

LAND AT MOUNT AVENUE, CHALDON, CR3 5BB

PLANNING STATEMENT

JUNE 2025



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1.0 INTRODUCTION

1.1 This Planning Statement has been prepared by Montagu Evans LLP on behalf of Sigma Homes (“the Applicant”) to accompany an outline planning application (with all matters reserved except scale, layout and access) for the Proposed Development at Land at Mount Avenue, Chaldon, CR3 5BB (“the Site”). The Proposals include a residential development (use class C3) of up to 30 residential units with associated works (“the Proposed Development” / “the Proposals”).

1.2 The application for planning permission hereby submitted is for:

“Outline planning application for the erection of up to 30 dwellings (including 50% affordable) including provision of vehicular and pedestrian access, landscaping (incorporating SUDS) and other associated infrastructure provision. All matters reserved except scale, layout and access”.

1.3 In summary, the Proposed Development comprises the following:

- *Residential (C3) development for up to 30 units (up to 15 affordable housing units provided);*
- *Vehicular access from Mount Avenue and pedestrian access from Birchwood Lane;*
- *Building heights of up to 2-storeys;*
- *Open Space provision (Woodland Open Space);*
- *Surface water detention basin; and*
- *A biodiversity net gain of 13.52% in habitat units and 123.23% in hedgerow units.*

1.4 This Statement provides a comprehensive account of the Proposals. It includes an appraisal against relevant planning policy, guidance and other material considerations and sets out how it responds to site-specific issues and a series of technical environmental assessments.

1.5 The Planning Statement should be read in conjunction with the following reports which address the other requirements of the Development Plan:

1. *Schedule of Application Documentation, prepared by Montagu Evans;*
2. *Application Covering Letter, prepared by Montagu Evans;*
3. *Planning Application Form (including Ownership Notices);*
4. *Site Location Plan, prepared by ECE;*
5. *Schedule of Application Drawings, prepared by Montagu Evans;*
6. *Application Drawings, prepared by ECE;*
7. *Design and Access Statement;*
8. *Landscaping Strategy, prepared by LVIA Ltd;*
9. *This Planning Statement;*
10. *Green Belt Analysis, prepared by LVIA Ltd;*
11. *Landscape and Visual Impact Assessment, prepared by LVIA Ltd;*
12. *Archaeological Desk Based Assessment, prepared by RPS;*
13. *Biodiversity Net Gain Survey and Report, prepared by Urban Edge;*
14. *Biodiversity Net Gain Assessment (Metric), prepared by Urban Edge;*
15. *Sustainability and Energy Statement, prepared by Nu Planted;*
16. *Arboricultural Impact Assessment, prepared by TRII;*

17. *Preliminary Ecological Assessment, prepared by Urban Edge;*
18. *Transport Assessment and Travel Plan, prepared by Motion;*
19. *Drainage Report, prepared by AWA Engineers;*
20. *Statement of Community Involvement, prepared by Fairthorne;*
21. *Draft Heads of Terms, prepared by Montagu Evans;*
22. *Community Infrastructure Levy Form, prepared by Montagu Evans;*
23. *Validation Checklist, prepared by Montagu Evans; and*
24. *Hazel Dormouse Survey, prepared by Urban Edge.*

1.6 The Statement demonstrates that the Proposed Development will:

- *provide up to 30 much needed homes in an authority where there is a shortfall in terms of housing land supply and delivery and has been for a significant period of time.*
 - *This benefit should be seen in the context of TDCs current housing land supply (1.92 years as of May 2024) and their score of 38% (joint 7th worst performer) in the Housing Delivery Test ("HDT") 2022.*
 - *It should also be seen in the context of TDC's current local plan position. This being that TDC do not have an up-to-date Local Plan and therefore neither do they have a plan-led solution to meeting housing need. Nor will they have one in the near future.*
- *provide up to 15 much needed affordable homes.*
 - *This benefit should also be seen in the context of a significant shortfall in terms of housing land supply and delivery. The delivery of affordable homes in Tandridge has been poor, with a total of 324 units being completed in the past 5 years.*
 - *The Council's evidence base identified a need for 391 affordable dwellings per year over the first 5 years of the (emerging) Local Plan period before reducing to 310 per year for the remaining plan period.*
- *provide Public Open Space in the form of the Woodland Open Space which will provide space for residents and the public.*
- *have significant economic benefits, including direct and indirect economic benefits during both the construction period and the operational phase.*
- *provide a biodiversity net gain of 13.52% in habitat units and 123.23% in hedgerow units.*

1.7 The Proposal constitutes sustainable development by delivering economic, social and environmental benefits, as required by Paragraph 8 of the National Planning Policy Framework ("NPPF" / "the Framework").

