

ITEM 5.1

Application: 2020/2041

Location: De Stafford School, Burntwood Lane, Caterham, CR3 5YX

Proposal: Demolition of existing bungalow and erection of 7 dwellings (located land South-West of de Stafford School) to facilitate a new external Artificial Grass Pitch, associated car parking fencing and lighting for the school and local community.

Ward: Caterham on the Hill

Decision Level: Planning Committee

Constraints - GB, Legal Land Terrier (15/543), TPO site (9/2016/TAN), AWOOD within 500m, Class 'D' Road (Burntwood Lane), Biggin Hill Safeguarding (91.4m), 1 in 30, 1 in 100 and 1 in 1000-year surface water flood risk area, Source Protection Zones 2 & 3, Gas pipeline within 175m

RECOMMENDATION:

REFUSE

This application is reported to Committee as it has been referred to the Committee by Cllr Botten.

Summary

1. The proposal is for the demolition of the existing caretaker's bungalow and the erection of 7 dwellings (located land South-West of de Stafford School) to generate necessary funds to facilitate a new external Artificial Grass Pitch, associated car parking, fencing and lighting for the school and local community. The erection of the 7 dwellings on Green Belt land would be considered inappropriate development in the Green Belt. Insufficient 'very special circumstances' have been demonstrated to outweigh the resulting harm to Green Belt openness. The proposed flood lighting columns are considered excessive in size and unduly detrimental to the landscape character of the area and the application is therefore recommended for refusal in this instance.

Site Description

2. The site consists of two sections; the site for the 7 dwellings is located within the grounds of the existing caretaker's bungalow and the area for the new external Artificial Grass Pitch, car parking, fencing and lighting is located on land to the west and north east of the main De Stafford School building. The whole site which is within the Metropolitan Green Belt with rural character to the north and east and urban characteristics to the south and west of the school site.

Relevant History

3. PA/2017/1103 – Erection of 20 dwellings – No advice appears to have been given on this submission

Key Issues

4. The property lies outside of the built-up area and the Category 1 Settlement of Caterham. The site is within the Metropolitan Green Belt. The key issue is whether the proposed development would constitute inappropriate

development in the Green Belt and, if so, whether 'very special circumstances' would exist in this case to outweigh the resulting harm to Green Belt openness.

5. Other issues are therefore also whether the proposal would be appropriate with regard to the impact on the character of the area, impact on the adjoining properties, highways, trees, ecology and renewable energy provision.

Proposal

6. It is proposed to demolish the existing caretaker's bungalow and erect 7 dwellings (2-storey 3-bed homes) comprising of 3 x pairs of semi-detached dwellings and 1 x detached dwelling to the west of the main school building. The dwellings will have hipped roofs with front gable features with rear gardens, integral garaging (for 1 vehicle per dwelling) with additional parking and turning space to the frontage of the dwellings.
7. The sale of the site of the proposed dwellings (which has already been arranged with Simco Homes subject to planning permission being granted) would enable sufficient funds to facilitate the formation of an artificial grass pitch (AGP) to the north east of the main school building. The AGP would measure 70 metres wide and 106 metres long and would occupy land to the north of existing car park which is currently open grass land. The AGP would include perimeter fencing which would be 4.5 metres high and floodlight columns which will measure approximately 13 metres in height. The rugby field to the north of the proposed artificial grass pitch would be levelled and slightly enlarged as a result of this development.
8. The funds generated from the sale of the site to be development for residential use would also facilitate the formation of an additional 60 parking spaces to the south of the AGP with 8 metre high lighting columns. It would also enable the formation of a triple jump/long jump pit close to the AGP and the refurbishment of the tennis courts. The proposed works will incorporate security fencing (approximately 2 metres high) between the car park and the AGP and a pedestrian pathway with 4 metre high lighting columns.

Development Plan Policy

9. Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP3, CSP4, CSP7, CSP11, CSP12, CSP13, CSP14, CSP15, CSP17, CSP18, CSP19 and CSP21
10. Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP9, DP10, DP13, DP18, DP19, DP21 and DP22
11. Woldingham Neighbourhood Plan 2016 – Not applicable
12. Limpsfield Neighbourhood Plan 2019 – Not applicable
13. Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 – Policies CCW1, CCW2, CCW3, CCW4, CCW5, CCW6, CCW9, CCW14, CCW18
14. Emerging Tandridge District Local Plan (2033) – Policies TLP01, TLP02, TLP03, TLP04, TLP05, TLP06, TLP10, TLP11, TLP12, TLP17, TLP18, TLP19, TLP23, TLP28, TLP30, TLP32, TLP35, TLP37, TLP38, TLP39, TLP44, TLP45, TLP46, TLP47, TLP48, TLP49

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

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

National Advice

18. National Planning Policy Framework (NPPF) (2021)
19. Planning Practice Guidance (PPG)
20. National Design Guide (2019)

