Policy Statement and consistency with the emerging local plan and draft neighbourhood plan.

175. The District Council published an Interim Policy for the Housing Delivery (IPSHD) in September 2022. Given the circumstances around the Our Local Plan 2033 and the need to otherwise boost the supply of housing, including as part of the action plan in response to Housing Delivery Test results, the policy is intended to provide an element of certainty and support for those sites where the Emerging Local Plan inspector did not raise any soundness concerns. Accordingly, the appeal site (Policy HSG03) is included within the IPSHD for favourable consideration. The interim policy is not part of the development plan and nor has it been subject to any consultation; however, in this case it is a material consideration when considering the benefit arising from the additional supply of housing, and therefore given significant weight.

176. It is noted that the Our Local Plan 20233 highlights that development on this site should explore opportunities for junction improvements and youth provision and the applicant has suggested highway improvements to be secured through a S106 agreement which highways are satisfied with, and provision of youth or recreational facilities would be supported through the Community Infrastructure Levy.

E. Other Benefits

177. Aside from provision of market and affordable housing to meet local housing need and the provision of flood relief mitigation, the contributions through the Community Infrastructure Levy and the highway improvement works. These contributions together are considered to carry limited weight and although they are a benefit, they do not constitute very special circumstances.

178. The economic benefits of development would include investment in construction and related employment for its duration. There would also be an increase in subsequent local household expenditure and demand for services.

The additional population would increase spending in the local economy to provide long term support for local shops and services, supporting a prosperous economy. This is a key objective of the NPPF and are economic benefits that carry moderate weight.

179. The commitment to higher energy efficiency, on-site renewable energy provision, high standards of design and sustainable transport measures are clear environmental benefits, representing a move towards a low carbon economy and promoting more sustainable means of travel. Whilst going above and beyond is of some additional benefit, the overarching aim of national and local planning policy is to do so in all cases, hence they are always minimum standards and not maximum standards.
180. These are key objectives of the NPPF and are environmental benefits that do not constitute very special circumstances.

Overall Assessment of Very Special Circumstances and the Planning Balance

181. When considering all of the benefits cumulatively, it is found that the harm to the Green Belt by reason of inappropriateness, and any other harm identified as arising from the proposal, would be clearly outweighed by the other considerations identified above. Accordingly, the very special circumstances necessary to justify the development and to override Green Belt and other relevant development plan and NPPF policies have been demonstrated. and therefore a conflict with Policy DP10 and DP13 of the Tandridge Local Plan, and Paragraph 148 of the FrameworkNPPF, would not occur. Further, given the existence of very special circumstances, it follows that the application of the FrameworkNPPF's Green Belt policies does not provide a clear reason for refusing planning permission.

Other Matters – Viability of the scheme

182. The District Council are currently awaiting the Appraisal from Dixon Searle with regards to the submitted viability details. This is expected to be received prior to Planning Committee on the 7th December; Members will therefore be informed of this on or by the Committee meeting.

Planning Obligations and Conditions.

183. The Community Infrastructure Levy Regulations 2010 states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development. The NPPF also states that they may only be sought where those tests are met.
184. In this case, it is considered that securing the provision of affordable housing, the provision and maintenance of the flood relief scheme, the provision and management of play space and open space, the implementation of the Travel Plan and the provision of appropriate monitoring contributions would need to be secured through the completion of a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990. For the reasons that are set out within the report, it is considered that each of the obligations meet the relevant tests.
185. With respect to conditions, the NPPF states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to

planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. A full schedule of conditions is included at the end of this report, each of which are considered to meet the test that are set out above. Where similar conditions have been suggested by differing consultees, they have been merged to avoid duplication.

Community Infrastructure Levy

186. This is an outline application. The CIL regulations require that CIL liabilities are calculated when reserved matters applications are submitted as until the reserved matters stage, it is not necessarily clear what the exact level of CIL liable floor space will be.

Conclusion

187. The proposal represents inappropriate development in the Green Belt, would cause harm to openness and conflict with one of the purposes of the Green Belt to protect the countryside. Substantial weight is required to be afforded to each of these elements of harm. However, there are very special circumstances relating to the benefits arising from the provision of 120 dwellings, 40% of which would be affordable, and a flood relief scheme that would be of benefit to the wider community.
188. Overall, it is considered that other material considerations of sufficient weight exist to outweigh the harm caused to the Green Belt and all other harm. The Very Special Circumstances needed to allow inappropriate development in the Green Belt therefore exist and it is recommended that planning permission for the development can reasonably be granted subject to the conditions and planning obligations that are set out below.
189. The recommendation is made in light of the National Planning Policy NPPF (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 District Council's Core Strategy 2008 and the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with the NPPF 2023. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.
190. All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.

RECOMMENDATION: Authorise the Chief Planning Officer to Approve the planning application subject to the conditions set out at the end of this report and:

- 1. The application being referred to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2021; and the application then not being called-in by the Secretary of State for determination; and**
- 2. The completion of a Section 106 agreement to secure the matters set out at the beginning of this report.**

Conditions:

1. The development hereby permitted shall start before the expiration of 3 years from the date of this permission or 2 years from the date of approval of “the last of the reserved matters” to be approved, whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

2. Before any development hereby permitted starts, approval of the appearance, landscaping, layout and scale (hereinafter called “the reserved matters”) shall be obtained from the District Council. Detailed plans and particulars of the “reserved matters” shall be submitted in writing not later than 3 years from the date of this permission and shall be carried out as approved.

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51(2) of the Planning and Compulsory Purchase Act 2004.

3. This decision refers to the drawings outlined in the table below:

Drawing Title	Drawing Number	Date Received
Site Location Plan	01080_S_01 D4	20/12/22
Building Heights Parameter Plan	01080_PP_02 D4	20/12/22
Green Infrastructure Parameter Plan	01080_PP_03 D6	03/07/23
Flood relief scheme Parameter Plan	01080_PP_04 D3	03/07/23
Potential Site Access arrangement onto Meadow View and Pedestrian/Cycle Access points	ITB18107-GA-002 C	03/07/23
Land Use and Access Parameter Plan	01080_PP_01 Rev D6	03/07/23

The Reserved Matters shall broadly accord with the development principles as set out in the Scope of Planning Application and Written Parameters – Update dated 3 July 2023 prepared by Stantec.

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

4. The application for the approval of the appearance of the development as a Reserved Matter shall be accompanied with details demonstrating how the development will satisfy a 20% reduction against Building Regulations (as of the date of this permission) of carbon emissions through the use of

renewable energy resources at the site, details of all installations required to achieve that reduction and a timetable for the implementation of all renewable energy installations. Subsequently, all installations that are specified within those details shall be implemented in accordance with approved timetable and retained thereafter.

Reason: To ensure on-site renewable energy provision to enable the development to actively contribute the reduction of carbon dioxide emissions in accordance with Policy CSP14 of the Tandridge District Core Strategy 2008 and to ensure that the associated installations are visually acceptable and incorporated into the appearance of the development in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge District Local Plan Part 2: Detailed Policies 2014 .

5. No later than the first submission of landscape as a Reserved Matters, details of the earthworks shall be submitted to the District Council for approval. The details shall include:

- The proposed grading and mounding of land areas;
- The levels and contours to be formed;
- Finished floor levels;
- The relationship to existing vegetation and existing landform; and
- A programme for the completion of works.

The details of the earthworks shall accord with the approved parameters as set out as condition [3] and with the Flood Relief Scheme requirements set out within the Section 106 Agreement. The earthworks should be implemented in accordance with the approved details.

Reason: The earthworks are necessary to deliver the development, including the Flood Relief Scheme, the landscaping and the areas of public open space. It is necessary to ensure that the landscape and visual impact of the development is acceptable in accordance with Policies CSP16, CSP18 and CSP21 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 Detailed Policies 2014 and the NPPF.

6. The application for the approval of the Reserved Matter of landscaping is sought, the application shall be accompanied with details setting out:

- Proposed finished levels or contours
- Means of enclosure
- Car parking layouts
- Other vehicle and pedestrian access and circulation areas
- Hard surfacing materials
- Minor artefacts and structures (eg. Furniture, play equipment, refuse or other storage units, signs, lighting etc.).
- Tree and hedgerow planting as compensation for those elements being removed.
- Any earthworks/grassed areas
- The species, number and spacing of trees and shrubs
- A timetable for undertaking all of the proposed works of hard and soft landscaping.

Details of soft landscape works shall include all proposed and retained trees, hedges and shrubs; ground preparation, planting specifications and ongoing maintenance, together with details of areas to be grass seeded or turfed. Planting schedules shall include details of species, plant sizes and proposed numbers/densities.

All new hard and soft landscaping shall be undertaken in accordance with the approved timetable that forms part of the details required to be submitted and approved.

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

Reason: To ensure that the landscape and visual impact of the development is acceptable in accordance with Policies CSP16, CSP18 and CSP21 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 Detailed Policies 2014 and the NPPF.

7. No development shall commence until a Bird Hazard Management Plan (BHMP) including details of monitoring of any standing water within the site (whether temporary or permanent) and a timetable for the implementation of all elements of the BHMP has been submitted to and approved in writing by the District Council. The BHMP shall be fully implemented in full accordance with the timetable for implementation that shall have been approved as part of the BHMP and all measures shall be implemented and retained at all times thereafter.

Reason: It is necessary to manage the site in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of London Gatwick in accordance with Policy CSP16 of the Tandridge District Core Strategy 2008.

8. No development shall commence until, a detailed written scheme of assessment consisting of site reconnaissance, conceptual model, risk assessment and schedule of investigation shall be submitted to and approved in writing by the District Planning Authority. Before commencement of development above ground the scheme of assessment shall be carried out at such points and to such depth as the District Planning Authority may reasonably stipulate, including suitable consideration of Asbestos. Samples shall be suitably concentrated in areas/zones identified as higher risk based on the desk study and those areas shall have a minimum of 6 samples per zone at a maximum grid spacing of 20 to 30m square. Lesser sampling densities may be used elsewhere. All laboratory results shall be provided as numeric values in an electronic formatted spreadsheet in accordance with the standards of the *Government Guidance for Land affected by Contamination* A scheme for decontamination and validation shall then be agreed in writing by the District Planning Authority and the scheme as approved including provision of suitable soft landscaping where necessary shall be implemented before any part of the development hereby permitted is occupied.

Reason: This condition is essential to ensure satisfactory amelioration of contaminated land, in accordance with Policy DP22 of the Tandridge Local Plan: Part 2 Detailed Policies 2014.

9. No development shall take place/commence until a programme of archaeological work including a Written Scheme(s) of Investigation has been submitted by the applicant, or their agent or successor in title, to the District Council and approved by them in writing. The scheme(s) shall include an assessment of significance and research questions; and:
- a. The programme and methodology of site investigation and recording
 - b. The programme for post investigation assessment
 - c. Provision to be made for analysis of the site investigation and recording
 - d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - e. Provision to be made for archive deposition of the analysis and records of the site investigation
 - f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured. No development shall take place other than in accordance with the Written Scheme of Investigation.

Reason: To safeguard the archaeological interests of the site in accordance with Policy DP20 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014

10. Prior to the commencement of development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the District Council. The CEMP should include, but not be limited to:
- a) Map showing the location of all the ecological features
 - b) Risk assessment of the potentially damaging construction activities
 - c) Practical measures to avoid and reduce impacts during construction
 - d) Location and timing of works to avoid harm to biodiversity features
 - e) Responsible persons and lines of communication
 - f) Use of protective fences, exclusion barriers and warning signs

Subsequently, the development shall only be undertaken in accordance with the approved CEMP, all measures set out within the approved CEMP shall be implemented prior to the first occupation of the dwellings (unless a phased implementation timetable has been agreed as part of the CEMP in which case the CEMP shall be fully implemented in full accordance with that phased implementation timetable) and retained at all times thereafter.

Reason: To ensure that the ecological interests of the site and any protected species are adequately safeguarded 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. Prior to the commencement of development a detailed Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the District Council . The LEMP should be based on the proposed impact avoidance, mitigation and enhancement measures specified in the above referenced report and should include, but not be limited to the following:
- a) Description and evaluation of features to be managed
 - b) Ecological trends and constraints on site that might influence management
 - c) Aims and objectives of management
 - d) Appropriate management options for achieving aims and objectives
 - e) Prescriptions for management actions, together with a plan of management compartments
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
 - g) Details of the body or organisation responsible for implementation of the plan
 - h) Ongoing monitoring and remedial measures
 - i) Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery.
 - j) Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme

Subsequently, the development shall only be undertaken in accordance with the approved LEMP, all measures set out within the approved LEMP shall be implemented prior to the first occupation of the dwellings (unless a phased implementation timetable has been agreed as part of the LEMP in which case the LEMP shall be fully implemented in full accordance with that phased implementation timetable) and retained at all times thereafter.

Reason: To ensure that the ecological interests of the site and any protected species are adequately safeguarded 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. No external lighting shall be installed at the site unless details of that lighting has first been submitted to and approved in writing by the District Council.

Reason: To ensure that the ecological interests of the site and any protected species are adequately safeguarded 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.

13. Prior to the commencement of any development at the site under the terms of the permission hereby granted, full details of the proposed road junction with Meadow View and the proposed pedestrian-cycle only access from Meadow View at the south western corner of the site shall have been submitted to and approved in writing by the District Council [based on the

arrangement shown in the approved drawing ITB18107-GA-002 Rev C.] The scheme will include a programme of works for the implementation of the road junction and the pedestrian-cycle only access and any requisite traffic management during its construction. Subsequently, all works shall be undertaken and implemented, in full, in accordance with the approved programme of works. Thereafter, the visibility splays relating to the junction and the pedestrian and cycle access detailed within the S278 will be maintained clear of obstruction between a height of 0.6m and 2.00m.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and/or are required in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy NPPF (2023). The above condition is required to meet the objectives of the NPPF (2023), Surrey County Council Local Transport Plan (LTP4) 2022-2032, and to satisfy policy CSP12 of the Core Strategy DPDS (2008) and policies DP5 and DP7 of the TLP Part 2: Detailed Policies (2014).

14. No part of the development hereby approved shall be first occupied unless and until the existing access has been removed in accordance with a scheme that shall have first been submitted to and approved in writing by the District Council .

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and/or are required in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy NPPF (2023). The above condition is required to meet the objectives of the NPPF (2023), Surrey County Council Local Transport Plan (LTP4) 2022-2032, 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. The application for the approval of layout as a reserved matter of layout is sought, the application shall be accompanied with:

- details of the layout of all proposed car parking
- details of the provision of electric vehicle charging points (number, position and the proposed equipment)
- the allocation of car parking
- a timetable for the provision of visitor parking
- a timetable for providing the means of accessing all of the approved car parking from the public highway (including turning and circulations areas).
- details of the provision of bicycle parking and e-bike charging points.

Subsequently, all visitor parking and means of accessing the approved car parking shall be provided in accordance with the approved timetable and no dwelling shall be occupied until the parking, electric vehicle charging point and bicycle parking (including e-bike charging points) serving that dwelling has been provided.

Thereafter the vehicle and bicycle parking, all charging points and all circulation and turning areas shall be retained and maintained for their designated purposes.

Reason: The above condition is required to meet the objectives of the NPPF (2023), Surrey County Council Local Transport Plan (LTP4) 2022-2032, and to satisfy policy CSP12 of the Core Strategy DPDS (2008) and policies DP5 and DP7 of the TLP Part 2: Detailed Policies (2014) in relation to car and cycle provision and charging points.