2.0 SITE AND SURROUNDING AREA

- 2.1 The Site is located in the village of Chaldon, within the administrative boundary of Tandridge District Council ('the Council' / 'TDC'). The Application Site area extends to 1.45ha.
- 2.2 The Site is within the Metropolitan Green Belt and is currently undeveloped grazing and agricultural land.
- 2.3 The development area is contained on three sides by residential dwellings, as well as Birchwood Lane to the south, and is physically contained by vegetation with limited views into the Site. To the south of Birchwood Lane is an Area of Great Landscape Value ("AGLV"). No part of the Site falls within this designation.

Accessibility and Local Amenities

- 2.4 This Site is a sustainable location for new residential development. It is approximately 2.3km (32-minute walk or 11-minute cycle) west of Central Caterham which includes the railway station, Church Walk Shopping Centre and Morrisons and Lidl Supermarkets. It is also approximately 1.7km (23-minute walk or 6-minute cycle (southwest) southwest of the High Street at Caterham-on-the-Hill (which includes a Co-op convenience store and pharmacy). Additional local facilities include the shops at Westway, which are approximately 1.5km from the Site (21-minute walk or 6-minute cycle) and includes a convenience store and a public house, and the facilities at Guards Avenue, which is approximately 1.8km away (25-minute walk or 6-minute cycle) and includes a medical practice, pharmacy and Tesco superstore.
- 2.5 The local area has good pedestrian permeability with numerous footpaths and off-road routes offering shortcuts to key attractors, over and above the local footway network.
- 2.6 In terms of proximity to public transport, there are numerous within walking and cycling distance and this includes multiple bus stops situated along Rook Lane. The nearest are 150m (2-minute walk) north at the junction of Mount Avenue. From here, services are provided to Warlingham and Reigate via Caterham.
- 2.7 Caterham railway station is approximately 2.3km from the Site and provides train services towards London Bridge. This is accessible via bus from services which stop at the Mount Avenue stop.
- 2.8 The Site is also close to the strategic highway network, with the A22 being around km to the east and subsequently connecting to the M25 (Junction 6) within around 8 minutes of driving.
- 2.9 The Mount Avenue bus stops are located within 200 metres from the Site and therefore within a short walking distance. These stops offer regular services to Reigate and Redhill in one direction and Warlingham, Oxted and Whyteleafe in the other.
- 2.10 Caterham train station is circa 1.29 miles from the Site to the east, amounting to a 6-minute drive or 35-minute walk. The station offers frequent Southern Rail services to London.
- 2.11 The Site is well served by local amenities within walking distance to the Site and via sustainable modes of transport, including an number of shops located within the centre of Caterham. Caterham is also well-served by a number of pubs and shops, including cafes and restaurants.

- 2.12 The closest schools are St Peter and St Paul Church of England Infant School which is approximately a 12-minute walk from the Site.

Environmental and Heritage Considerations

- 2.13 The Site is located within Flood Zone 1 and is at low risk for reservoir, artificial drainage systems and coastal flooding. It has no history of flooding and is not at risk of surface water flooding.
- 2.14 There are no designated heritage assets in relation to the site; it is not within a Conservation Area, nor are there any nearby listed buildings. The nearest listed structure is the Grade II listed 'Barn 15 Yards North of Rook Farm House' located approximately 420m away.
- 2.15 The Site is subject to heavy tree coverage and this is largely on the boundaries, particularly in the northwest corner. A total of 118 individual trees, 11 tree groups and 3 hedgerows are present within the Site and have been surveyed by TRII as part of the Application and these form an important part of the character of the Site.

3.0 PLANNING HISTORY

- 3.1 An online search of the Council's planning records has been undertaken and confirms that the Site has no planning history which is relevant to this Application.

Community Engagement

- 3.2 Extensive engagement with the local community has been undertaken in advance of the submission of this application. The extent of this is detailed in the accompanying Statement of Community Involvement ("SCI"), however this can be summarised as:

- *Dedicated project website;*
- *The circulation of 700 leaflets to the properties nearest the Site;*
- *Meetings with key stakeholders, including members of Chaldon Village Council;*
- *A public exhibition event, as requested by the Village Council, held on Wednesday 18 June 2025*
 - *Including a further 700 flyers circulated to notify those of the public exhibition event.*

- 3.3 For further details regarding the approach to Community Engagement, please refer to the Statement of Community Involvement prepared by Fairthorn Consultancy.

- 3.4 The Applicant looks forward to further engagement with the Council and local stakeholders through the statutory determination process.

4.0 APPLICATION PROPOSALS

4.1 The Application submitted is for:

“Outline planning application for the erection of up to 30 dwellings (including 50% affordable) including provision of vehicular and pedestrian access, landscaping (incorporating SUDS) and other associated infrastructure provision. All matters reserved except scale, layout and access”.