Statutory Consultation Responses

21. County Highway Authority – The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the proposed development would not have a material impact on the safety and operation of the adjoining public highway, subject to conditions relating to access/egress into the new dwellings site (including a highway agreement under Section 278), visibility splays, vehicular spaces, Electric Vehicle Charging Points (EVCPs) and the implementation of a Construction Traffic Management Plan (CTMP).
22. Caterham on the Hill Parish Council – Objection: Inappropriate development harmful to Green Belt openness (both the dwellings and the AGP); failing to prevent countryside encroachment; impact upon highway safety of new access to dwellings being close to road junction and traffic congestion from the existing school access; harm to/loss of trees; insufficient community benefit to outweigh harm; increased surface water flooding and contamination of the aquifer; light pollution; contrary to Policy CCW18 of the CCW 2021 (outdoor sports facilities on Green Belt land)
23. Whyteleafe Village Council – Objection: Would result in inappropriate development in the Green Belt; insufficient justification to allow 7 dwellings to be built in the Green Belt; impact upon surface water flood risk
24. Environment Agency – No objection but request a number of conditions to be secured for the development to be considered acceptable

Non-statutory Consultation responses

25. Sport England – Originally raised concerns however the applicant has sought to clarify matters and Sport England have now withdrawn their objection
26. Surrey Wildlife Trust – No comments received
27. Lead Local Flood Authority – No objection but request a number of conditions to be secured for the development to be considered acceptable

TDC Advice

28. Environmental Health Officer – No objection subject to conditions relating to hours of operation for noisy works during the construction phase, the lighting specification adhered to so that the lighting complies with the Institute of Lighting Professionals guidance notes for the reduction of obtrusive light and restrictions regarding a lighting curfew.

Other Representations

29. Third Party Comments: The main issues raised are as follows:
- Inappropriate development in the Green Belt – insufficient ‘very special circumstances’ exist [OFFICER COMMENT: This is considered in Paragraphs 40-43 and 74-76]
 - Visually prominent development [OFFICER COMMENT: This is considered in Paragraphs 44-51]
 - Overbearing and dominant form [OFFICER COMMENT: This is considered in Paragraphs 44-51]
 - Negative impact upon the street scene [OFFICER COMMENT: This is considered in Paragraphs 44-51]
 - Dwellings out of keeping with the adjacent properties in Burntwood Lane [OFFICER COMMENT: This is considered in Paragraphs 44-51]
 - Loss of land associated with the school premises – would result in an under provision of educational land in the future [OFFICER COMMENT: This is considered in Paragraphs 75 and 76]
 - Loss of natural undeveloped land between the school and residential properties [OFFICER COMMENT: This is considered in Paragraphs 40-43]
 - Proposed dwellings overlook the school grounds [OFFICER COMMENT: This is considered in Paragraphs 52-58]
 - AGP too large resulting in significant impact upon Green Belt openness [OFFICER COMMENT: This is considered in Paragraphs 40-51]
 - AGP over dominant and significantly detrimental to the character of the area [OFFICER COMMENT: This is considered in Paragraphs 44-51]
 - Increased light disturbance from external flood lighting [OFFICER COMMENT: This is considered in Paragraphs 52-58]
 - Increased noise and disturbance from increased use [OFFICER COMMENT: This is considered in Paragraphs 52-58]
 - Overlooking/loss of privacy to neighbours from AGP [OFFICER COMMENT: This is considered in Paragraphs 52-58]
 - Increased traffic and road congestion [OFFICER COMMENT: This is considered in Paragraphs 61-64]
 - Pedestrian and highway safety compromised given the location of the accesses [OFFICER COMMENT: This is considered in Paragraphs 61-64]
 - Inadequate access to car park and AGP area given the single-track nature [OFFICER COMMENT: This is considered in Paragraph 61-64]
 - Concern over access for emergency vehicles [OFFICER COMMENT: This is considered in Paragraph 61-64]
 - Loss of trees and significant harm would result to those to be retained [OFFICER COMMENT: This is considered in Paragraphs 65-67]
 - Loss of natural screening between residential use and the school grounds [OFFICER COMMENT: This is considered in Paragraphs 65-67]
 - Increased flood risk given the geological conditions and impermeable nature [OFFICER COMMENT: This is considered in Paragraphs 69 and 70]

- Potential contamination of the aquifer [OFFICER COMMENT: This is considered in Paragraphs 69 and 70]
- Land to be sold off could be used as an outdoor classroom area [OFFICER COMMENT: This is considered in Paragraphs 75 and 76]
- No identified need for the facilities given the presence of others in the local area (in particular, Caterham School and Warlingham School) [OFFICER COMMENT: This is considered in Paragraphs 36-39]
- Encouraging anti-social behaviour by opening up the premises into the evening [OFFICER COMMENT: This is considered in Paragraph 57]
- Increased litter from those using the school premises [OFFICER COMMENT: This is considered in Paragraph 57]
- 3G pitches are not environmentally friendly or biodegradable [OFFICER COMMENT: Not a material planning consideration]
- Concern over precedent/the loss of more school land if this scheme was allowed to proceed – OFFICER COMMENT: Not a material planning consideration
- Loss of property value – OFFICER COMMENT: Not a material planning consideration
- Proposal goes against land covenants – OFFICER COMMENT: Not a material planning consideration

30. A number of letters of support have been submitted with the following comments made:

- Provides much needed housing
- Well-designed housing – not overdeveloped
- Dwellings will facilitate funds to enhance the facilities within the school grounds which is supported
- Will benefit the school and the local community, including existing sports teams and organisations that could utilise the facilities
- Health and wellbeing benefits
- Would allow use of facilities all year round
- Would enhance the PE curriculum
- Shortfall of 2 x AGPs identified by TDC's Playing Pitch Strategy
- No such facilities in the local area
- Additional parking will reduce traffic congestion at pick-up and drop-off times
- Booking of AGP by third parties would increase school revenue
- On-site facilities would reduce the need to travel to other AGP locations – reducing carbon footprint

Assessment

Principle and location of development

31. Tandridge District Core Strategy 2008 Policy CSP1 identifies Caterham as a built-up area and a Category 1 Settlement where development should take place in order to promote sustainable patterns of travel and in order to make the best use of previously developed land and where there is a choice of mode of transport available and where the distance to travel to services is minimised. However, the site itself does not fall within the Settlement Area and forms part of the Metropolitan Green Belt and, as such, the proposal must conform to the provisions of the local and national Green Belt policy to be considered acceptable in principle.