16. No development shall commence until a Construction Transport Management Plan, to include details of:
- a) parking for vehicles of site personnel, operatives and visitors
 - b) loading and unloading of plant and materials
 - c) storage of plant and materials
 - d) programme of works (including measures for traffic management)
 - e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - f) wheel washing facilities;
 - g) measures to control the emission of dust and dirt during construction;
 - h) a scheme for recycling/disposing of waste resulting from construction works;
 - i) HGV deliveries and hours of operation
 - j) vehicle routing
 - k) measures to prevent the deposit of materials on the highway
 - l) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
 - m) no HGV movements to or from the site shall take place outside of the hours agreed through the Construction Management Plan; and
 - n) on-site turning for construction vehicles has been submitted to and approved in writing by the District Council . 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. The above condition is required to meet the objectives of the NPPF (2023), Surrey County Council Local Transport Plan (LTP4) 2022-2032, and to satisfy policy CSP12 of the Core Strategy DPDS (2008) and policies DP5 and DP7 of the TLP Part 2: Detailed Policies (2014).

17. No dwelling within the development hereby approved shall be occupied unless and until that dwelling is provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) and unless and until facilities for the secure, covered parking of bicycles and the provision of a charging point with timer for e-bikes by said facilities have been provided within the development site in accordance with a scheme to be submitted to and approved in writing by the District Council and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the District Council.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and/or are required in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy NPPF (2023). The above condition is required to meet the objectives of the NPPF (2023), Surrey County Council Local Transport Plan (LTP4) 2022-2032, and to satisfy policy CSP12 of the Core Strategy DPDS (2008) and policies DP5 and DP7 of the TLP Part 2: Detailed Policies (2014) and the SCC

Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development February 2023.

18. The application for the approval of the layout or the landscape scheme as a Reserved Matter (whichever is the earlier if submitted separately), shall be accompanied with an Arboricultural Impact Assessment and Tree Protection Details. 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 District Council.

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.

19. The application for the approval of layout as a Reserved Matter, the application shall be accompanied with a scheme detailing the play areas, specifically play equipment, boundary treatment and ground surface area treatment of the outdoor play spaces and a timetable for the implementation of these areas. Subsequently, all installations that are specified within those details shall be implemented in accordance with approved timetable and retained thereafter.

Reason: To ensure that the recreational provision of the development is acceptable in accordance with Policies CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 Detailed Policies 2014 and the NPPF.

20. Prior to first occupation the following package of measures shall be implemented at the applicants expense through a S278 Agreement in general accordance with the Highway Arrangements Plan drawing no.170523-09 Rev C.
- a. A Speed Table at the entrance of Meadow View from Plough Road, along with sight line improvements in Meadow View, generally in accordance with the preliminary design shown on drawing ITB18107-GA-006 (all subject to findings of RSA).
 - b. A Village Entrance Gateway Feature at Plough Road, generally in accordance with the preliminary design shown on drawing ITB18107-GA-007 (Subject to findings of RSA) to include if possible village entry gateway feature.
 - c. Bus stop improvement works comprising of the following:
 - i. Provision of Littlethorpe wooden bus shelter which can accommodate real time passenger information, with the shelter to have seating and lighting.
 - ii. Real time passenger information display.
 - iii. Electrical supply for RTPPI and lighting.
 - iv. A new bus stop pole, flag and timetable case.
 - v. Kerb and footway improvements to provide step free access to / from the bus.
 - vi. Bus stop clearways in both locations.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users. The above condition is required to meet the objectives of the NPPF (2023), Surrey County Council Local Transport Plan (LTP4)

2022-2032, and to satisfy policy CSP12 of the Core Strategy DPDS (2008) and policies DP5 and DP7 of the TLP Part 2: Detailed Policies (2014).

21. The development shall be implemented on a phased basis in accordance with a phasing scheme submitted to and approved by the District Council in writing. The phasing scheme shall be submitted no later than the first Reserved Matters submission and the development shall not commence until the phasing scheme has been approved. The approved phasing scheme may be reviewed with each Reserved Matters submission.

Reason: To ensure the satisfactory phasing of the development and to ensure that affordable housing is delivered in a coordinated and planned way.

22. No development shall commence on site, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme, including details of maintenance and management, have been submitted to and approved in writing by the District Council . No buildings shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the approved details.

Reason: To ensure the drainage system is in accordance with Local Plan Detailed Policy DP22, the National Planning Policy NPPF and to ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

23. No development shall commence on site, other than works of site survey and investigation, until full details of the foul water disposal system have been submitted to and approved in writing by the District Council y. No dwelling hereby approved shall be occupied until the works for the disposal of foul water have been fully implemented in accordance with the approved details.

Reason: To ensure the drainage system is in accordance with Local Plan Detailed Policy DP22, the National Planning Policy NPPF and to ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

Informatives

1. Condition 3 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 3 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 District Council's web site.

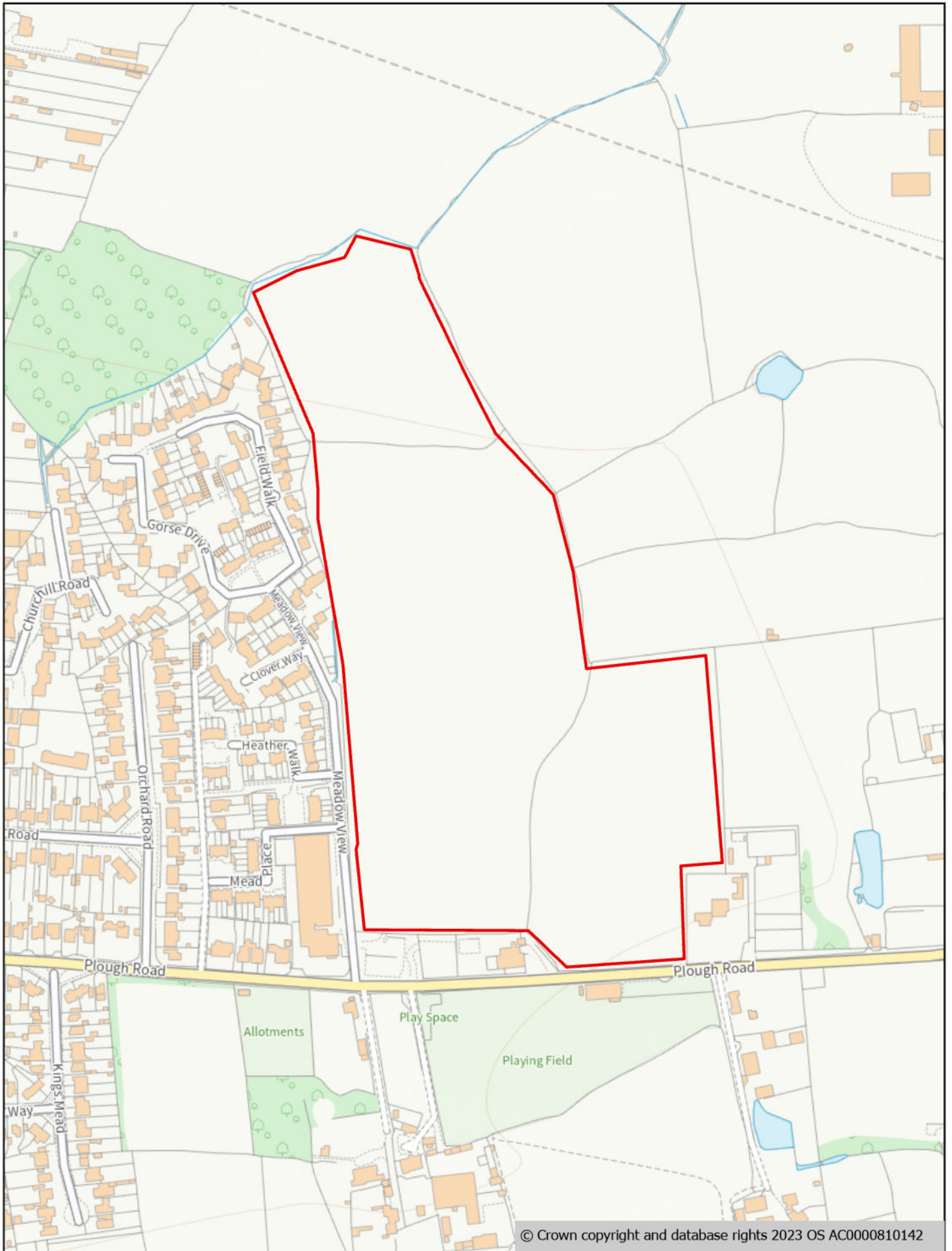
2. The development permitted is subject to a Community Infrastructure Levy (CIL) liability for which a Liability Notice will be issued following approval of reserved matters. It is important that you ensure that the requirements of the CIL Regulations are met to ensure that you avoid any unnecessary surcharges and that any relevant relief or exemption is applied.
3. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/applications please visit [Crane Permits \(gatwickairport.com\)](https://www.gatwickairport.com/crane-permits) or email cranes@gatwickairport.com
4. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991, We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Tames Water Risk Management Team by telephoning 0203577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale, Business Customers, Groundwater discharges section.
5. The development shall achieve standards contained within the Secure by Design award scheme to be successfully granted the award
6. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.
7. It is the responsibility of the developer to provide e-bike charging points with socket timers to prevent them constantly drawing a current over night or for longer than required. Signage should be considered regarding damaged or shock impacted batteries, indicating that these should not be used/charged. The design of communal bike areas should consider fire spread and there should be detection in areas where charging takes place. With regard to an e-bike socket in a domestic dwelling, the residence should have detection, and an official e-bike charger should be used. Guidance on detection can be found in BS 5839-6 for fire detection and fire alarm systems in both new and existing domestic premises and BS 5839-1 the code of practice for designing, installing, commissioning, and maintaining fire detection and alarm systems in non-domestic buildings.

8. 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).
9. When access is required to be 'completed' before any other operations, the Highway Authority may agree that surface course material and in some cases edge restraint may be deferred until construction of the development is complete, provided all reasonable care is taken to protect public safety.
10. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
11. 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.
12. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.
13. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-drop-ped-kerbs. In the event that the access works require the felling of a highway tree not being subject to a Tree Preservation Order, and its removal has been permitted through planning permission, or as permitted development, the developer will pay to the County Council as part of its licence application fee compensation for its loss based upon 20% of the tree's CAVAT valuation to compensate for the loss of highway amenity.

The development has been assessed against Tandridge District Core Strategy 2008 Policies CSP1, CSP2, CSP4, CSP7, CSP11, CSP12, CSP14, CSP15, CSP17, CSP18, CSP19, CSP21 Tandridge Local Plan: Part 2: Detailed Policies – Policies DP1, DP5, DP7, DP10, DP13, DP19, DP20, DP21, DP22 and material considerations, including third party representations. It has been concluded that the development, subject to the

conditions imposed, would accord with the development plan and there are no other material considerations to justify a refusal of permission.

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ITEM 4.2

Application: 2022/267

Location: Former Shelton Sports Club, Shelton Avenue And Land Adjacent To 267 Hillbury Road, Warlingham, Surrey, CR6 9TL

Proposal: Outline planning application with all matters reserved except access, for a residential development of 150 dwellings including 45% affordable housing with vehicular access from Hillbury Road, provision of public open space and associated ancillary works.

Ward: Warlingham West

Decision Level: Planning Committee

Constraints – Article4, ASAC, Ancient woodland(s) within 500m, Bigginhill safeguarding, Green Belt, Road_local t - townpath - shelton avenue, Road_local x - shelton close, Road_local d - shelton avenue, Road_local b - hillbury road, Risk of flooding from surface water –30/100/1000, Rights_of_way_fp 110 & 50, Source_protection_zones 2 & 3

RECOMMENDATION: Approve subject to conditions and:

1. The application being referred to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2021; and the application then not being called-in by the Secretary of State for determination; and
2. The completion of a Section 106 agreement to secure the following matters:
 - A. The delivery of 45% of the approved dwellings as affordable housing (up to 67 dwellings). The mix and tenure of Affordable Housing will be in line with the table below:

Unit Type & Size	Shared Ownership	Affordable Rent	Discount Market Sale	Total
3 bed house	4	6	2	12
2 bed house	9	2	8	19
2 bed flat	0	15	5	20
1 bed flat	0	15	1	16
	13	38	16	67

- B. The provision of On-Site Open Space, in broad accordance with the Illustrative Masterplan submitted with the outline application, and the appropriate use and management thereof for the lifetime of the development.
- C. To secure the provision of a Play Area within the Development.
- D. The enhancement of off-site sporting facilities including the transfer of the Off-Site Sports Pitch Land to Warlingham Rugby Football Club, financial contributions towards local sports facilities of £500,000 (five hundred thousand pounds) towards the laying out of the Off-Site Sports Pitch Land and/or the improvement of existing pitches and facilities at Warlingham Rugby Football Club and £150,000 (one hundred and fifty thousand pounds) towards the provision of an Artificial Grass Pitch or Multisport

surface games area at Warlingham Sports Club, or such other improvements at Warlingham Sports Club

- E. To secure the carrying out of the Enhancement Strategy, maintenance and management of Off-Site Biodiversity Land in accordance with the report by LC Ecological Services (dated 30 October 2023)**
 - F. To secure the provision for the reimbursement of reasonable fees incurred by the County Council in drafting, promoting, consulting upon and implementing a Traffic Regulation Order (TRO) in respect of proposed parking restrictions on Shelton Close**
 - G. To secure the provision of 2No. bus stops on Westhall Road (as indicated on drawing 2006038-07) through an agreement under Section 278 of the Highways Act 1980 (as amended)**
 - H. To secure the submission and approval of a Final Travel Plan for the Development and reasonable Travel Plan Monitoring Fee, payable to the County Council.**
1. This application is reported to Committee as a departure from the Development Plan. Where the officer recommendation is for approval contrary to policy in the Development Plan, Neighbourhood Plans, DPD or other adopted guidance to an application that is subject to representations that object to the grant of planning permission, the application should be considered at Planning Committee.
 2. Please note that the requirement to refer the application is applicable as a result of the Town and Country Planning (Consultation) (England) Direction 2021 which states that, where a Local Planning Authority does not intend to refuse inappropriate development in the Green Belt of the scale that is hereby proposed, it shall refer the application to the Secretary of State who may wish to issue a direction with respect to the proposed development.

Summary

3. Outline planning permission (with all matters reserved other than access) is sought for the provision of up to 150 residential units.
4. The site is within the Green Belt and, as such, the proposal constitutes inappropriate development in the Green Belt. The proposal would also cause harm to openness and conflict with the purposes of the Green Belt. However, Very Special Circumstances exist in terms of a significant benefit to housing supply (including affordable housing). Even affording substantial weight to the harm to the Green Belt, the Very Special Circumstances collectively outweigh that harm.
5. Other than the principle of development, the only other matter to be determined is that of access. The proposal is considered to be acceptable in this respect.
6. Noting that the layout, appearance, scale and landscaping of the development and all associated impacts of those elements of the proposal would be considered at reserved matters stage, it is considered that the proposal should be found acceptable in outline form and, as such, outline planning permission should be granted.

