

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 slight 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 RTPi 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. 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.