32. Policy CSP4 of the Tandridge District Core Strategy 2004 would require affordable housing to be provided on a site which is in excess of 1 hectare. The application site area is in the region of 3 hectares, which would ordinarily attract an affordable housing contribution. However, the area that is allocated for residential dwellings has a site area of 0.378 hectares and, had it been presented on its own, then it would not require an affordable housing contribution. In this case, as the residential element of the scheme does not meet the threshold contained within Core Strategy Policy CSP4, no affordable housing contribution is necessary in this case.

Housing and Economic Land Availability Assessment (HELAA) and the emerging Local Plan 2033

33. The proposed site plan shows the proposed residential development to be located in the south-western part of the site. This area was also submitted to the Council as part of its Housing and Economic Land Availability Assessment (HELAA), referenced as CAT 078. Through the HELAA process, CAT 078 was assessed as being deliverable and developable (see HELAA 2017-2018 Appendix 3). As part of the emerging Local Plan process, some sites that were considered for allocation in the Local Plan also went through ecology and landscape assessments. CAT 078 was one of these sites assessed. The site-based ecology assessment (2017) summarised CAT 078 as being ecologically sensitive with point of access issues only. The assessment makes comments on the potential yield of the site, as follows: "If the ecologically suitable area of 0.24ha is considered, at a typical density of 30dph for family housing, a yield of 7 units is possible. However, given the adjoining college land uses, an apartment style of development may be appropriate giving higher yields. Some tree losses could be feasible to optimise layout and yields, providing a tree canopy corridor is maintained".
34. In addition to this, CAT 078 was assessed in its landscape through Landscape Capacity and Sensitivity Study (2017). The study states the following in the assessment of CAT 078: "*With moderate sensitivity and value, site CAT078 is judged to have a medium landscape capacity for housing development. The site would potentially be suitable in landscape terms for limited development proposals but would need to take into account the adjacent settlement pattern and existing recreational uses. Other evidence relevant to the site's suitability for development should also be considered*". CAT 078 was assessed as part of the Green Belt Assessment Part 3: Exceptional Circumstances (2018). The site is measured on whether development would outweigh harm to the Green Belt and justify Green Belt release and it was concluded that the site was open Green Belt land and its retention would prevent sprawl and encroachment into the existing Green Belt boundary currently provided by Burntwood Lane and Whyteleafe Road. The site currently acts as an effective and robust defensible buffer in the long term which would protect the existing urban settlement from encroaching upon Green Belt land. It was considered, as a matter of planning judgement, that this site did not justify the exceptional circumstances necessary to recommend amendment of the Green Belt boundary.
35. With regards to the current position of the emerging Local Plan, Paragraph 48 of the NPPF 2021 sets out the weight that decision-takers may give to relevant policies in emerging plans according to their stage of preparation. To date, we have received the Inspector's preliminary conclusions and advice where they raise questions as to the soundness of the Plan. Work has been progressing on the emerging Local Plan however, at this stage, it is the Council's view the

that limited weight can be afforded to the emerging Local Plan due to the stage that the Local Plan Examination process is at.

Community, Sport and Recreation Facilities and Services

36. Core Strategy 'Policy CSP13 – Community, Sport and Recreation Facilities and Services' sets out what may be required with respect to open space, play areas or other accessible green space. The Council has drawn up an extensive evidence base which has fed into the emerging policies but which also serves as a material consideration in relation to current policies. Our Local Plan contains the following policies: TLP38: Play and Open Space Policy. This sets out that all applications for development should accord with the Council's most up-to-date Open Space Assessment and Corporate Open Space Strategy. TLP39: Providing Playing Pitches and Built Leisure Facilities. This sets out that playing pitches will be protected for their current use unless they are appropriately replaced in a suitable location or where demonstrated they are surplus to requirement. It further states that all applications for development must be in accordance with the Council's most up to date 'Playing Pitch Strategy'. With respect to new facilities it states that proposals will be supported where they contribute positively to the well-being and social cohesion of local communities, particularly in locations of identified deficiencies and areas of known deprivation, and that regard will be had to the District's evidence base for requirements in relation to playing pitch and indoor sports provision. Specifically, TLP39 supports the proposal of a new 3G pitch, particularly one that is World Rugby compliant. Finally, it states that within the Green Belt, outdoor sports facilities will be supported where development does not have a harmful impact on the openness of the Green Belt and does not conflict with the purposes of including land within it.
37. An audit of existing facilities and an analysis of deficiencies and surpluses has taken place under the 'Tandridge Open Space, Sport and Recreation Facilities Assessment: Open Space Study 2017 and Tandridge Playing Pitch Strategy and Action Plan'. Part of this evidence identifies shortfalls in relation to parks and recreation grounds and play space (youth) within Caterham on the Hill Parish. It also identifies a shortfall of 3G artificial grass pitches (AGP). The Playing Pitch Strategy recommends that De Stafford School "Retain [open space] for curricular and extra-curricular use and explore community use options in order to reduce future shortfalls". It is noted in the various reports above, that many schools and colleges have open space and facilities but that public access to these spaces is often restricted. Across the district it is recognised that if schools that do not currently offer community use were to do so, securing long-term access to such sites would alleviate current and future shortfalls. As such, if long-term access of this site could be secured, it would help contribute to the supply of parks and recreation grounds, play space (youth) and 3G AGPs, to the benefit of the local community in a parish with an identified deficit.
38. The submitted Design and Access Statement with Planning Statement confirms that "*a community use agreement with key partners will be established and managed on a formal basis*" (page 27). The Strategy Team supports this proposal to secure the use of the proposed facilities to also be accessed and utilised for community use. Please note that the Council is also developing its Open Space Strategy 2021-2025. Action plans by parish are set out in this document to identify specific actions to improve open spaces in a particular parish. De Stafford School features as one of the open spaces in Caterham on the Hill that would benefit from improvement to the existing use of the site.