Site Description

7. The application site consists of the land forming part of the former Shelton Sports Club as well as amenity land to the side and rear of 267 Hillbury Road. The site covers a total of 6.06ha.
8. The site is located within the Green Belt and borders the urban area of Warlingham to the east of the site. Public footpath no 50 runs along part of the southern boundary of the site with footpath no 110 running adjacent to the north-east corner. An area designated as ancient woodland lies some 260m west of the site. The site would be bordered by residential properties at Shelton Avenue and Shelton Close to the east and Hillbury Road and the eastern side of Hillbury Close to the south.
9. The site at present is split into two parts, the first being the former Shelton Sports Club land and the other being that to the side/rear of 267 Hillbury Road. The former Shelton Sports Club land is currently left to rough grass and is being used to graze horses. Some elements of hard standing and a storage building from its former use remain on the site. The land adjacent to Hillbury Road is undeveloped. The sports facilities have not been used for 17 years and have remained redundant since then.

Relevant History

10. Relevant history is as follows:

CAT/1410- Sports ground & pavilion- Approved 15/10/1953

CAT/1685- Sports pavilion- Approved 12/06/1954

CAT/3414- Car park & 35 lock up garages - Refuse 17/10/1958

CAT/4810- Use as office accommodation - Refuse 06/10/1961

CAT/5647- Extension to sports pavilion - Approved 05/07/1963

CAT/7206- Block of 3 garages for storage of equipment - Approved 18/08/1966

80/72- Erection of two squash courts, changing rooms, lounge extension and new equipment store- Approved (full) 13/03/1980

2009/901 - Enlargement and refurbishment of existing sports courts including associated fencing and floodlighting- Approved (full) 19/11/2009

2009/1198 - Demolition of existing link between pavilion and squash courts. erection of two storey extension & alterations to redundant squash court- Approved (full) 25/11/2009

Key Issues

11. This is an outline application with only details in relation to the proposed access being considered at this stage.
12. The primary key issue is whether the development would be inappropriate development in the Green Belt and whether any harm caused to the Green Belt and any other harm would be outweighed by very special circumstances. Other

primary issues to be considered at this stage would be the principle of development in all other respects including delivery of housing, housing balance and affordable housing, character and appearance, amenity, trees, ecology, flood risk, heritage, renewable energy, contamination sports provision and any effects of the development on the local highway network and highway safety.

13. As the application is in outline form, the precise details of the proposal are not set. However, in generic terms, it is still reasonable and necessary to undertake a preliminary assessment of the proposal in terms of various secondary key issues including character and appearance, highway safety, neighbouring amenity, trees and woodland, heritage and archaeology, sports provision, renewable energy, flood risk and surface water drainage, contamination and ecology.

Proposal

17. This application seeks outline planning consent for a residential development of 150 dwellings including 45% affordable housing. It includes a vehicular access from Hillbury Road, provision of public open space and associated ancillary works.
18. With this being an outline application, the principle of development is the key planning consideration along with access, which is not a reserved matter. The Reserved Matters are those relating to appearance, landscaping, layout, and scale and these are not to be considered under this application.
19. The mix of dwellings has not been established at this outline stage but will comprise a mix of 1, 2-, 3-, 4- and 5-bedroom properties. The application proposes that 45% of the homes would be affordable the mix of which is stated and would be as follows:

Affordable Rent	No.
1 bed flat	15
2 bed flat	15
2 bed house	2
3 bed house	6

Shared Ownership	No.
2 bed house	9
3 bed house	4

Discounted Market Sale	No.
1 bed flat	1
2 bed flat	5
2 bed house	8
3 bed house	2

20. Vehicular access is proposed to be gained via Hillbury Road with an emergency access point onto Shelton Close. The access onto Hillbury Road would be a new priority T-junction. The proposed vehicular access would be 5.5m wide with two 2m wide pedestrian footways on either side of the carriageway.

21. The application includes contributions to off-site sports provision including the gifting of 1.22ha of land for a sports pitch and financial contributions to enhancement of local sports facilities.
22. Whilst a layout plan has been provided this is purely indicative and the layout, scale and appearance of the development would be considered under a subsequent reserved matters application.

Development Plan Policy

23. Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP4, CSP7, CSP11, CSP12, CSP14, CSP15, CSP17, CSP18, CSP19, CSP21
24. Tandridge Local Plan Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP10, DP13, DP19, DP20, DP21, DP22
25. Woldingham Neighbourhood Plan 2016 – Not applicable
26. Limpsfield Neighbourhood Plan 2019 – Not applicable
27. Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021– Not applicable

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

28. Tandridge Parking Standards SPD (2012)
29. Tandridge Trees and Soft Landscaping SPD (2017)
30. Surrey Design Guide (2002)
31. Surrey Vehicular and Cycle Parking Guidance (2018)
32. Tandridge Landscape Capacity and Sensitivity Study (2016)
33. The Interim Policy Statement for Housing Delivery (September 2022)

The Emerging Tandridge Local Plan

34. See comments below – no weight can be afforded to this plan.

National Advice

35. National Planning Policy Framework (NPPF) (2023)
36. Planning Practice Guidance (PPG)
37. National Design Guide (2019)

Consultation Responses

38. Statutory Consultee responses as follows:

Consultee:	Warlingham Parish Council	Date received:	14 April 2022
Summary of comments:	<p>Warlingham Parish Council strongly objects to this outline planning proposal for 150 dwellings on Green Belt designated land between Hillbury Road and Shelton Avenue.</p> <p>Councillors reviewed this application at the planning committee meeting of 12th April (2022) and raised objections as follows;</p> <ul style="list-style-type: none"> • Any development of this area of green space would be contrary to its Green Belt designation. This site currently serves its designated purpose preventing the unrestricted sprawl of the settlement of Warlingham and assist in safeguarding the open countryside from encroachment and harm. • Councillors can find no exceptional, or special circumstances that would justify the release of this land from its current Green Belt designation • The proposed development would harm the Green Belt by virtue of removing open green space and altering its character to a built environment of relatively high density housing, built infrastructure of roads and hard landscaping- contrary to DP10. • There is insufficient information about drainage- the comments from the Surrey County Council Flood Risk team also refer- and so there would appear to be an unresolved potential for harm in this respect which cannot be accepted. • Councillors notes that some of the properties would be three storey which brings into question issues of over-development. These significant features would be 'out-of-character' and unacceptable in terms of density and scaler. • A development of this size would have a negative impact on the local road network. For example, there would be issues of parking (and a need to ensure adequate on-site parking) and fundamental safety concerns around access with Hillbury Road given the high numbers of vehicle movements to and from the site in an average day. • The likelihood of ecological harm given the heavy reliance on marginal areas and edges and the proposed buffer zone. These would require permanent and robust protection measures along with adequately funded long-term management plans using specialist contractors. <p>As a result of all of the above, the Parish Council ask, and fully expects, you to refuse this application.</p>		
Officer Response:	These comments are addressed in the context of the officer's report.		

Consultee:	SCC Highways	Date received:	22 November 2023
Summary of comments:	Following the provision of further information submitted by the applicant, the proposed development has been re-considered by the County Highway Authority (CHA) who having assessed the		

	application on safety, capacity and policy grounds, recommends the following conditions be imposed in any permission granted:
Officer Response:	

Consultee:	SCC Countryside Access Officer	Date received:	N/A
Summary of comments:	No representations received		

Consultee:	SCC Education	Date received:	N/A
Summary of comments:	No representations received		

Consultee:	SCC Flood Risk (LLFA)	Date received:	10 October 2022
Summary of comments:	<p>We are satisfied the proposed drainage scheme meets the requirements set out in documents and are content with the development proposed, subject to advice below.</p> <p>Our advice would be that, should planning permission be granted suitably worded conditions are applied to ensure the SUDS scheme is properly implemented and maintained throughout the lifetime of the development.</p>		
Officer Response:	Conditions are reasonable and will be imposed as requested.		

Consultee:	Surrey Wildlife Trust	Date received:	8 November 2023
Summary of comments:	<p>Designated Sites-</p> <p>Given Paragraph 180 of the NPPF (2021) and Tandridge District Council Local Plan Part 2: Detailed Policies 2014-2029 Policy DP19, we would advise that it is imperative that the LPA seeks consultation with Natural England as part of the determination of the planning application on the potential impact upon statutory designated sites.</p> <p>Protected Species- Bats</p> <p>We would advise that if this outline application is granted, then the Applicant is required to submit an updated bat activity survey report, impact assessment and mitigation strategy as part of reserved matters. We would advise that the submission includes a full suite of bat activity transect and static monitoring surveys in line with good practice guidelines for bat surveys. If the LPA accepts the use of the condition based on the reserved matters application and tree removal being over a long period of time, then we would advise that as part of the reserved matters, the Applicant is required to submit a bat presence/likely absence survey, impact assessment and mitigation strategy report.</p> <p>Protected Species- Reptiles</p> <p>We would advise that if this outline application is granted, then the Applicant is required to submit an updated reptile survey, impact assessment and mitigation report, as part of reserved matters.</p>		

	<p>Protected Species – Hazel Dormouse</p> <p>Given the time between the 2021 surveys and the reserved matters application, we would advise that the Applicant’s ecologist reviews whether updated hazel dormouse presence/likely absence surveys should be carried out as part of reserved matters if the application is granted.</p> <p>Biodiversity Net Gain</p> <p>Should the LPA be minded to grant planning permission for this proposed development, we recommend that the LPA requires the development to be implemented in accordance with an appropriately detailed Biodiversity Gain Plan.</p> <p>Construction Environmental Management Plan (CEMP)</p> <p>Should the LPA be minded to grant permission for the proposal the applicant should be required to implement the development only in accordance with an appropriately detailed CEMP. This document will need to be submitted to and approved by the LPA in writing, prior to the commencement of the development.</p> <p>Sensitive Lighting</p> <p>We advise that compliance with this best practice guidance is secured through a Sensitive Lighting Management Plan submitted to the LPA for approval in writing prior to commencement of development. This should be informed by the bat activity survey report and bat presence/likely absence survey report.</p>
<p>Officer Response:</p>	<p>The advice given by Surrey Wildlife Trust generally accepts the surveys and mitigation measures outlined relating to protected species however suggest that further surveys are requested at reserved matters stage and securing BNG and ecological mitigation through condition.</p> <p>Within their response they suggest advice is sought from Natural England with regards to impact on a designated site, namely the SSSI, some 2km from the application site. Natural England were consulted but did not give advice on the designated site within their response.</p>

<p>Consultee:</p>	<p>The Woodland Trust</p>	<p>Date received:</p>	<p>28 June 2023</p>
<p>Summary of comments:</p>	<p>We note the applicant’s investigation into the possible presence of unmapped ancient woodland (‘ancient woodland letter report’ dated 22nd July 2023). It is not clear whether Natural England has been consulted on the findings of the report. We therefore maintain our position on this application and request that a decision is delayed until Natural England has been consulted for its opinion on the findings of the report, the antiquity of the woodlands and the likely impact of the proposals.</p>		
<p>Officer Response:</p>	<p>Natural England’s view has been sought to provide clarity on their concerns</p>		

Consultee:	Natural England	Date received:	6 November 2023
Summary of comments:	<p>Having taken a look at the proposal and our internal mapping system which includes areas of ancient semi natural woodland this shows that the nearest block of ancient woodland (AW) is ~260m to the west of the site boundary and not adjacent the site as far as we're aware.</p> <p>Unless there is a survey that proves the woodland nearer the site is AW then we wouldn't be in a position to comment any further as we're only able to go by what our system has mapped.</p> <p>Should there be concerns then ensuring the proposal allows the minimum 15m clearance from adjoining gardens around the woodland on its periphery would help to ensure that impacts are minimised.</p> <p>Our only other comment would be regarding dormice in the area and the requirement for the local authority to be satisfied with the survey effort carried out as part of the proposals to ensure they wouldn't be impacted.</p>		
Officer Response:	<p>No evidence has been presented to conclude that the site contains or is adjacent to ancient woodland. The report produced by HW & Co dated 19th July 2022, provided by the applicant advised that in their opinion the adjacent trees would not be considered ancient woodland.</p>		

Consultee:	London Bigginhill Airport	Date received:	N/A
Summary of comments:	No representation received.		

Consultee:	SCC Archaeological Officer	Date received:	27 October 2022
Summary of comments:	<p>The assessment considers the proposed development site to have a moderate potential for archaeological remains of prehistoric date and a high potential for archaeological remains of medieval and post-medieval date, particularly relating to the ancient ditch and bank boundary features within the woodland shaw within the sites western boundary. A lack of previous archaeological fieldwork in the site means that unknown archaeological heritage assets relating to occupation of all periods may be present, especially in those areas identified as have escaped truncation by previous sports buildings and facilities. I agree with the conclusions of the assessment that in order to clarify the presence or absence of any heritage assets or archaeological significance, further archaeological work is required.</p> <p>The assessment suggests that remains of national significance worthy preservation in situ are unlikely to be present, it is reasonable and proportionate to secure the evaluation, and any subsequent mitigation measures by condition.</p>		
Officer Response:			

Consultee:	Environment Agency	Date received:	28 September 2022
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Summary of comments:	No comments to make.
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Consultee:	Sports England	Date received:	15 November 2023
Summary of comments:	<p>We are responding to the application under our non-statutory consultee role, as the playing field has not been used as playing field land within the last 5 years.</p> <p>While we consider there are potential sporting benefits to the proposed mitigation which responds to current issues it is not compliant with Sport England's playing fields policy and specifically our E4 exception relating to suitable replacement provision. On that basis, Sport England wishes to maintain an objection under our non-statutory role.</p>		
Officer Response:	<p>Sports England are not a statutory consultee however highlight a potential conflict with their policy E4 which requires lost sporting facilities to be replaced of an equal or greater quality. Planning permission has not been sought for replacement off site facilities however the applicant has provided a proposed package of sports provision which has been drawn forward into the S106 heads of terms.</p>		

TDC advice

Consultee:	TDC Housing	Date received:	14 November 2023																
Summary of comments:	<p>The applicant is proposing a residential development of up to 150 dwellings including 45% affordable housing. This gives rise to an onsite affordable housing contribution of up to 34% (51 dwellings) in accordance with CSP4. The applicant is proposing to deliver in excess of the policy requirement and provide an onsite contribution to affordable housing of a total of 67 dwellings. The policy compliant amount of affordable housing will be split between 75% rented and 25% shared ownership, as per current policy. The additional contribution to affordable housing will be in the form of Discounted Market Sale (DMS) – a form of low cost home ownership whereby the properties are sold to first time buyers, with a joint household income of no greater than £80k, at a minimum discount to open market value of 20%. The discount is secured in perpetuity through a restriction on title.</p> <p>The mix proposed is as follows:</p> <table border="1" data-bbox="461 1617 823 1800"> <thead> <tr> <th>Affordable Rent</th> <th>No.</th> </tr> </thead> <tbody> <tr> <td>1 bed flat</td> <td>15</td> </tr> <tr> <td>2 bed flat</td> <td>15</td> </tr> <tr> <td>2 bed house</td> <td>2</td> </tr> <tr> <td>3 bed house</td> <td>6</td> </tr> </tbody> </table> <table border="1" data-bbox="461 1839 823 1982"> <thead> <tr> <th>Shared Ownership</th> <th>No.</th> </tr> </thead> <tbody> <tr> <td>2 bed house</td> <td>9</td> </tr> <tr> <td>3 bed house</td> <td>4</td> </tr> </tbody> </table>			Affordable Rent	No.	1 bed flat	15	2 bed flat	15	2 bed house	2	3 bed house	6	Shared Ownership	No.	2 bed house	9	3 bed house	4
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	Discounted Market Sale	No.	
	1 bed flat	1	
	2 bed flat	5	
	2 bed house	8	
	3 bed house	2	
<p>The mix above will be secured by way of a S106 agreement and will require a mechanism that secures the additional affordable housing so that should the applicant be unable to sell the DMS units in accordance with the Council's Allocation Mechanism, they will revert to traditional affordable housing tenure – shared ownership or affordable rent, rather than be sold on the open market.</p>			
Officer Response:	Affordable housing provision would be secured by S106 agreement.		