Although the proposed application is not listed as a priority action for this site, the open space and playing pitches would benefit from such a proposal. Many third party comments have referred to the need for such facilities to serve the wider community (mainly local sports teams) and the school have submitted further documentation to justify the need for the facilities and the benefit that the proposed works would have. This resulting benefit, however, would need to be weighed up in the planning balance and the weight attached to the emerging Local Plan and its evidence base would also need to be accounted for within the balancing exercise.

39. The Playing Pitch Strategy is a technical evidence document that forms part of the evidence-base that informs the Local Plan and the adopted Open Space Strategy. However, as the emerging plan is afforded limited weight at this stage (as discussed in Paragraph 35), the evidence base (which includes the Playing Pitch Strategy) can only be afforded limited weight too in the planning balance.

Impact upon the Green Belt

40. Paragraph 147 of the NPPF 2021 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149(b) of the NPPF 2021 states that exceptions to this includes the *'provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.'* In addition, paragraph 149(d) of the NPPF 2021 states *'the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces'* is also one of the exceptions to inappropriate development in the Green Belt. Local Plan Policies DP10 and DP13 also seek to preserve Green Belt openness and the exceptions detailed above are reiterated within Local Plan Policy DP13.
41. With regards to the proposed AGP, the proposal would provide a 3G pitch for which a need has been identified within the emerging Local Plan within the district and would also provide facilities for outdoor sport and recreation which is supported by Green Belt Policy. However, in order to fully conform with the aims and objectives of the Green Belt policy, the facilities would need to ensure that Green Belt openness is preserved and there are no other detrimental impacts resulting from the development.
42. The proposal includes 4.5 metre high fencing to enclose the AGP itself as well as 2 metre high fencing to the car park area. The proposal seeks to include 13 metre high floodlights, 8 metre high lighting to the car park, 4 metre high lighting to the footpath as well as an increased hardstanding area for additional car parking. Such aspects would result in additional built form within the site which would fail to preserve Green Belt openness. Although the additional paraphernalia are considered essential to the AGP provision, the resulting impact upon the Green Belt would weigh heavily in the planning balance. It is considered that the resulting development of the AGP, fencing, lighting and extended parking area would constitute inappropriate development in the Green Belt, contrary to Policies DP10 and DP13 of the Tandridge District Local Plan: Part 2 – Detailed Policies 2014 and the NPPF 2021. As such, very special circumstances (VSCs) would need to be demonstrated to outweigh any resulting harm and these will be considered later in this report.

43. Turning attention to the proposed dwellings, the proposed built form would be on land which is currently occupied by the caretaker's bungalow. The existing bungalow measuring approximately 125 sqm and the total footprint of the proposed dwellings exceeds 1400 sqm. The built form to replace the existing bungalow is significantly materially larger than the existing built form and this is not contested by the applicant. In addition, although the proposed artificial grass pitch would be used for purposes associated with outdoor sport and recreation, the AGP would have a 4.5 metre enclosure around the perimeter of and would incorporate 13 metre high flood light columns. The nature and scale of the AGP, in addition to the hard landscaping associated with the car park extension, the footpath and its proposed lighting columns (which are 8 metres and 4 metres high respectively) would not preserve the openness of the Green Belt and no part of this scheme would fall within any of the exceptions to Green Belt policy within the Local Plan or those within the NPPF 2021. As such, the proposed dwellings would also constitute inappropriate development in the Green Belt and, as such, VSCs would need to be demonstrated to outweigh the resulting harm which, again, will be considered later in this report.

Impact upon the character and appearance of the area

44. Paragraph 126 of the National Planning Policy Framework (NPPF) 2021 states that sustainable development is a key aspect of the development process, seeking to create high quality buildings and places and creating better places in which to live and work and helps make development acceptable to communities. Even though Core Policy CSP18 predates the national policy, it is based on the same principles of sustainable development requiring that new development, within town centres, built up areas, the villages and the countryside be of a high standard of design that reflects and respects 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.
45. This is further expanded by Detailed Policy DP7 which expects development to be of a high-quality design, integrating effectively with its surroundings, reinforcing local distinctiveness and landscape character and does not result in overdevelopment or unacceptable intensification by reason of scale, form, bulk, height, spacing density and design. Policies CCW4 and CCW5 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 seek to further reinforce these design objectives.
46. With regards to the proposed tennis court remediation works, car park extension and associated fencing and lighting to the car park and footpath, these would be over 100 metres from Burntwood Lane, over 300 metres from Whyteleafe Road to the west and approximately 35 metres west of the boundary with Robin Hill, Portley Wood Road (directly east). The scale and nature of the tennis court and car park fencing and lighting elements would be seen against the backdrop of the main school buildings and the existing car park to the south of the proposed car park extension. Given the scale and nature of these elements combined with the separation distances, these elements would not be easily visible from the public domain. It is not considered that the 4 and 8 metre high lighting columns or the 2 metre high perimeter fencing would have a significant impact upon the character or appearance of the area to sufficient warrant a reason for refusal alone.

47. Turning attention to the AGP and associated fencing and lighting, the AGP itself would be set back beyond the proposed car park extension by approximately 50 metres into the largely undeveloped part of the existing school site which is currently an open playing field and somewhat detached from the main school buildings and parking area. The AGP itself would be approximately 190 metres from Burntwood Lane to the south, approximately 240 metres from Whyteleafe Road to the west and approximately 15 metres from the boundary with no.9 Portley Wood Road (directly to the east). The AGP would provide outdoor facilities typically associated with the main school and it is not considered that the AGP itself, nor its 4.5 metre high perimeter fencing, would have a significant impact upon the character or appearance of the area as its height above ground level would not be easily visible from the public domain. However, the proposed flood lighting columns to the AGP would be approximately 13 metres high, given this height, would be highly visible from the majority of the surrounding public roads however would be most prominent from Portley Wood Road to the east of the school site. The submission seeks to justify the columns within the Planning Statement which states that these are the optimum height to provide sufficient lighting to enable the pitch to be lit for use. However, having regard to the rural Green Belt location, the highly prominent columns would have a detrimental impact upon the character and appearance of the area and would fail to preserve the landscape character. No Landscape Visual Impact Assessment (LVIA) has been carried out or submitted with this proposal and therefore no evidence has been provided to the contrary of this conclusion. The land to the east is on a lower land level than the application site, particularly further towards the north east within Manor Park. It is therefore considered that the proposal would fail to preserve the landscape character of the surrounding area contrary to the provisions of Policy CSP18 of the Core Strategy, Policy DP7 of the Local Plan and Policies CCW4 and CCW5 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021.
48. Turning attention to the proposed dwellings within the south western section of the site, the site is to be divided into seven separate plots and the proposed dwellings would occupy the majority of the site width. The dwellings would be of 2-storey nature and the seven resulting plot widths would be similar to the plot widths of the properties within Burntwood Lane and in Whyteleafe Road to the west. It is noted that the properties on the southern side of Burntwood Lane adjacent to the dwellings site are dwellings with roof space level accommodation (at first floor level) and road facing catslide roofs. However, the properties further eastwards on Burntwood Lane and those on Whyteleafe Road are of a more traditional 2-storey nature with gabled elements to the building of frontage. The proposed buildings have traditional features and similar characteristics to the 2-storey dwellings in the locality and they would also be screened from the main road by the existing tree lines of which the majority are to be retained along the site frontage. The massing, form and juxtaposition of the proposed dwellings would not appear as an incongruous feature within the street scene. The height and massing of the built form would be representative of the massing of the built form within the surrounding area and would not appear excessive.
49. The site would provide 2 parking spaces per dwelling and a turning/access area to the front of the dwellings. There would be a number of trees removed from the site and the Council's Tree Officer has confirmed that several large BS5837 'B' category trees and numerous 'C' category trees within groups will need to be removed to accommodate the proposal. Although this would have an impact upon the character of the site, it is not considered that a reason for refusal could be sustained in this case on the loss of tree coverage alone given that the

provision of additional soft landscaping to compensate for the tree loss is possible within the development site.

50. The rear gardens of the proposed units would provide similar size amenity spaces to other properties in the immediate locality and would allow sufficient spacing between the built form of the surrounding properties. The proposed form and design would be of traditional styling and features and the buildings would be constructed using contrasting brick and flint detailing with clay pin roof tiles and stone cills. Subject to material details being secured by condition, the proposed development would not be out of keeping with the prevailing area and the proposed materiality would integrate within the locality.
51. Based on the above assessment, it is not considered that the proposed scale, massing and positioning of the built form would result in a development which is unduly cramped or overdeveloped of the site. The design and materiality of the dwellings would also respect the character and appearance of the area however this would not outweigh the resulting impact of the AGP floodlighting assessed under paragraph 47 of this report.