Consultee:	TDC Locality	Date received:	13 April 2022
Summary of comments:	No comments to make		
Officer Response:			

Consultee:	Principal Tree Officer	Date received:	14 November 2023
Summary of comments:	I am now satisfied that sufficient information has been provided to demonstrate that the principle of an arboriculturally sound development can be achieved, and no further objections are raised to this outline application on that basis. However, there will be substantial issues to address at reserved matters stage and a detailed Arboricultural Impact Assessment would be required, together with an Arboricultural Method Statement and Tree Protection Plan.		
Officer Response:			

Other representations

Third Party Comments (Neighbours, Site and Press Notice): Comments received as follows (where relevant);

- Green Belt- Inappropriate, harmful no very special circumstances, urban sprawl/encroachment
- Impact on Infrastructure/ services- Schools, Doctors, public transport
- Highways- Additional traffic, impact on Hillbury Road, insufficient parking, highway safety
- Character- impact on countryside, density (over development), impact on village
- Impact on Woodland (Ancient), felling of trees
- Residential Amenity- noise, pollution, air quality
- Flood risk- surface water, land currently waterlogged
- Ecology- impact on habitats/ Wildlife, impact on adjacent land, encroachment into 15m buffer zone
- Biodiversity net gain- not demonstrated
- Community Facilities- loss of sports Pitches, loss of needed local facilities
- Rights of way- impact on

- Cumulative impact by neighbouring proposed development
- Additional houses required

Assessment

Procedural note

39. The Tandridge District Core Strategy and Detailed Local Plan Policies predate the NPPF as published in 2023. 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 NPPF document. Instead, due weight should be given to them in accordance to the degree of consistency with the current NPPF.
40. The NPPF imposes a presumption in favour of sustainable development (paragraph 11). For decision making, this means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:
- i. the application of policies in this NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this NPPF taken as a whole.
41. However, with regard to paragraph 11 (d) (i), footnote 7 explains that areas or assets of particular importance include land within the Green Belt and development that effect designated heritage asset. It is therefore necessary to assess whether the proposal would be in conflict with Green Belt policy or harm the significance of the nearby listed buildings before deciding whether the presumption in favour applies in this case. The final assessment on this will be undertaken at the end of this report.

Emerging Local Plans and Interim Housing Delivery Policy Statement

42. Tandridge District Council submitted its emerging Local Plan “Our Local Plan 2033” for independent examination in January 2019 and is currently still at examination. Following a procedural meeting between the Local Plan Inspector and the District Council on 27th July 2023, the Inspector wrote to the District Council in August 2023 (see ID26 available in the Local Plan examination documents), recommending the Local Plan should not be adopted. The Inspector reached his decision following concerns that significant soundness issues in the emerging Local Plan could not be addressed by way of Main Modifications to the plan.
43. In his letter, the Inspector presented two options to the District Council I:
- The Inspector can write a report on the Examination in which he would summarise his concerns on the soundness of the plan, recommending that the plan should not be adopted. This report would effectively end the Examination.
 - The District Council can decide to withdraw its Local Plan. This option may be taken at any time prior to the Inspector issuing his report.

44. The Inspector asked that the District Council I should write back to him, advising which course of action it has chosen.
45. The It was decided at Full Council meeting (19th October 2023) to request a report on the Examination of the Local Plan. It is anticipated that the report will be published in early 2024.
46. Until either the Inspector issues his report, or the emerging Local Plan is withdrawn, the emerging Local Plan technically remains under examination. However, in the interim, no weight can be given to policies in the emerging Local Plan due to the Inspector's findings that the emerging Local Plan cannot be made sound. Therefore, the adopted development plan remains the Tandridge District Council Core Strategy 2008, the Tandridge Local Plan Part 2: Detailed Policies 2014-2029, the Caterham, Chaldon & Whyteleafe Neighbourhood Plan, the Limpsfield Neighbourhood Plan and the Woldingham Neighbourhood Plan.
47. It is also worth noting that the main soundness issues identified by the Inspector precluded the Examination from progressing to a further stage. Therefore, even policies from the Regulation 19 draft Local Plan which were not found 'unsound' by the Inspector during Examination cannot be regarded as sound. Should the Examination have continued, changes to these policies may have become necessary to make the whole plan sound.
48. The evidence base published as part of the emerging Local Plan will remain public until the end of the Examination. The evidence base is published to help the Inspector in his examination of the Plan and does not form part of the proposed Development Plan. The eventual non-adoption of the emerging Local Plan does not place more or less weight on the emerging Local Plan evidence base than on any other evidence base published by the Council. Until such time that evidence base studies are withdrawn, they remain capable of being a material consideration for planning applications.
49. The District Council has prepared an Interim Policy Statement for Housing Delivery which will be an important material consideration in the determination of planning applications. This comprises sites that are coming forward on brownfield land and Green Belt sites from the emerging Local Plan which have been through two regulation 18 consultations and a regulation 19 consultation and have been rigorously assessed via the HELAA and Green Belt assessments. The District Council will continue to assess planning applications against the adopted Core Strategy (2008) and Local Plan Part 2 – Detailed Policies (2014), unless material considerations indicate otherwise (NPPF Paragraph 47).
50. The Interim Policy Statement for Housing Delivery states that applications will be invited to come forward that meet the following criteria and are in accordance with the District Council's development plan and with the National Planning Policy NPPF (NPPF) and with national planning guidance:
 - i) Provide for the re-development of previously developed land in the urban areas and the Green Belt;
 - ii) Housing sites included in the emerging Local Plan where the Examiner did not raise concerns (see Appendix A);
 - iii) Sites allocated for housing development in adopted Neighbourhood Plans which will make a contribution to the overall delivery of housing in the District;

- v) Provide for the release of infill or re-development sites in settlements washed over by the Green Belt where this would not conflict with maintaining the openness of the Green Belt;
 - vi) Constitute enabling development (for charitable development or heritage asset conservation purposes) (See Appendix B);
 - vii) Housing development meeting a recognised local community need or realising local community aspirations including affordable housing and the bringing forward of rural exception schemes in appropriate locations;
 - viii) Sites that deliver flood mitigation measures for already identified areas of the District at serious risk of flooding;
51. The application site subject to this Outline application comprises one of the sites included within the Emerging Local Plan (Ref. HSG18) and therefore falls within criterion ii).
52. Any such sites identified according to the above criteria must be deliverable and viable, having regard to the provision of any necessary on-site and off-site infrastructure, affordable housing requirements and payment of the Community Infrastructure Levy. All development proposals will be expected to comply with the requirements of the NPPF and the policies of adopted development plan, that is the Core Strategy (15th October 2008), Tandridge Local Plan Part 2: Detailed Policies 2014-2029 (July 2014), all adopted Neighbourhood Plans and Supplementary Planning Guidance where relevant.
53. Although no weight can be afforded to policy HOU18 (see comments above about the Emerging Local Plan) the following extract from that plan provides useful context:
- Development would need to conserve and enhance the setting of the Grade II* listed vicarage to the south-east of the site. All development proposals must be accompanied by a detailed heritage assessment.
 - Development would need to mitigate ecological impacts through appropriate buffer zones New Defensible Boundaries
 - Design and layout should actively seek to create and preserve, clear and defensible boundaries between the edge of the site and the Green Belt to which it is adjacent Flooding/water-related matters
 - Proposals should respond to the medium risk of surface water flooding and the site's location within a Groundwater Source Protection Zone 2 and 3, and 'Major Aquifer High' Groundwater Vulnerability Zone. Public Rights of Way
 - Any Public Right of Way within or abutting the site should be retained in liaison with Surrey County Council and TLP31.
 - Redevelopment of this site would result in a loss of playing pitch provision. Permission will only be granted where replacement provision is provided to an equal or better standard quantity and quality...Loss of space and subsequent re-provision, including location, will need to be determined in liaison with any users, Sport England and any relevant National Governing Bodies. Replacement space will need to be provided ahead of development
 - Financial contribution to/onsite provision of the following infrastructure are relevant to the development of this site and will be a requirement of any proposal:

- Relocation and expansion of Warlingham Village Primary School to provide an 3FE primary school
- Traffic calming at Hillbury Road
- Re-provision of high-quality and suitably located playing pitches
- Pedestrian crossing between Warlingham Green and Trenham Drive
- Kerb improvements and informal crossing point at Tithepit Shaw Lane
- Cycle route from Warlingham Green to Upper Warlingham Station

Green Belt

54. The proposal site is located within the Green Belt and the NPPF (NPPF) 2023 advises that the fundamental aim of Green Belt is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and permanence and, to this end, paragraph 147 of the NPPF says that new development in this area would be considered as inappropriate and therefore harmful and should not be approved except in 'very special circumstances' (VSC). Further to this Paragraph 148 adds that such circumstances will not exist unless the potential harm to the Green Belt, and any other harm, is clearly outweighed by other considerations.
55. Paragraph 149 and 150 of the NPPF sets out a number of exceptions for the construction of new buildings in the Green Belt none of which apply to the proposed development.
56. Policy DP10 of the Local Plan reflects paragraphs 147-151 of the NPPF in setting out that inappropriate development in the Green Belt is, by definition, harmful and that substantial weight must be attributed to this harm. Permission should only be granted where very special circumstances can be demonstrated to outweigh the harm by reason of inappropriateness and any other harm identified.
57. Policy DP13 states that unless very special circumstances can be clearly demonstrated, the District Council will regard the construction of new buildings as inappropriate in the Green Belt. Policy DP13 sets out the exceptions to this, one of which (Part G) the limited infilling or the partial or complete redevelopment of previously developed (brownfield) sites in the Green Belt, whether redundant or in continuing use (excluding temporary buildings), where the proposal would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
58. In order to consider the acceptability of the proposal in regards to its impact on the Green Belt, it is necessary to refer to the following key questions:
1. Whether the proposals constitute inappropriate development in the Green Belt;
 2. The effect of the proposals on the open nature of the Green Belt and the purposes of including land within it; and
 3. Whether the harm to the Green Belt is clearly outweighed by other considerations so as to amount to the very special circumstances (VSC) necessary to justify inappropriate development.
59. The application site consists of the former Shelton Sports Club which as a recreation ground would be excluded from the definition of previously developed land as set out within Annex 2 of the NPPF. This use has since been abandoned with horses currently being kept on the land however no formal change of use

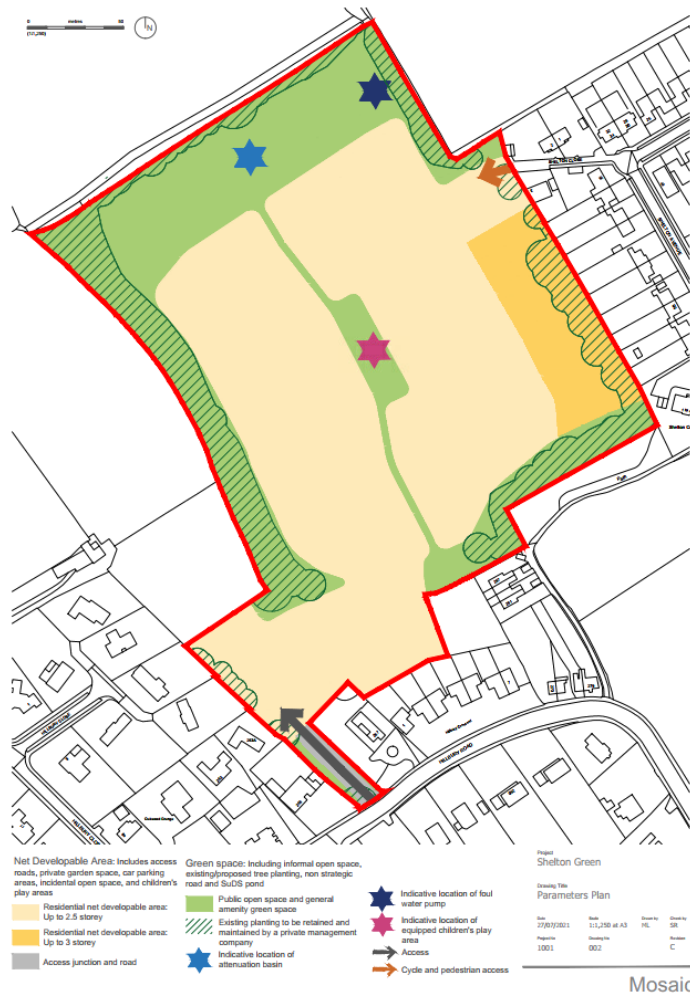
has been sought. Given the last lawful use the site would not be considered previously developed land the proposal cannot be considered under the exception of Policy DP13 (G). Notwithstanding this even if recent activity was to establish an alternative use that fell within the definition of previously developed land the scale of development proposed to provide 150 dwellings and associated infrastructure would undoubtedly result in a greater impact on openness to fail to comply with that policy. No other exceptions are considered to apply to this development.

60. In light of the above the proposed development of the site is not considered to comply with any of the exceptions to inappropriate development within the Green Belt either listed in local or national policy. The development is therefore inappropriate within the Green Belt. Paragraph 147 of the NPPF 2023 makes clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 continues that “when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.
61. It therefore remains to consider the effect of the proposals on the open nature of the Green Belt and the purposes before concluding on whether or not very special circumstances would apply in this case. This report will therefore first of all consider the effect on openness before assessing other matters and considering and concluding on a case of very special circumstances at the end of the report.

Green Belt purposes and Openness

62. As noted above, Paragraph 147 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts being described as their openness and their permanence.
63. Planning Practice Guidance provides further clarification about the definition of openness and specifies that ‘openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume’. Furthermore, ‘the degree of activity likely to be generated, such as traffic generation’ can also be considered.
64. The District Councils Green Belt Assessment (Part 3): Exceptional Circumstances and Insetting (June 2018) seeks to establish the function of the application site within the Green Belt as part of its consideration as an emerging allocation. The examination inspector for the emerging local plan did not raise concerns with the assessment of WAR 019 (later put forward as allocation HSG18) and therefore the assessment is considered to remain relevant. The report highlights the finding of the Part 1 and Part 2 Green Belt assessments which considers that the southern section of the site to have a sense of enclosure, being bordered by development on three sides. It continues that whilst the Green Belt has served to prevent development of the site, given the layout of the surrounding urban areas the site does not serve to prevent sprawl, encroachment or merging of settlements and therefore does not serve the purposes of the Green Belt. It also notes that the potential development of the site would fill a gap in the built-up area with limited harm to openness as the site is well contained by built development and dense woodland aligning the boundaries.

65. The application has been submitted in outline with all matters reserved except for access. The applicant has provided a red line site boundary plan as well as a parameter plan. An indicative site layout has also been provided as an example of how the development could be laid out however the matter of layout is reserved and therefore it can only be considered as an indicative example in the consideration of this application.