Impact upon neighbouring amenity

52. Policy CSP18 of the Core Strategy seeks to ensure that development does not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any other adverse effect. Policy DP7 of the Local Plan reflects the objectives of the Core Strategy but also includes privacy distances of 22 metres between habitable room windows of properties in direct alignment and, in most circumstances, 14 metres between principal windows of existing dwellings and the walls of new buildings without windows.
53. With regards to the proposed tennis court remediation works, these would be a significant distance from any adjoining properties to result in any significant harm to neighbouring amenity. With regards to the car park extension, this will be approximately 35 metres from the boundary with Robin Hill, Portley Wood Road and this separation distance between the car park and the boundary this site would be significant in the Council's view. Given that vehicle movements would not take place after the AGP use would cease (which is a similar time to the closure of the existing De Stafford Sports Centre) and given the activity within the existing car park area which is fairly close to the boundary, it is not considered that this extension would result in significant further harm to neighbouring amenity to warrant the refusal of permission.
54. With regards to the AGP, it would be positioned approximately 15 metres from the site boundary with no.9 Portley Wood Road and directly east of Sunnydown School (which does not require amenity protection in the same respect as residential properties). The AGP would be used from 8am until 10pm on Monday to Friday and 8am until 9pm Saturday, Sunday and Bank Holidays and the AGP would be a further 40 metres from the dwelling itself. The flood lighting columns would have the light directed onto the pitch itself and they would include shrouds on the light column heads to ensure that light spill is restricted from the columns and directed away from neighbouring properties. The submission has been assessed by the Environmental Health Team who consider that, subject to the technical specification being secured, the proposal would be acceptable from their perspective. The Council consider that the separation distances from neighbouring properties combined with the lighting positioning and the proposed hours of use would ensure that the proposed AGP

would not result in significant impact upon neighbouring properties to warrant the refusal of permission on these grounds.

55. The proposed dwellings would be approximately 40 metres from the properties on the other side of Burntwood Lane and would there would be a separation distance of over 30 metres between the dwellings on the western side of Whyteleafe Road and the closest proposed dwelling to this boundary. The rear garden spaces of the proposed dwellings would adjoin part of De Stafford School's grounds and the proposed rear facing windows of the dwellings would not overlook any surrounding properties. The separation distances combined with the scale, massing and juxtaposition of the built form will prevent the development from having any significant overbearing or overshadowing impact upon the neighbouring properties.
56. There are no flank windows proposed within the proposed dwellings as all habitable rooms will be front and rear (north and south) facing. The upper floor front and rear facing windows of the dwellings will serve bedrooms however the windows would be in excess of 22 metres of any habitable windows of the surrounding properties; with particular regard to the fenestration serving the neighbouring properties in Burntwood Lane and Whyteleafe Road. The orientation of the windows would provide views which are a significant distance away from neighbouring properties given the juxtaposition of the dwellings. It is considered that proposed window placements combined with the juxtaposition of the dwellings and the existence of the tree lined boundary treatments would prevent any undue overlooking or loss of privacy to the detriment of any of the surrounding properties.
57. With regards to third party comments, there is concern over potential anti-social behaviour and increased litter from those using the facilities; particularly in the evening. The use would cease by 10pm during weekdays and by 9pm on weekends and bank holidays. It is not considered that the use being introduced would result in an exponential increase in anti-social behaviour or littering; particularly given the use of the adjacent De Stafford Sports Centre at these times. It is also unlikely to cause significant additional noise and disturbance to the existing surrounding occupiers.
58. As a result of the above assessment, it is considered that the separation distances combined with the overall size, scale, design and juxtaposition of the proposed built form would not result in significant amenity impact upon any of the adjacent properties with regards to overbearing or overshadowing impact, overlooking, loss of privacy or noise and disturbance and would conform to the provisions of Core Strategy Policy CSP18 and Local Plan Policy DP7 in this regard. This would not, however, outweigh the concerns outlined earlier in this report.

Living conditions of future occupiers

59. The 4-bed, seven person units would have a gross internal floor space (GIA) of approximately 167.8sqm and the 4-bed, eight person unit would have a gross internal floor space (GIA) of approximately 246.8sqm. The space associated with the dwellings would exceed the required space standards contained within the Nationally Described Space Standards with regards to internal floor space. The fenestration arrangements of all of the dwellings would be sufficient to provide natural light and adequate outlook for the all rooms, associated with all of the proposed units. All of the rooms within all seven units would provide

suitable space for them to be used by future occupants for their intended purpose.

60. In addition, all seven units being proposed would have individual private garden spaces and this would therefore result in suitable living conditions for future occupiers of the dwellings. As such, it is considered that the proposal would provide satisfactory living conditions for future occupants and would conform to the provisions of Local Plan Policy DP7 in this regard.

Parking, access, cycle and refuse storage

61. The proposal will involve the provision of at least three parking spaces to serve each of the seven dwellings (including a garage space for each dwelling) and a further 60 parking spaces within the school grounds as part of the AGP provision. The parking arrangements and associated turning spaces would meet the size standards contained within the Council's Parking Standards SPD and would also comply with the 'Manual for Streets'. The site is located within an area which is well served by public transport options and, as such, the parking provision being proposed is considered sufficient to serve the proposed development. The access arrangements to the site have been assessed by County Highway Authority who, having initially objected to the development and requested further clarification and amendments, are now satisfied with the proposal and have confirmed that they have no objection in this regard as the proposal would not lead to unacceptable harm or unacceptable levels of demand for on-street parking in the surrounding area. They have, however, requested a number of conditions to be secured in relation to the safe ingress and egress of construction vehicles being laid out and agree as part of a Section 278 Agreement, visibility splays for the new access to the residential properties, space for vehicles to turn so that they may enter and leave the site in forward gear, the parking spaces being implemented with Electric Vehicle Charging Points (EVCPs) and they have also requested that a Construction Transport Management Plan is submitted and approved.
62. All of the new units would have access to rear gardens which could adequately provide storage for cycles and thus encourage sustainable modes of transport. There is adequate space within the site for refuse stores to be provided within the curtilage of each property and the positioning, size and design of these stores could be secured by an appropriate and detailed hard and soft landscaping scheme. Such details could be secured as part of a planning condition. The application submission includes a drawing showing turning space within the site which would be suitable for use by refuse collection vehicles, emergency vehicles and delivery vehicles.
63. Third party comments raised the narrow nature of the existing access which serves De Stafford School and the leisure centre to the west. However, this access already serves both De Stafford School and De Stafford Sports Centre and, although quite narrow, it is not considered that the additional traffic associated with the additional facilities within the site would result in significant further congestion and undue highway safety concerns to sufficiently warrant the refusal of permission.
64. Subject to relevant conditions being secured, there are no objections raised with regards to Policies CSP12 and CSP18 of the Core Strategy and Policies DP5 and DP7 of the Local Plan with regarding to highways safety, parking, cycle or refuse storage. However, this would not outweigh the concerns raised on other matters within this report.