Mosaic
Fig 1: Parameter Plan

66. The parameter plan as shown above seeks to contain the development towards the centre of the site with green spaces/woodland buffers retained to the west, north and south-eastern boundaries of the site. The majority of the development would be up to 2.5 storeys in height with a section of 3-storey development (orange) to the east adjacent to the existing urban edge.
67. The site benefits from a modest level of containment with mature boundary treatment to the north, west and north-east boundaries, all of which are to be retained by this proposal. As also mentioned above the site borders existing development to the east, south and south-west and therefore for some part could be considered as an infill development. The northern extent of the site, which would encroach beyond the established line of built form, would be mostly given up to green/open space however it is acknowledged that the developable area does encroach north beyond the building line of Shelton Avenue/ Shelton Close. Taking this into account although the site remains predominantly open and undeveloped at this time and therefore a residential development of this scale

would undoubtedly impact on openness, the containment and infill nature of part of the development would mitigate the impact on openness to some degree. It is therefore considered the development would result in a moderate to limited impact on the openness of the Green Belt and as discussed above would not conflict with the purposes of the Green Belt. This harm will however need to be given substantial weight as required by Paragraph 148 of the NPPF.

Green Belt Summary

68. In summary, all built elements of the development represent inappropriate development in the Green Belt which is, by definition, harmful. The proposal would also cause limited to moderate harm to openness and cause moderate conflict with one of the purposes of the Green Belt. Substantial weight should be afforded to each of these elements of harm that have been identified and, as such, the development should not be approved unless very special circumstances exist. An assessment in this respect will be undertaken further below.

Wider Principle of Development / Locational Sustainability

69. Policy CSP1 of the Core Strategy sets out that in order to promote sustainable patterns of travel and in order to make the best use of previously developed land, development will take place within the existing built up areas of the District and be located where there is a choice of mode of transport available and where the distance to travel to services is minimised subject to the third paragraph of this policy. It continues that there will be no change in the Green Belt boundaries, unless it is not possible to find sufficient land within the existing built up areas and other settlements to deliver current and future housing allocations. Such changes will only take place at sustainable locations as set out in Policy CSP2 whilst having regard to the need to prevent built up areas from coalescing.
70. The application site lies within the Green Belt but borders the Category 1 settlement of Warlingham to the east which also runs to the south and south-west of the site but does not directly border. It would therefore be in proximity and have access to the infrastructure and services provided by this urban area. Policy CSP1 does not countenance the change of Green Belt boundaries by virtue of expansion of settlements into the Green Belt unless it is necessary to meet future demand. The draft allocation of the application site along with the current District Council's housing supply position highlights that there is a demand for housing with the application site forming what is considered to be a sustainable location with access to existing infrastructure. In light of this the proposal does conflict with the requirements of Policy CSP1.

Density

71. Core Strategy Policy CSP19 contains density ranges dependent on the location of development in the District. Within built up areas it advises an density of 30 to 55 dwellings per hectare, unless the design solution for such a density would conflict with the local character and distinctiveness of an area where a lower density is more appropriate; such character and distinctiveness may also be identified in Village Design Statements, Conservation Area Appraisals or Supplementary Planning Documents.
72. The NPPF has since taken the approach to place greater emphasis on the character and appearance consideration of development rather than compliance with density ranges.

73. The residential development area is approximately 4.02ha, which at 150 homes equates to a density of 37 dwellings per hectare however the site as a whole would measure 6.06ha with a density of 23 dwelling per hectare across the site as a whole. Whilst it is acknowledged that the site does not lie within a built up area it provides a density towards to the lower end of the policy position for the settlement it adjoins. Density across the site as a whole would be significantly less with the open area bordering the open land to the north and west. The proposal would therefore not conflict with Policy CSP19 of the Core Strategy.

Housing Supply

74. The Council accepts that it does not have a five-year housing land supply (5-YHLS). However, the local housing need figure is only the starting point for establishing the local housing requirement. The major policy constraints (including 94% Green Belt, two AONBs and flooding) and significant infrastructure capacity constraints (for example around the M25 J6) within the District can reasonably be expected to significantly reduce this requirement.
75. Nevertheless, as demonstrated in the work for the emerging Local Plan (currently awaiting final Inspector's report), the Council is committed to bringing forward sites in line with criteria set out in the Interim Housing Policy Statement as part of the Housing Delivery Test Action Plan.
76. A recent assessment of the District Council's Housing Land Supply situation was undertaken as part of an appeal in respect of application 2021/2178 at Land West of Limpsfield Road, Warlingham which is immediately adjacent to this site. The District Council's position (as set out within the Annual Monitoring Report) was set out to be that the housing land supply figure amounted to a 1.57 year provision. The inspector determining that appeal found that significant weight should be given to the capability of that development proposal to contribute to housing land supply.
77. With the above appeal being allowed those 100 houses would contribute to the supply of housing within the district but this would not be sufficient to significantly increase the housing land supply figure. The only other material change in circumstance since that decision is the no weight can now be afforded to the policies of Our Local Plan 2033. It is therefore considered that the above assessment of the District Council's Housing Supply position remains relevant. The appeal proposal sought outline consent for 100 dwellings with the current proposal seeking to provide up to 150, increasing the provision towards the housing supply. It is therefore considered that, consistent with the recent appeal decision, this factor should weigh significantly in favour of the proposal.
78. Similarly, it is relevant that the recent appeal (APP/M3645/W/23/3319/149) at Land at the Old Cottage, Station Road, Lingfield (the "Starfields appeal") found that "very significant weight" should be afforded to the benefit of providing 99 dwellings at that site. Although that appeal was dismissed, the shortcomings of the housing supply provision were repeated and the weight afforded to this matter aligns with the abovementioned appeal.

Housing Type and Mix

79. Policy CSP7 of the Core Strategy 2008 states that the District Council will require all housing developments of 5 units and above to contain an appropriate mix of

dwelling sizes in accordance with current identified needs for particular areas of the District, as set out in future Housing Need Surveys and Strategic Housing Market Assessments.

80. This application is submitted in outline form with the exact housing mix not specified. The developer has outlined within their planning statement that the development would incorporate a mix of 1, 2-, 3-, 4- and 5-bedroom properties. They have provided the following table at figure 3 of their planning statement which provides an anticipated board housing mix

Type/Size	Percentage
1 & 2 bed flat	At least 20%
2 Bed House	At least 20%
3 Bed House	At least 35%
4+ Bed House	Up to 25%

81. Overall, and in the context of the type of housing in the locality, the indicative mix would support the district's requirements for small dwellings and mix, as identified in the document – 'Addressing the Needs of All Household Types – Updated Technical Paper for Tandridge District Council - June 2018' Prepared by Turley in support of the District Council's emerging Local Plan. Exact details would be determined at reserved matters stage.

Affordable Housing

82. Policy CSP4 of the Core Strategy requires that up to 34% of the units of development meeting the threshold of 15 units or above 0.5ha should be affordable with up to 75% of these being for social rent.
83. The applicant is proposing a residential development of up to 150 dwellings, including 45% affordable housing providing up to a maximum of 67 affordable dwellings. This exceeds the policy requirement of 34% (up to 51 dwellings). The proposed affordable housing will be split between 75% rented and 25% shared ownership, as set out within the policy. The additional contribution to affordable housing (beyond the 34%) will be in the form of Discounted Market Sale (DMS). The discount is secured in perpetuity through a restriction on title.
84. The applicant has provided a suggested mix for the affordable housing which is as follows:

Affordable Rent	No.
1 bed flat	15
2 bed flat	15
2 bed house	2
3 bed house	6

Shared Ownership	No.
2 bed house	9

3 bed house	4
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Discounted Market Sale	No.
1 bed flat	1
2 bed flat	5
2 bed house	8
3 bed house	2

85. The provision of affordable housing and its mix will be secured by way of a S106 agreement and will require a mechanism that secures the additional affordable housing so that should the applicant be unable to sell the DMS units in accordance with the District Council's Allocation Mechanism, they will revert to traditional affordable housing tenure – shared ownership or affordable rent, rather than be sold on the open market.
86. In light of the above the mix of affordable housing would meet the requirements of Policy CSP4 with the total provision exceeding policy requirement. This provision above policy compliance with provide a significant benefit in favour of the scheme.

Character and Appearance

87. The NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It goes on to state that planning decisions should ensure that developments will function well, add to the overall quality of the area, be sympathetic to local character and history (whilst not discouraging innovation) and establish a strong sense of place. It also states that development that is not well designed should be refused.
88. Policy CSP18 of the Core Strategy requires that new development should be of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained.
89. Policy DP7 of the Local Plan Part 2: Detailed Policies requires development to, inter alia, respect and contribute to the distinctive character, appearance and amenity of the area in which it is located, have a complementary building design and not result in overdevelopment or unacceptable intensification by reason of scale, form, bulk, height, spacing, density and design.
90. Policy CSP19 of the Core Strategy states that within the NPPF for the character and design of density as set out in Policy CSP18, the density of new development within the built-up areas would be within a range of 30 to 55 dwellings per hectare, unless the design solution for such a density would conflict with the local character and distinctiveness of an area where a lower density is more appropriate.
91. Policy CSP21 of the Tandridge District Core Strategy 2008 advises that the character and distinctiveness of the District's landscapes and countryside will be

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

92. The site consists of the land formally associated with the Shelton Sports Club as well as land to the side and rear of 267 Hillbury Road. Following the closure of the sports club the land has been left to rough grass with areas of hard surface and a single building retained on site which were formally used by the sports club. The land to the rear of 267 Hillbury Road was understood to formally be used as amenity space but remains undeveloped and left to grassland. The site overall benefits from mature and established tree screens which run to the north and western boundary of the site.
93. The proposal seeks outline planning permission for up to 150 dwellings on the site. The applicant has submitted a parameter plan which identifies areas of the site for development and the suggested scale of that development. The dwellings are predominantly proposed within the central area of the site with built form up to 2.5 stories. A small area of 3 storey development is proposed towards the eastern boundary of the site bordering the urban area of Warlingham and properties on Shelton Avenue. The northern extent of the site is suggested to provide public open space and will contain the attenuation features for the site. The applicant has also provided an indicative site layout plan to show how the development could be delivered in line with the parameter plan. This plan is indicative only and one example of how the proposed development could be delivered.



Figure 2: Indicative site layout plan

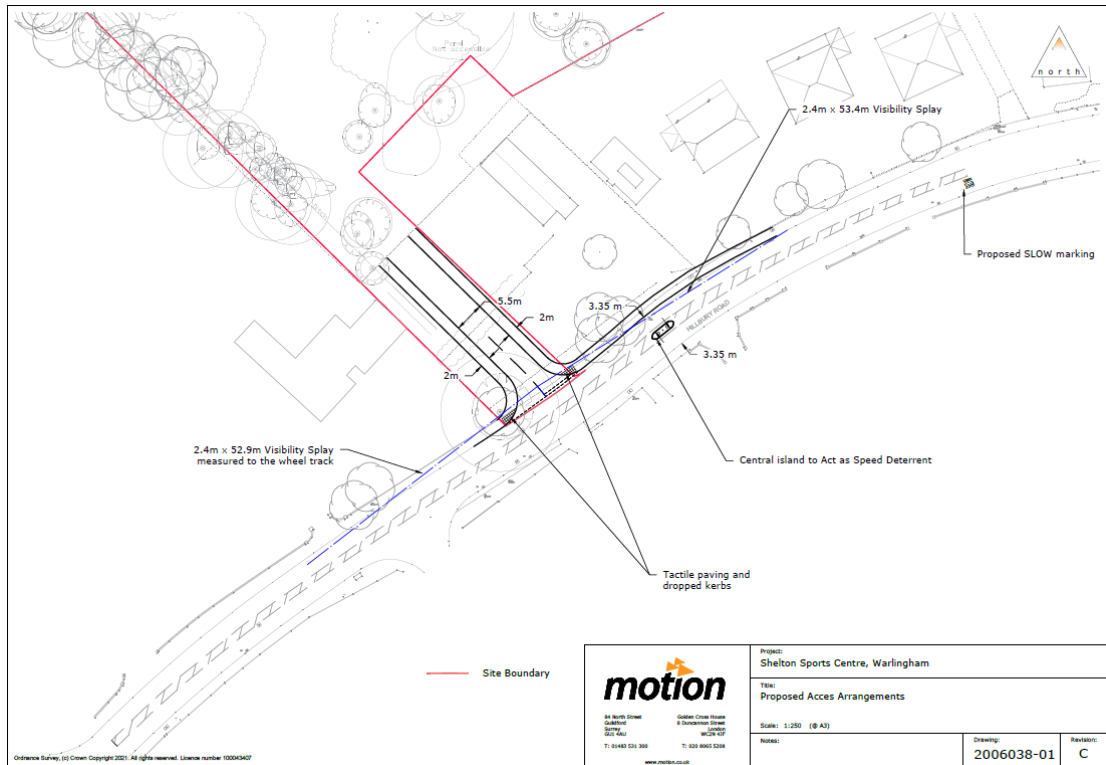
94. The residential development area is approximately 4.2ha, which at 150 homes equates to a density of 37 dwellings per hectare however the site as a whole would measure 6.06ha with a density of 23 dwelling per hectare.
95. Whilst matters of appearance and layout would be dealt with as a reserved matter and therefore not for consideration as part of this application the application would retain the mature tree screens to the boundary of the site. The taller three storey development would be located adjacent to the eastern boundary with the urban confines, with 2.5 storey buildings for the remainder of the site and no built form to the northern edge of the site. This would allow for a step down in height of built form towards the open land to the north with the northern open space and retention of existing tree screen providing a defensible boundary to the open land to the north. The three-storey development would not appear out of keeping adjacent to urban edge of Warlingham subject to the overall height of the buildings being appropriate to the area which would be considered at the reserved matters stage.
96. In terms of the landscape impact, the applicant has provided a Landscape and Visual Impact Assessment prepared by Hill-Wood & Co dated October 2021. Similar to what was discussed above the assessment noted the proximity of the existing built form and likely impact on the PROW. It notes that the proposal would retain the established boundaries to the site and that, where vegetation needs to be removed on the southern boundary, mitigation planting would be proposed. They highlight that in their view the proposed development will have a moderate to high impact during construction, with a moderate impact once built and a moderate to low impact within 10 years, with several viewpoints having a neutral impact within 5 to 10 years. The report makes the following recommendation to mitigate the visual impact of the development;
- During construction - construction machinery on site, scaffolding, diggers etc... these are often taller than the proposals, are mechanical and have moving parts which are more noticeable in an otherwise stationary landscape.
 - Once built - the retained landscape across the boundaries of the site and within the surrounding properties gardens will obscure views of the proposed development.
 - 5 - 10 years - the mitigation planting and enhancement of the existing landscape will have matured and created an appropriate landscape to reflect the surroundings on the site. The native trees and shrubs chosen will reflect the existing landscape character and will create additional screening across the site.
97. Overall the development would provide a residential scheme of a density to reflect the urban confines it lies adjacent to. The development would alter the character of the site and viewpoints from the public right of way which runs directly adjacent to the site however through the provision of the open space to the north, and retention of the visual boundary to the site the principle of a residential development on the site would not result in significant wider landscape harm. For these reasons it is considered that the various requirements of Local Plan Policy DP7 and Core Strategy Policy CSP18 as they relate to character and design can be met at the detailed stage, and no objection is therefore raised in this regard.

Impact upon neighbouring amenity and amenity of future occupiers

98. Policy CSP18 of the Core Strategy advises that development must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any adverse effect. Criteria 6-9 of Policy DP7 of the Local Plan Part 2: Detailed Policies seek also to safeguard amenity, including minimum privacy distances that will be applied to new development proposals.
99. The above policies reflect the guidance at Paragraph 130 of the NPPF, which seeks amongst other things to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users of development.
100. This application is for outline permission with all matters reserved except for access. In light of this a full assessment of the impact on amenity of the neighbours or the future occupants would not be possible until details of layout and scale are considered within the reserved matters. The parameter plan identifies the proposed area for residential development which would equate to a density of up to 37 dwellings per hectare. The residential area does extend up to the eastern, western and southern boundary with the closest residential neighbours however the proposal would be expected to comply with the relevant separation distances outlined within Policy DP7 when layout is considered at the reserved matters stage, and there is no reason at this time to consider this cannot be achieved. In light of this, whilst a full assessment of impact on amenity would be undertaken at the reserved matters stage based on the parameter plan it is not considered that the development as submitted no objection is raised with regards to Policy DP7, CSP18 or Paragraph 130.

Highways, Parking and Access

101. Policy CSP12 of the Core Strategy advises that new development proposals should have regard to adopted highway design standards and vehicle/other parking standards. Criterion 3 of Policy DP7 of the Local Plan also requires new development to have regard to adopted parking standards and Policy DP5 seeks to ensure that development does not impact highway safety.
102. The NPPF acknowledges that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
103. The primary access to the development for vehicles is proposed to be via Hillbury Road. The new vehicular access will take the form of a priority 'give way' junction onto Hillbury Road. The applicant through the process of the application has sought to address comments that have been raised by the County Highway Authority with the most recent access arrangements shown on drawing number 2006038-01 Rev. C. This plan is show below;



104. The proposed access arrangement will include other highways improvement including kerb realignment and a central island proposed as a speed deterrent. A secondary access for emergency vehicles, pedestrians and cyclists is also proposed via Shelton Close, utilising the historic access to the now redundant sports ground but will not provide general vehicular access via this route.
105. As the scheme is in outline, parking provision cannot be fully assessed at this stage. However, the indicative layout is understood to have taken into account of the District Council's parking standards and as such provision in accordance with these standards should be achievable at the reserved matters stage to meet the requirements of Local Plan Policy DP7 in this regard.
106. Surrey Country Council through their role as County Highways Authority have reviewed the supporting highways information. They have assessed the application on safety, capacity and policy grounds and have not raised objection but have recommended a series of conditions be imposed as well as delivery of other matter through S106 agreement.
107. Taking the above into account and subject to the imposition of conditions and the Section 106, no objections are raised from a highways safety perspective. The proposal is therefore considered to comply with Core Strategy Policy CSP12 and Local Plan Policy DP5.

Trees and Ancient Woodland

108. Policy CSP18 of the Core Strategy requires that development must have regard to the topography of the site, important trees and groups of trees and other important features that need to be retained. Criterion 13 of the Local Plan Policy DP7 requires that where trees are present on a proposed development site, a landscaping scheme should be submitted alongside the planning application which makes the provision for retention of existing trees that are important by virtue of their significance within the local landscape.

109. The Tandridge Trees and Soft landscaping SPD (2017) outlines the importance of landscaping which applies to urban and rural areas and advises that it is *'essential that the design of the spaces around building is given the same level of consideration from the outset as the design of building themselves'*. Trees are not only a landscape environmental benefit but, as the SPD outlines, a health benefit for people which enhances their environment.
110. The application site has mature tree screens to the north, west and east of the former sports fields as well as between the sports land and that behind 267 Hillbury Road. The impact on these and other trees within the site need to be considered.
111. In support of the application on arboricultural grounds the applicant has provided an Arboricultural Impact Assessment produced by Canopy Consultancy. This report was updated through the consideration of the application with the latest Revision A dated September 2022. The report outlines that a total of fifty three individual trees, two groups of trees and part of four further groups of trees will be removed to enable the proposed development. The majority of the trees to be removed are within the 'C' category either because they are young and easily replaced or are of substandard physiological or structural condition. They suggest that once the detailed layout of the development has been confirmed, a full assessment of the impact of the development on the retained trees can be carried out and an arboricultural method statement produced. They however recommend that through the specified tree protection measures and construction methodology, it will be possible to minimise the impact of the proposed development on the retained trees.
112. The District Council's Principal Tree Officer has reviewed the submission and initially raised concerns that the extent of the impact on the trees were not fully established as well as comments on individual trees. Particular comment was made regarding the potential impact on T1 (Horse Chestnut) as a result of the position of the proposed access road as well as the impact on T91 and T95 which are large mature oak trees with a high amenity value. Following the comments the applicant revised the indicative layout and Arboricultural Impact Assessment to demonstrate that tree T91 and T95 can be retained. The applicant also proposed a no dig solution for the road to mitigate impact on T1. The Principal Tree Officer raised concern with this approach commenting that it would be highly unlikely that a fully no dig solution could be achieved whilst still transitioning to the required crossover level. He suggests that further investigatory works would need to be undertaken at the reserved matters stage to determine the location of roots and the extent of excavation required therefore fully understanding the impact on the tree. He continues that it is likely that the tree could be retained, but potentially with some unavoidable harm. Overall however his comments are that he is now satisfied that sufficient information has been provided to demonstrate that the principle of an arboriculturally sound development can be achieved, and no further objections are raised to this outline application on that basis. However, there will be issues to address at reserved matters stage and a detailed Arboricultural Impact Assessment would be required, together with an Arboricultural Method Statement and Tree Protection Plan.
113. The issues of the potential impact on ancient woodland have also been raised through the public consultation as well as that by the Woodland Trust. The closest area of mapped ancient woodland lies some 260m west of the site however suggestions have been made that the trees along the western

boundary, eastern boundary and within the location of the proposed access road could be unmapped ancient woodland. They are therefore objecting on the basis of the potential for direct loss or root encroachment on this unmapped woodland in addition to deterioration of this habitat through the proposed residential use of the site.

114. The applicant has sought to address these claims through the submission of a letter by HW & C which goes through historic mapping and the ecological features concluding, with advice from Darwin Ecology (appended to the letter), that the site would not contain ancient woodland. Specifically the Darwin Ecology report outlines that the site contains some ancient woodland indicator species, but not with great abundance to support its status as an ancient woodland at the time of survey. This letter and attached report was available for review and further comment was requested from Woodland Trust who retained their objection and requested the view of Natural England be sought. Natural England were consulted, and a response received on 6 November 2023. They comment that the closest mapped ancient woodland is ~260m to the west of the site boundary and not adjacent the site as far as we're aware. They continue that unless there is a survey that proves the woodland nearer the site is Ancient woodland then we wouldn't be in a position to comment any further as they are only able to go by what is mapped. They however comment that should there be concerns then ensuring the proposal allows the minimum 15m clearance from adjoining gardens around the woodland on its periphery it would help to ensure that impacts are minimised.
115. The comments that suggest the site may contain ancient woodland are noted. However, they are understood to be on a desk based assessment only. The submitted Darwin Ecology report provides an assessment of the potential for ancient woodland including a walkover of the site and concludes that the site would not contain ancient woodland. Natural England have indicated that the site has not been identified as ancient woodland and would not diverge from this view unless a survey suggests otherwise. Taking into account the Darwin Ecology report and without evidence to the contrary it would have to be concluded that the site does not constitute ancient woodland. Notwithstanding this, the parameter plan indicates that residential development is to be kept away from the western boundary of the site and adequate protection can be secured for these trees in line with the arboricultural impact assessment above.
116. Based on the details that can be considered under this outline application the submitted arboricultural impact assessment is sufficient to demonstrate that the development could in principle be undertaken without significant impact on trees or ancient woodland to accord with the requirements of Local Plan Policy DP7, Core Strategy Policy CSP18 and The Tandridge Trees and Soft landscaping SPD (2017). However further assessment will be required at the reserved matters stage once those matters are to be considered. This will be secured by way of condition.

Biodiversity & Ecology

117. Policy CSP17 of the Core Strategy requires development proposals to protect biodiversity and provide for the maintenance, enhancement, restoration and, if possible, expansion of biodiversity, by aiming to restore or create suitable semi-natural habitats and ecological networks to sustain wildlife in accordance with the aims of the Surrey Biodiversity Action Plan.

118. Policy DP19 of the Local Plan Part 2: Detailed Policies 2014 advises that planning permission for development directly or indirectly affecting protected or Priority species will only be permitted where it can be demonstrated that the species involved will not be harmed or appropriate mitigation measures can be put in place.
119. The applicant has undertaken a number of survey and ecological assessments of the application site and the potential impact of the development. A list of these surveys/reports are listed below and form a basis for the comments by Surrey Wildlife Trust.
- Hazel Dormouse Presence/Absence Survey Report (aLyne Ecology, November 2021)
 - Ecological Response Letter for Shelton Sports Club, Shelton Avenue, CR6 9TL (LC Ecological Services, July 2023).
 - Biodiversity Net Gain Response for Shelton Sports Club (LC Ecological Services, August 2023).
 - Ecological Response Letter (LC Ecological Services, 2nd October 2023).
 - Biodiversity Metric Calculation Tool 4.0 (LC Ecological Services, October 2023)
 - Ecological Response Letter (LC Ecological Services, 12th October 2023).
 - Email Correspondence (LC Ecological Services, 12th October 2023).
 - Off Site Biodiversity Net Gain Information Technical Note (LC Ecological Services, 30th October 2023)
120. The submitted documents outline the findings of onsite surveys and various potential mitigation measures to ensure no adverse impact on protected species. Surrey Wildlife Trust have acknowledged the recommendations within the submitted reports but suggest further surveys will be required at reserved matters stage and suggest conditions be imposed. These would be necessary and will be imposed as suggested.
121. With regards to biodiversity the applicant, through their net gain assessment has outlined that the development proposals would be capable of delivering a demonstrable net gain in biodiversity, meeting the 10% requirement anticipated through the implementation of the provisions in the Environment Act. This would not be achievable through on-site provision and therefore off-site biodiversity enhancements would be required. To support the feasibility of achieving a net gain the applicant has provided a biodiversity metric which would achieve a 11.99% increase. Surrey Wildlife Trust have reviewed the metric and supporting information and suggest that if the LPA be minded to grant planning permission for this proposed development the development should be implemented in accordance with an appropriately detailed Biodiversity Gain Plan. The applicant has highlighted the provision of the off-site biodiversity enhancements through a S106 agreement. Subject to the securing through the S106 agreement the development is considered to achieve a 10% biodiversity net gain.
122. Subject to the conditions discussed above and securing a biodiversity net gain the proposal is considered acceptable in relation to Core Strategy Policy CSP17 and Local Plan Policy DP19.

Flood Risk and Surface Water Drainage

123. The application site lies within flood zone 1 and is therefore at a low risk of flooding. The development is however a major development and consideration will need to be given to ensuring the development does not increase flood risk and to ensuring that surface water run-off is adequately mitigated.

124. One of the twelve land-use planning principles contained in the NPPF and to underpin plan-making and decision-taking relates to taking full account of flood risk. Paragraph 159 of the NPPF advises that; 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere'.
125. NPPF, paragraph 162 seeks to steer new development to areas with the lowest risk of flooding. NPPF, paragraph 167 requires development in areas at risk of flooding to demonstrate that the most vulnerable development is located in areas of lowest flood risk, that development is appropriately flood resistant/resilient, incorporates Sustainable Drainage Systems, and safely manages risk.
126. Policy DP21 of the Tandridge District Local Plan Part 2: Detailed Policies 2014 advises that proposals should seek to secure opportunities to reduce both the cause and impact of flooding. Development proposals within Flood Risk Zones 2 and 3 or on sites of 1 hectare or greater in zone 1 will only be permitted where, inter alia, the sequential test and, where appropriate, exception tests of the NPPF have been applied and passed and that it is demonstrated through a Flood Risk Assessment (FRA) that the proposal would, where practicable, reduce flood risk both to and from the development or at least be risk neutral.
127. The impact of climate change on the global environment is recognised and flooding from surface water runoff is one of the main consequences. The planning system is expected to play a critical role in combating the effects of climate change by pursuing sustainable development and use of Sustainable Urban Drainage Systems.
128. The applicant has sought to address the matter of flood risk by providing a flood risk assessment & drainage strategy prepared by Mayer Brown dated November 2021. The report considered the impact of the development on fluvial, tidal, ground water and flooding via infrastructure failure concluding that flood risk for each to be low with no mitigation required. Flood risk by surface water is indicated to be low-high.
129. With regards to surface water run-off from the proposed development the assessment outlines that this will be discharged to the ground via infiltration using piped drainage and SuDS systems. The SuDS features will ensure flood water over and above greenfield run-off will be safely contained within the site boundary up to and including the 1 in 100 year event plus 40% climate change. They comment that in the event the capacity of the proposed surface water drainage network is exceeded, the excess water will follow the topography of the ground and flow overland towards the northern boundary and into the soft landscaping at an unrestricted rate, leaving properties unaffected. The conclusion of this flood risk assessment is that in the author's opinion the development at the Former Shelton Sports Club in Warlingham can be safely carried out without increasing the risk of flooding to downstream/surrounding properties.
130. The Local Lead Flood Authority initially commented that they did not consider the submitted scheme was sufficient due to insufficient information regarding infiltration within the chalk bedrock. The applicant has addressed this through providing deep boar soakage test results (Ground and Environmental Services Limited dated 31st May 2022). Having reviewed this the Local Lead Flood Authority and have subsequently commented that they are now satisfied the

proposed drainage scheme meets the requirements set out in the relevant guidance documents and are content with the development proposed, subject to ensuring the SUDS scheme is properly implemented and maintained throughout the lifetime of the development through suitably worded conditions

131. On the basis of the advice, and subject to the imposition of conditions, the proposal is considered to meet the requirements of Core Strategy Policy CSP15 and Local Plan Policy DP21.