Trees

65. The proposed scheme requires the removal of several large BS5837 'B' category trees and numerous 'C' category trees within groups to accommodate the proposal. The Council's Tree Officer has confirmed that these include a Horse chestnut tree protected by TPO (T18 of the submitted AIA plan), the removal of which is required for the formation of the new access, and several 'A' category trees that are affected by encroachment into their respective Root protection Area (RPA) for Plot 1 of the proposed dwellings and the associated parking/turning area.
66. The Council's Tree Officer considers that the submitted Tree Survey Plan is quite rudimentary insofar as it purports to be an impact assessment, but it does not indicate the trees to be removed. There also appears to be another layout which has been layered into the plan, but it is not at all clear what this entails. The Arboricultural Method Statement is in the form of a 'Heads of Terms', and as voided piled foundations are described and there are multiple RPA encroachments the Council's Tree Officer considers that it will be necessary for a much more detailed Arboricultural Method Statement to be supplied under condition should consent be granted.
67. The Council's Tree Officer has confirmed that there is scope within the site for replacement planting, but only because that space is being created by tree removals. No soft landscape strategy has been submitted, which again makes thorough assessment difficult. However, despite the Council's concerns over tree retention and landscape layout design, the LPA raises no objections on Arboricultural grounds, but this would be with reservation and provided that no further tree works occur during construction and soft landscaping is sought to be enhanced within the site, with strict control over species. The Tree Officer has also requested that a detailed Arboricultural Method Statement, Tree Protection Plan, and an Arboricultural Supervision programme are secured by planning condition if this development was to be deemed acceptable. However, this would not outweigh the concerns raised on other matters within this report.

Renewable Energy

68. Policy CSP14 requires the reduction of carbon dioxide (CO₂) emissions by means of on-site renewable energy technology. The Energy Statement submitted with this application confirms that the new buildings will be served by a combination of solar hot water heating panels and solar photovoltaic panels on the roof slope. Such provision would be sufficient to exceed the 10% carbon emissions reduction target set out in Policy CSP14. As such, the implementation of this renewable energy technology would be considered acceptable in this instance and the design of a suitably integrated panel system could be secured by planning condition if this scheme was to be considered acceptable on all other grounds.

Flooding

69. The site is within an area at 'low' risk of surface water flooding (within Flood Zone 1) and there is no water course in close proximity of the site. The application is accompanied by a Flood Risk Assessment which confirms that, as surface water run-off rates would be greater than the existing arrangement, SuDS would be required in this case. It is proposed to discharge surface water into the public sewer with a restricted flow of 4 litres per second from the site

as a whole. The surface water drainage would be subject of a separate agreement with Thames Water which is a matter which falls outside of the determination of this application. It is also proposed to utilise SuDS such as rainwater harvesting 'as appropriate' however such details are yet to be submitted at this stage. Such an approach should prevent any potential contamination to the aquifer.

70. The Lead Local Flood Authority (LLFA) were consulted on the submission and have confirmed that they are satisfied with this approach provided that a SuDS scheme is properly implemented and maintained throughout the lifetime of the development. It is recommended by the LLFA that suitably worded conditions should be applied to any grant of permission to ensure that this is the case and this would ensure that the development conforms to the provisions of Core Strategy Policy CSP15 and Local Plan Policies DP21 and DP22.

Ecology and Biodiversity

71. 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.
72. Policy DP19 of the Local Plan Part 2: Detailed Policies 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.
73. A Land Use Survey for Bats has been submitted in support of the application however Surrey Wildlife Trust have not provided comments on the submission. Nevertheless, having looked at these assessments, the Council consider that the findings of this report is appropriate in scope. The Land Use Survey for Bats confirms that there is the presence of bats within 2km of the site however the relevant species are light tolerant due to the built-up nature of the surrounding area. There is activity in the more rural areas to the east of the AGP site however there are no roosting opportunities within the site itself and lux levels from the proposed floodlighting would be below 1 lux at the site boundaries. As such, it is not considered that there would be any undue harm to foraging bats resulting from this proposal. With regards to migrating or foraging birds and mammals, they consider the grassland to be developed to be of low conservation value and the development would not result in undue biodiversity harm. With regards to the presence of foraging badgers and hedgehogs, the report recommends mitigation measures referred to under Section 6.2 of the Land Use Assessment for Bats are adhered to and this could be secured by condition. In addition, soft landscaping areas would be required to be enhanced through a soft landscaping condition being secured to ensure that the proposed development conforms with the provisions of Core Strategy Policy CSP17 and Local Plan Policy DP19.