Archaeology and Heritage

132. The application site lies some 180m west of the Grade II* Vicarage and associated grade II listed barn as well within 500m of wider heritage assets around Warlingham Green. The impact on the heritage assets therefore needs to be considered.
133. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for a development which affects a listed building or its setting, the local planning authority should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
134. Policy DP20 of the Local Plan requires that new development protects, preserves and wherever possible enhance the history interest, cultural value, architectural character, visual appearance and setting of heritage assets and historic environment. Development should be sympathetic to the heritage asset and/or its setting in terms of quality of design and layout (scale, form, bulk, height, character and features and materials. As the site area comprises over 0.4ha, in order to comply with Local Plan Policy DP20 an archaeological desk-top assessment has been submitted by the applicant.
135. Paragraph 195 of the NPPF requires LPAs to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
136. Paragraph 197 of the NPPF states that in determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.
137. Paragraph 199 of the NPPF requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any

potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

138. Paragraph 202 requires that when a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
139. In support of the application of heritage and archaeology grounds the applicant has provided an Archaeological Desk-Based Assessment (DBA) and Heritage Statement produced by PCA dated November 2021. This report is an updated following a previous report produced in January 2018. The content of this will be discussed below.
140. In starting with archaeology, the report outlines that the original DBA concluded that the site possesses moderate potential for prehistoric remains pertaining to the Palaeolithic, Neolithic and Iron Age, low potential for Roman and Saxon remains and high potential for medieval and post-medieval remains along the western flank of the site, where historic woodland and a land boundary extending back to the 12th century exist. Low potential for the post-medieval period characterises the rest of the site. They suggest that the proposed development should not impact significantly upon the medieval and later boundary features in the western side of the site and the ancient woodland of Upper Shepherd's Shaw. They recommend that a programme of archaeological trial trenching should also be undertaken given that the site has been relatively unaltered since it was cleared for arable farming in the medieval period.
141. Surrey County Councils Archaeological Officer has been consulted on the application and comments that they agree with the conclusions of the assessment that in order to clarify the presence or absence of any heritage assets or archaeological significance, further archaeological work is required. They comment that the assessment suggests that remains of national significance worthy preservation in situ are unlikely to be present, it is reasonable and proportionate to secure the evaluation, and any subsequent mitigation measures by condition. In light of this subject to the suggested conditions the development is not considered to result in a significant impact on archaeology.
142. With regards to designated heritage assets, as outlined above the application site lies some 180m west of the Grade II* Vicarage and associated grade II listed barn. The applicant's heritage statement identifies that both are of heritage value due to their historical and architectural interest. The Vicarage (and barn) also derive some significance from their setting within the Glebe, a piece of land serving as part of a clergyman's benefice and income. They note that there is currently no intervisibility between the two closest Listed Buildings and the Site mainly due to the dense tree line along the eastern half of the southern boundary of the site. This tree line will be retained as part of the proposed development. The heritage significance of the Grade II* Vicarage and Grade II barn on Westhall Road is expressed through their historical and architectural interest as well their setting within the Glebe. The applicant's heritage statement considers that this significance will not be affected by the proposed development due to lack of intervisibility between them and because the site lies outside of the Glebe.
143. The application site lies some 180m west of the closest heritage assets. The submitted parameter plan shows a 14m wide amenity space along the south-eastern boundary of the site with annotation to suggest the retention of the existing boundary trees. If this is to be retained through the reserved matters

stage the closest built form would be around 200m from the heritage assets and whilst it may not be fully obscured intervisibility to and from the heritage asset of the application site would be limited. The significance of the heritage asset lies in the buildings themselves and their immediate setting (The Glebe). Whilst the application site would have formed the wider setting of these buildings it is not known to have any clear link with the heritage assets to contribute to its significance. In light of this, and subject to ensuring the boundary trees are retained at reserved matters stage the proposed development is not considered to result in harm to the significance of the heritage asset.

144. The proposal would therefore accord with the requirements in paragraph 202/203 of the NPPF (2023) and Policy DP20 Heritage Assets of the Tandridge Local Plan Part 2 (2014).

Renewable Energy

145. Policy CSP14 of the Core Strategy requires the installation of on-site renewable energy generation which would reduce the carbon dioxide emissions of the dwellings by a minimum of 20%.
146. This application has not been provided with an energy statement however the applicant has sought to address this policy within their planning statement, setting out that whilst it would not be possible to provide specific details at this application stage they acknowledge the requirement to achieve a 20% reduction in CO2 suggesting this could be achieved through solar PV and air source heat pumps. Given the lack of details compliance with Policy CSP14 will be secured by condition.

Contamination

147. Policy DP22 of the Local Plan states that proposals for development on land that is or may be contaminated will be permitted provided that there will be no unacceptable risk to health or the environment and provided adequate remedial measures are proposed which would mitigate the effect of any contamination and render the site suitable for use. Where there is evidence of a high risk from residual contamination the applicant will be required to show as part of the application how decontamination will be undertaken.
148. A phase 1 contamination risk assessment report, produced by Ground and Environmental Services Limited dated May 2021 has been provided with the application. The report outlines that the application site lies above a Principal Aquifer within the bedrock chalk geology and a defined groundwater Source Protection Zone. No potential sources of significant contamination were identified on site during the historical map search and site walkover which was undertaken in May 2021. Whilst the potential for contamination on the site are considered to be low they recommend a watching brief be implemented on this site during enabling works and should any contamination or potentially contaminative sources be discovered during the proposed enabling works all site works would cease and suitably competent consultants/engineers will attend site.
149. The phase 1 assessment report considers the site to have a low potential for contamination however has not ruled out the potential for contamination sources being discovered during the proposed enabling works. Given the site lies above a principal aquifer it would be important to ensure any potential contamination is identified and appropriately addressed. This can be secured by way if condition.

Sports Provision

150. The application site consists of the former Shelton Sports Club's land. This sports use of the land ceased in 2006 when the site was considered (by the then owners) to be surplus to requirements and purchased by the current owners. Whilst the sports use of the land has long since ceased this remains the current lawful use of the land and therefore the impact on sports provision needs to be considered.
151. Policy CSP13 of the Core Strategy considers sports and community facilities and requires that existing community, recreational, sports facilities and services and open space will be safeguarded. The District Council will encourage the dual use of community and sports facilities. It continues that the loss of open space, sport and recreation facilities is dealt with in national planning policies.
152. Paragraph 99 of the NPPF considers sports facilities and open space more general and outlines that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
 - a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
153. Sports England's Playing Field Policy E4 outlines that the playing field or playing fields, which would be lost as a result of the proposed development, would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development'.
154. The District Councils Playing pitch strategy & action plan (June 2018) provides some guidance on current playing pitch provision within Tandridge. The sports pitches within the Shelton Sports Club site are identified within this document but noted as an unused facility. The document also acknowledges the emerging local plan allocation and the likely loss of those pitches. The recommended actions within that document are therefore to ensure the potential loss of the site meets Sport England's Playing Field Policy exceptions and is agreed upon by Sport England.
155. As discussed above the application site does not currently provide active playing pitches and has not done so for a number of years. As they have not been used for a period over 5 years Sports England are not a statutory consultee on the application but have provided advice to the District Council on a non-statutory basis. Whilst not currently used, the sports pitches have been identified within the District Council's playing pitch strategy and therefore remain as having potential to contribute. The actions within the playing pitch strategy suggest that replacement facilities should be provided and therefore, whilst currently unused, the requirement to replace the facilities outlined within the above policies remains to be considered.

156. To address the loss of the former sports pitches on the application site the applicant has provided a Proposed Package of Sports Provision and Contributions Statement dated January 2023. This statement sets out a number of compensatory measures proposed to offset the loss of the sports pitches from the application site. This includes the gift of 1.22ha of land at nil cost to Warlingham Rugby Football Club for use as a new sports pitch, a contribution to Warlingham Rugby Football Club (£500,000) to bring the new junior pitch into use as well as upgrading of their facilities and a contribution to Warlingham Sports Club (£150,000) to provide an Artificial Grass Pitch or Multisport surface. These contributions will be secured by way of S106 agreement with the contributions and the mechanism for delivery prior to commencement. Details of this are outlined within the draft heads of terms for the S106 agreement.
157. The proposal, subject to securing replacement facilities by way of S106 agreement, would provide compensatory facilities to offset those lost. Whilst the area of land provided for the sports pitches (1.22ha) would be less than the area being lost as a result of the redevelopment the proposed financial contribution would facilitate the upgrading and enhancement of local sporting facilities and therefore the provision overall could be said to be of an equal or greater quality than the facilities at present.
158. It is noted that the planning permission has not been granted for any of the alternative facilities at this time which has resulted in the comments of objection by Sports England which suggest a conflict with their policy Sports England's Playing Field Policy E4. The S106 heads of terms however indicate obtaining of planning permission will be sought prior to the commencement of development which can be secured by the S106 agreement.
159. In light of the above whilst the comments provided by Sports England are noted it is considered in this case that adequate replacement facilities will be provided to accord with the requirements of Policy CSP13 of the Core Strategy, Paragraph 99 of the NPPF and 143.

S106 & CIL

160. This is an outline application. The CIL regulations require that CIL liabilities are calculated when reserved matters applications are submitted as until the reserved matters stage, it is not necessarily clear what the exact level of CIL liable floor space will be.
161. In addition to the CIL contributions the applicant is agreeable to the entering into a S106 agreement. At the time of writing the agreement is being drafted however the heads of terms have been provided which include the securing of the following;
- Affordable Housing
 - Open space (On-site)
 - Play Area (On-site LEPA)
 - Sports Provision
 - Biodiversity
 - Travel Plan and monitoring

162. The above will be secured by way of S106 agreement and are considered to be necessary before the granting of planning permission. Members are asked to consider the application subject to securing the above.

Very Special Circumstances

163. As discussed above, it is considered that the proposed development would comprise inappropriate development within the Green Belt which would have a greater impact on openness than the existing situation.

164. Policy DP10 and Paragraph 147 of the NPPF both set out that development should therefore be refused unless there are very special circumstances to clearly outweigh the harms identified. For the purpose of this assessment the harms that have been identified in this application are definitional harm by virtue of inappropriate development within the Green Belt and moderate material harm to openness. Both of these are however required to be attributed substantial weight in line with Paragraph 148 of the NPPF.

165. The applicant within their planning statement has acknowledged the development would be inappropriate within the Green Belt and has sought to set out a number of factors to be considered towards a case of very special circumstances. These are;

- Provision of market housing
- Provision of affordable housing
- Failure of policy
- Draft allocation in the Local Plan 2023
- Investment in Local Sports Facilities and Widening Access to Sport
- Economic benefits
- Biodiversity net gain

166. The above factors will be discussed individually and weight attributed before an assessment of the case of very special circumstances as a whole.

Provision of market housing

167. The applicant's case in relation to a benefit through the provision of market housing is set around the District Council's housing supply position. They highlight the District Council's lack of a five year supply of housing and the housing delivery test result would suggest that the housing supply within the district would be critical and there acute shortfall in meeting local needs. They suggest that in this context of the above the provision of 82 market homes would positively and significantly boost local housing supply to meet market housing need which should attract substantial weight in favour of the scheme.

168. The latest 2022 Annual Monitoring Report for the District says there is 1.57 years supply.

169. The NPPF states that Government objective is to significantly boost the supply of housing. In the recent appeal decision (APP/M3645/W/22/3309334 – Warlingham and APP/M3645/W/23/3319149 - Lingfield), significant weight was afforded to the housing supply benefit by both Inspectors. It is considered that it is logical to apply the same weight to this benefit as was applied in the recent appeal decision i.e. significant weight.

Provision of affordable housing

170. In relation of affordable housing the applicant outlines that the proposal will offer an above-policy-compliant level of affordable housing (45%) as part of the proposals, resulting in the provision of 68 critically needed affordable homes which they suggest is a substantial benefit. They suggest the proposals will provide an important boost to affordable housing supply and should weigh significantly in favour of the proposals.
171. It is considered relevant to note that affordable housing offer with this application equates to 45% of the proposed units which exceeds the requirements of CSP4 by 17 units. At the time of writing a legal agreement has not been completed however the draft heads of terms confirm a commitment to this affordable housing permission with this secured before any permission would be granted. In the context of the overprovision of housing it would be appropriate in this case to afford this significant weight.

Failure of policy

172. The applicants case in relation to failure of policy is to outline that Policy CSP1 sets out that “there will be no change in the Green Belt boundaries, unless it is not possible to find sufficient land within the existing built-up areas and other settlements to deliver current and future housing allocations”. They continue that the Policy then sets out that, should such changes be required, they “will be made through a Site Allocations Development Plan Document and the accompanying Proposals Map”. Policy CSP2 then supports this, providing further direction that the District Council “will identify reserve sites in a Site Allocations DPD” in order to ensure that a supply of land can be maintained. They suggest that in the absence of a revised Site Allocations DPD or alternative there would be no cushion in supply as required by Policy CSP2 and therefore this demonstrates a failure of policy.
173. The consequences of the development plan not meeting the identified housing requirements are addressed elsewhere in the report. In itself, the age and alleged inadequacy of the development plan is not a matter to afford any weight. The status of the development plan is 'district wide' and, as such, is not a unique circumstance that is special to this case. From this basis, noting that the benefit of boosting housing supply is considered elsewhere' this status of the development plan should not be given more than limited weight.

Draft allocation in the Local Plan 2033

174. The applicant suggests that the status of the site as a draft allocation within the emerging Local Plan 2033 is considered to be an important consideration in favour of the application. They suggest that due to the plan being at an advanced stage, and no objection being raised to allocation HSG18 by the inspector the draft allocation weighs significantly in favour of the development.
175. At the time of writing, “Our Local Plan 2033” technically remains under examination. However, no weight can be given to policies in the emerging Local Plan due to the Inspector’s findings that the emerging Local Plan cannot be made sound. Although it is acknowledged that no objection was raised to the site allocation given the current status of the plan no weight can be given to the sites allocation. As discussed above the evidence base for the allocation remains relevant however the actual proposed draft allocation can be given no weight in this case

Investment in Local Sports Facilities and Widening Access to Sport

176. In relation to sports facilities the applicant seeks to demonstrate that the provision of the sports facilities would be a benefit in favour of the development which would be a significant benefit which adds further weight in favour of the proposal. They clarify this by suggesting the body of evidence supports that the previous sports provision was considered to be surplus to requirements becoming disused and therefore its loss without reprovision would be justified, resulting in a net benefit through the provision.
177. As was discussed within the relevant section above whilst the facility was considered to be surplus to requirements of the then owner the District Councils Playing pitch strategy & action plan, despite acknowledging the disused nature of the facility, does not remove it from the supply of land. In light of this it cannot be agreed that the current facility was surplus to requirements and therefore the provision to the proposed sports facilities would be considered compensation for the on-site loss. Notwithstanding, given the closure of the sports club and the unused nature of the site the current facility has not been contributing to sports provision locally. The provision of facilities which will be brought up to current standards and used by the community would therefore represent a benefit however this can only be given moderate weight.

Economic benefits

178. The economic benefits put forward for the scheme would be the jobs and employment creating during the construction process, supporting local building trades and investing in local supply chains as well as the expenditure and demand for services locally due to the additional household brought to the area. This would be a benefit in favour of the scheme but of moderate weight.

Biodiversity net gain

179. The applicant outlines that through adopting the measures and recommendations within the various ecological reports which accompany the application, as well as the specific proposals and landscaping recommendations within the Biodiversity Net Gain Assessment, the development will secure a measurable net gain in biodiversity. Furthermore they outline that by embedding much of this within public open space, the proposals will enhance public access to nature, particularly over and above the presently private nature of the development.
180. The NPPF states that development should provide net gains for biodiversity. In light of this whilst it is acknowledged that the applicant is providing a net gain for the development this is required by policy and would not provide significant enhancements above policy compliant. Therefore whilst this would be a benefit it can only be given moderate weight.

Overall Assessment of Very Special Circumstances and the Planning Balance

181. Taking into account the above, the application provides two significant benefits which combined with the other moderate benefits would as a whole clearly outweigh the harm to the Green Belt by reason of inappropriateness and harm to openness. Accordingly, the very special circumstances necessary to justify the development have been demonstrated and are considered sufficient to override

the presumption against inappropriate development in the Green Belt in Policy DP10 and DP13 of the Tandridge Local Plan, and Paragraph 148 of the NPPF

Conclusion

182. The proposal represents inappropriate development in the Green Belt, would cause harm to openness. Substantial weight is required to be afforded to each of these elements of harm. However, the identified harm is considered to be outweighed by the package of benefits brought by the proposal, most notably but not limited to those arising from the provision of up to 150 dwellings with 45% provision of affordable housing.
183. Overall, it is considered that other material considerations of sufficient weight exist to outweigh the harm caused to the Green Belt and all other harm. The Very Special Circumstances needed to allow inappropriate development in the Green Belt therefore exist and it is considered that planning permission for the development can reasonably be granted subject to the conditions and planning obligations that are set out below.
184. The recommendation is made in light of the National Planning Policy NPPF (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 District Council's Core Strategy 2008 and the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with the NPPF 2023. Due regard as a material consideration has been given to the Interim Policy for Housing Delivery 2033, the NPPF and PPG in reaching this recommendation.
185. All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.