Very Special Circumstances

74. Paragraph 148 of the NPPF 2021 states: *'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.'

75. The applicant (namely De Stafford School) were contacted and asked to provide a 'Needs Assessment' for the AGP and the associated facilities and this assessment. The Needs Assessment appraisal looks at financial viability of the AGP through the enabling development of providing land for seven houses to be constructed however it is not considered that the Needs Assessment fully addresses an identifiable 'need'. Whilst the facilities have been considered needed by the school, such provision has not been required as part of an Ofsted review nor has it been a requirement by any independent sporting or schooling body. De Stafford School have submitted further documentation which states the need would facilitate the existing PE curriculum of the school as well as good physical and mental health. It would allow the opportunity to experience a range of activities on a high-quality surface and facilitate sport rather than a less than satisfactory surface to serve the community and meet a strategic need for pitches in the local area. The school have also provided a statement which confirms the avenues explored for funding the AGP, which include contacting Tandridge and Surrey County Councils and various foundations, exploring the option of lottery funding and applying for grants which were unsuccessful. This was mainly due to lack of funds available to facilitate the provisions given that the site is not within a deprived area where funding is generally allocated.
76. Although the enhanced school facilities would contribute positively to the well-being and social cohesion of local communities, the resulting harm to the Green Belt from the development of 7 dwellings and the very limited weight attributed to the emerging Local Plan at this stage would weight against the proposal. The provision of seven dwellings to enable funds to facilitate the AGP and associated facilities would have a demonstrable impact upon Green Belt openness. Allowing the school to sell off land to a private developer to enable funding for the AGP is an argument that could be replicated elsewhere within the Green Belt, particularly given that there is no strict identified 'need' for the AGP facilities in the Council's view. If this same approach was used in the future should a further need for school facilities arise, it may result in an under provision of educational land within the site and could jeopardise future educational needs. It is considered that insufficient 'VSCs' exist in this case to outweigh the resulting demonstrable harm that would result to Green Belt openness in this case and the development remains contrary to Policies DP10 and DP13 of the Tandridge District Local Plan: Part 2 – Detailed Policies 2014 and the NPPF 2021.

Community Infrastructure Levy (CIL)

77. This development would be CIL liable if this development was to be recommended for approval or if approved by the Planning Inspectorate.
78. In addition to CIL the development proposed will attract New Homes Bonus payments and as set out in Section 70 of the Town and Country Planning Act (as amended by Section 143 of the Localism Act) these are local financial considerations which must be taken into account, as far as they are material to the application, in reaching a decision. It has been concluded that the proposal fails to accord with the Development Plan and the provisions of the Development Plan are not overridden by other material considerations. The implementation and completion of the development will result in a local financial

benefit, but it is considered that this benefit is insufficient to outweigh other conclusions reached.

Conclusion

79. The proposal is for the demolition of the existing caretaker's bungalow and the erection of 7 dwellings (located land South-West of de Stafford School) to generate necessary funds to facilitate a new external Artificial Grass Pitch, associated car parking, fencing and lighting for the school and local community. The erection of the 7 dwellings on Green Belt land would be considered inappropriate development in the Green Belt. Insufficient 'very special circumstances' have been demonstrated to outweigh the resulting harm to Green Belt openness. The proposed flood lighting columns are considered excessive in size and unduly detrimental to the landscape character of the area. It is therefore recommended that the application is refused planning permission for the reasons set out below.
80. The recommendation is made in light of the National Planning Policy Framework (NPPF) and the Government's Planning Practice Guidance (PPG). It is considered that in respect of the assessment of this application significant weight has been given to policies within the Council's Core Strategy 2008 and the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with paragraph 218 of the NPPF 2021. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.
81. All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.

RECOMMENDATION:

REFUSE

Reasons:

1. The proposal constitutes inappropriate development in the Green Belt and would result in substantial harm to openness. It is considered that insufficient very special circumstances exist which clearly outweigh the harm by reason of inappropriateness or any other harm, including harm to the Green Belt openness, to justify such development. The proposal is therefore contrary to Policies DP10 and DP13 of the Tandridge Local Plan Part 2: Detailed Policies and to the provisions of the NPPF 2021.
2. The proposed development, with particular regard to the size and scale of the floodlighting to serve the artificial grass pitch, would be inappropriate to the surrounding area and cause significant harm to local landscape character and distinctiveness, contrary to Policies CSP18 and CSP21 of the Tandridge District Core Strategy (2008), Policy DP7 of the Tandridge District Local Plan: Part 2 - Detailed Policies (2014), Policies CCW4 and CCW5 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 and the National Planning Policy Framework 2021.

This decision refers to drawings numbered TL-4290-20-1, TL-4290-20-1A, TL-4290-20-2, TL-4290-20-3, TL-4290-20-4, TL-4290-20-5, TL-4290-20-6, 01, 02, 03, 04 and 05 scanned in on 07 December 2020, drawing numbered 02 Rev C scanned in on 07 July 2021 and drawings numbered 06 Rev 01 and 07 Rev 01 scanned in on 17 September 2021.