RECOMMENDATION: Authorise the Chief Planning Officer to Approve the planning application subject to the conditions set out at the end of this report and:

- 1. The application being referred to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2021; and the application then not being called-in by the Secretary of State for determination; and**
- 2. The completion of a Section 106 agreement to secure the matters set out at the beginning of this report.**

Conditions:

1. The development hereby permitted shall start before the expiration of 3 years from the date of this permission or 2 years from the date of approval of "the last of the reserved matters" to be approved, whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

2. Before any development hereby permitted starts, approval of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall

be obtained from the District Council. Detailed plans and particulars of the “reserved matters” shall be submitted in writing not later than 3 years from the date of this permission and shall be carried out as approved.

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51(2) of the Planning and Compulsory Purchase Act 2004.

3. This decision refers to the drawings outlined in the table below:

Drawing Title	Drawing Number	Dated
Site Boundary	002 Rev A	26/01/2022
Parameter Plan	002 Rev C	27/07/2021
Indicative Layout	001 Rev B	20/10/2021
Arboricultural Impact Assessment	20-1076-AIA-A	13/09/2022

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.

4. When the approval of the reserved matter of appearance is sought, the application shall be accompanied with details demonstrating how the development will satisfy a 20% reduction of carbon emissions through the use of renewable energy resources at the site, details of all installations required to achieve that reduction and a timetable for the implementation of all renewable energy installations. Subsequently, all installations that are specified within those details shall be implemented in accordance with approved timetable and retained thereafter.

Reason: To ensure on-site renewable energy provision to enable the development to actively contribute the reduction of carbon dioxide emissions in accordance with Policy CSP14 of the Tandridge District Core Strategy 2008 and to ensure that the associated installations are visually acceptable and incorporated into the appearance of the development in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge District Local Plan Part 2: Detailed Policies 2014 .

5. When the approval of the reserved matter of landscaping is sought, the application shall be accompanied with details setting out:

- Proposed finished levels or contours
- Means of enclosure
- Car parking layouts
- Other vehicle and pedestrian access and circulation areas
- Hard surfacing materials
- Minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc.).
- Tree and hedgerow planting as compensation for those elements being removed.
- Any earthworks/grassed areas
- The species, number and spacing of trees and shrubs

- A timetable for undertaking all of the proposed works of hard and soft landscaping.

Details of soft landscape works shall include all proposed and retained trees, hedges and shrubs; ground preparation, planting specifications and ongoing maintenance, together with details of areas to be grass seeded or turfed. Planting schedules shall include details of species, plant sizes and proposed numbers/densities.

All new hard and soft landscaping shall be undertaken in accordance with the approved timetable that forms part of the details required to be submitted and approved.

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

Reason: To ensure that the landscape and visual impact of the development is acceptable in accordance with Policies CSP16, CSP18 and CSP21 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 Detailed Policies 2014 and the NPPF.

6. The development 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 District Council. 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 and 10% allowance for urban creep, during all stages of the development. Associated storage volumes shall be provided using a maximum combined total discharge rate of 13 litres/sec via deep board soakaways.
 - b) Detailed drainage design drawings and calculations to include; a finalised drainage layout detailing the location of drainage element, pipe diameters, levels, and log and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.) Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.
 - 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 from increased flood risk.
 - 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.

- 7. 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 District Council. This must demonstrate that the surface water 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), and confirm any defects have been rectified.

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

- 8. Prior to the commencement of development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the District Council. The CEMP should include, but not be limited to:
 - a) Map showing the location of all the ecological features
 - b) Risk assessment of the potentially damaging construction activities
 - c) Practical measures to avoid and reduce impacts during construction
 - d) Location and timing of works to avoid harm to biodiversity features
 - e) Responsible persons and lines of communication
 - f) Use of protective fences, exclusion barriers and warning signs.

Subsequently, the development shall only be undertaken in accordance with the approved CEMP, all measures set out within the approved CEMP shall be implemented prior to the first occupation of the dwellings (unless a phased implementation timetable has been agreed as part of the CEMP in which case the CEMP shall be fully implemented in full accordance with that phased implementation timetable) and retained at all times thereafter.

Reason: To ensure that the ecological interests of the site and any protected species are adequately safeguarded 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.

- 9. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work, to be conducted in accordance with a scheme of investigation which has been submitted to and approved, in writing, by the District Council.

Reason: To safeguard the archaeological interests of the site in accordance with Policy DP20 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014

- 10. When the approval of the reserved matter of layout or landscaping is sought (whichever is the earlier if submitted separately), the application shall be accompanied with an Arboricultural Impact Assessment together with a Tree Protection Details. 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 District Council .

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.

11. When the approval of the reserved matter of layout is sought, the application shall be accompanied with a scheme detailing the play area, specifically play equipment, boundary treatment and ground surface area treatment of the outdoor play spaces and a timetable for the implementation of these areas. Subsequently, all installations that are specified within those details shall be implemented in accordance with approved timetable and retained thereafter.

Reason: To ensure that the recreational provision of the development is acceptable in accordance with Policies CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 Detailed Policies 2014 and the NPPF.

12. Prior to the commencement of development (excluding demolition) a watching brief to identify, assess and remediate unforeseen contamination shall be submitted to and approved in writing by the District Council . In the event that additional contamination is discovered during development procedures set out within the watching brief shall be followed and any necessary modifications made to the remediation scheme shall be submitted to and approved in writing by the District Council . Before any part of the development hereby permitted is occupied written confirmation should be provided that all works were completed in accordance with the revised remediation scheme.

Reason: To ensure satisfactory amelioration of contaminated land, in accordance with Policy DP22 of the Tandridge Local Plan: Part 2 Detailed Policies 2014.

13. When the approval of the reserved matter of layout or landscaping is sought (whichever is the earlier if submitted separately), the application shall be accompanied with the following updated survey;
 - Bat preserve Survey
 - Reptile Survey
 - Dormouse Survey

Thereafter, all works shall be carried out in accordance with any recommendation or mitigation specified within those reports and shall not be varied without the written consent of the District Council .

Reason: To prevent damage to trees in the interest of the visual amenities of the area 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.

14. No external lighting shall be installed at the site unless details of any external lighting; including details of the lighting units and light spread, shall be submitted to and approved by the District Council in writing prior to any such provision on the site. The details shall be accompanied by a Sensitive Lighting Management Plan which sets out the measures to be taken to minimise the impact of any lighting on the area.

Reason: To ensure that the provision of any lighting on site minimises the impact on the Green Belt and biodiversity in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008 and Policies DP13 and DP19 of the Tandridge Local Plan; Part 2 – Detailed Policies 2014.

15. The development hereby approved shall not be first occupied unless and until the proposed access junction with Hilbury Road has been provided in accordance with a scheme to be submitted to and approved in writing by the District Council .

Reason: In recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy NPPF 2023 and to accord with the Surrey Local Transport Plan 4 and Healthy Streets for Surrey Guidance.

16. The development hereby approved shall not be first occupied unless and until bus shelters have been provided for the two bus stops on Westhall Road, as indicated on drawing reference 2006038-07, in accordance with a scheme to be submitted to and approved in writing by the District Council .

Reason: In recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy NPPF 2023 and to accord with the Surrey Local Transport Plan 4 and Healthy Streets for Surrey Guidance.

14. The development hereby approved shall not be first occupied unless and until a scheme of traffic calming measures has been delivered along Hilbury Road, in accordance with a scheme to be submitted to and approved in writing by the District Council .

Reason: In recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy NPPF 2023 and to accord with the Surrey Local Transport Plan 4 and Healthy Streets for Surrey Guidance.

15. The development hereby approved shall not be first occupied unless and until the proposed emergency access route has been provided via Shelton Close, in accordance with the approved plans (drawing reference 2006038-TK03 A), including the provision of parking restrictions.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users to accord with the requirements of Core Strategy Policy CSP12, Local Plan Policy DP5 and National Planning Policy NPPF 2023.

16. The development hereby approved shall not be first occupied unless and until a scheme of traffic calming measures has been delivered along Hilbury Road, in accordance with a scheme to be submitted to and approved in writing by the District Council .

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users to accord with the requirements of Core Strategy Policy CSP12, Local Plan Policy DP5 and National Planning Policy NPPF 2023.

17. The development hereby approved shall not be first occupied unless and footpath 110 has been upgraded to a Bridleway with a suitable surface material

for cycling, in accordance with a scheme to be submitted to and approved in writing by the District Council .

Reason: In recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy NPPF 2023 and to accord with the Surrey Local Transport Plan 4 and Healthy Streets for Surrey Guidance.

18. No development shall commence until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding behind any visibility zones
 - (f) HGV deliveries and hours of operation
 - (g) vehicle routing
 - (h) measures to prevent the deposit of materials on the highway
 - (j) on-site turning for construction vehicles

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

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users to accord with the requirements of Core Strategy Policy CSP12, Local Plan Policy DP5 and National Planning Policy NPPF 2023.

19. Prior to the occupation of the development a Travel Plan shall be submitted for the written approval of the District Council in accordance with the sustainable development aims and objectives of the National Planning Policy NPPF, Surrey County Council’s “Travel Plans Good Practice Guide”, and in general accordance with the 'Heads of Travel Plan' document. And then the approved Travel Plan shall be implemented ahead of first occupation of the development and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the District Council .

Reason: In recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy NPPF 2023 and to accord with the Surrey Local Transport Plan 4 and Healthy Streets for Surrey Guidance.

20. The development hereby approved shall not be first occupied unless and until facilities for the secure, covered parking of bicycles and the provision of a charging point with timer for e-bikes by said facilities have been provided within the development site in accordance with a scheme to be submitted to and approved in writing by the District Council and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the District Council .

Reason: In recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy NPPF 2023 and to accord with the Surrey Local Transport Plan 4 and Healthy Streets for Surrey Guidance.

21. The internal site layout shall be designed in general accordance with the Healthy Streets for Surrey Guidance and include a cycle link between Hillbury Road and Shelton Close, in accordance with a scheme to be submitted to and approved in writing by the District Council .

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users to accord with the requirements of Core Strategy Policy CSP12, Local Plan Policy DP5 and National Planning Policy NPPF 2023.

22. The development hereby approved shall not be first occupied unless and until each of the proposed dwellings are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the District Council and thereafter retained and maintained to the satisfaction of the District Council

Reason: In recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy NPPF 2023 and to accord with the Surrey Local Transport Plan 4 and Healthy Streets for Surrey Guidance.

Informatives:

1. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge.

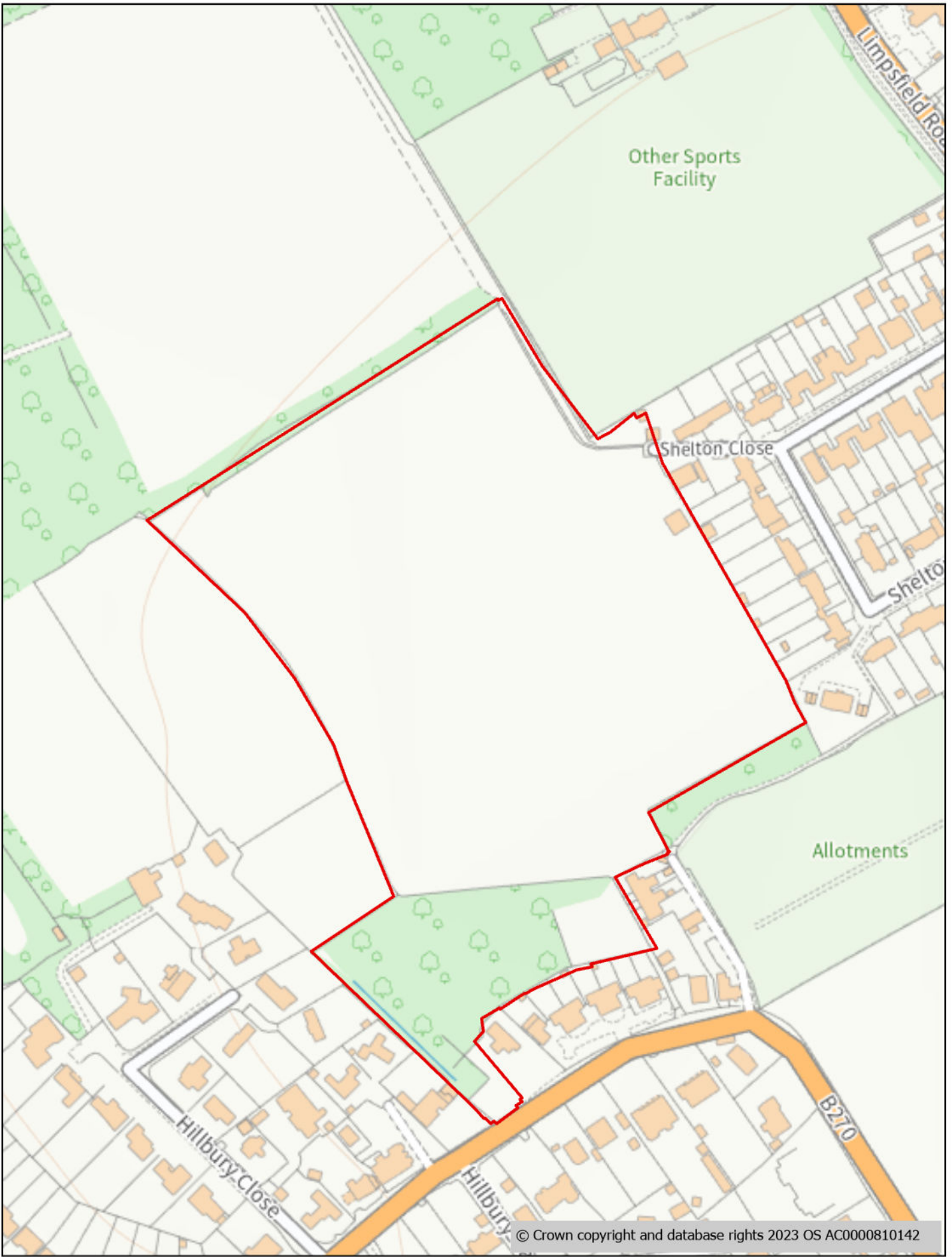
www.surreycc.gov.uk/roads-and-transport/permits-and-licences

It is the responsibility of the developer to provide e-bike charging points with socket timers to prevent them constantly drawing a current over night or for longer than required. Signage should be considered regarding damaged or shock impacted batteries, indicating that these should not be used/charged. The design of communal bike areas should consider fire spread and there should be detection in areas where charging takes place. With regard to an e-bike socket in a domestic dwelling, the residence should have detection, and an official e-bike charger should be used.

Guidance on detection can be found in BS 5839-6 for fire detection and fire alarm systems in both new and existing domestic premises and BS 5839-1 the code of practice for designing, installing, commissioning, and maintaining fire detection and alarm systems in non-domestic buildings.

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2023.

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