4.2 The Application is submitted in outline with all matters reserved except scale, layout and access. The key aspects of the application are:

- *Residential (C3) development for up to 30 units (up to 15 affordable housing units provided);*
- *Vehicular access from Mount Avenue and pedestrian access from Birchwood Lane;*
- *Building heights of up to 2-storeys;*
- *Open Space provision (Woodland Open Space);*
- *Surface water detention basin; and*
- *A biodiversity net gain of 13.52% in habitat units and 123.23% in hedgerow units.*

4.3 The Application is accompanied by the following plans:

- Site Location Plan – 7583-PL-01
- Site Plan – 7583-PL-02
- Site Block Plan – 7583-PL-03
- Illustrative Street Scenes – 7583-PL-04
- Building Heights – 7583-PL05

4.4 These plans indicatively show the general area of the Site to be developed and the disposition of land uses across the Site, the areas of open space and the other elements of the Proposed Development, including the area of the Site dedicated to BNG.

4.5 There is also sufficient information included within the plans to ensure that layout, scale and access to the Site can be approved in full.

4.6 The approach to landscape is vital to the Proposed Development and this has been designed to be truly landscape-led. Key components of the scheme include high quality landscaping - including the retention of the vast majority of trees on Site - in the built development area as well as a significant area of Woodland Open Space within the Site which will be publicly accessible and will help to deliver biodiversity enhancements.

Proposed Housing

4.7 The Proposed Development incorporates the provision of up to 30 residential dwellings, of which 15 units (50%) are proposed to be delivered as affordable housing.

4.8 The proposal will deliver a mix of homes, which seeks to create a diverse and inclusive community, reflecting the housing need in Tandridge. As this is an outline application with all matters reserved except scale, layout and access,

the exact unit mix will come forward as part of a later Reserved Matters application and this remains under the control of the Council.

4.9 The indicative unit mix is:

- *Overall housing: up to 30 units*
 - *1-bed apartment: 4 units*
 - *2-bed house – 9*
 - *3-bed house – 15*
 - *4-bed house – 2*
- *Market housing: 15 units*
 - *2-bed house: 4 units*
 - *3-bed house: 10 units*
 - *4-bed house: 1 unit*
- *Affordable housing: 15 units*
 - *1-bed apartment: 4 units*
 - *2-bed house: 5 units*
 - *3-bed house: 5 units*
 - *4-bed house – 1 unit*

4.10 All of the proposed units will comply with the National Described Space Standards and this will be confirmed at the detailed design stage (reserved matters). The proposed density across the Site is 20.7 dwellings per hectare (“dph”) and is consistent with the density of the neighbouring settlement edge. If calculated in the developable area only (i.e. excluding the Woodland Open Space and surface water detention basin, the dph is 34.5 dph.

Design

4.11 Whilst being indicative with details to be secured as part of the Reserved Matters, the approach to design is to ensure that the Site will create an attractive development which integrates well with its surroundings and is in keeping with the local vernacular of Chaldon.

4.12 In terms of building heights, the proposed massing has been carefully considered and culminated in indicative heights of 2-storeys across the Site.

4.13 More information on the approach to design of the Proposed Development can be found within the submitted Design and Access Statement prepared by ECE Architects. Ultimately detailed design falls to be determined at the Reserved Matters stage.

Landscaping

4.14 The approach to landscaping is considered key to creating a successful place. Consequently, the Proposals are landscape-led and prioritise the retention of existing trees – with 113 out of 118 being retained – and landscaping features, whilst proposing improvements.

4.15 The proposed landscaping utilises both green and blue infrastructure to improve the function and habitat value of the Site contribute to a high-quality landscaped area for the enjoyment of both the future residents and the public. Vital to this is the Woodland Open Space which will be publicly accessible.

- 4.16 Further information on the above can be found within the Design and Access Statement that is submitted in support of this Application.

Biodiversity Net Gain ('BNG')

- 4.17 A key element of the Proposed Development is the approach to ecology and achieving a BNG onsite. This will primarily be delivered through the area to the northwest of the Site, which will be subject to biodiversity enhancements. Ultimately, the Proposed Development will deliver:

- *Habitat units: 13.52% BNG; and*
- *Hedgerow units: 123.23% BNG*

- 4.18 The strategy for BNG includes designing the layout to retain and enhance the onsite Lowland Mixed Deciduous Woodland and other mixed woodland. Further, the proposals will retain and enhance a number of the existing boundary hedgerows at the Site. A number of other BNG enhancement features are proposed including the creation of scrub and grassland, sustainable drainage system and the planting of 13 small trees.

- 4.19 More information of this can be found within the Biodiversity Net Gain Assessment, prepared by Urban Edge, submitted alongside this Application.

Access

- 4.20 The Proposed Development will be accessed via extending the existing residential street at Mount Avenue into the Site. This will provide access for servicing vehicles and provides a turning point area to restrict reversing vehicles. A secondary access is proposed, for active modes only, from Birchwood Lane at the south of the Site.
- 4.21 Further detail on the access arrangements for the Site can be found within the Transport Statement and Design and Access Statement.

Car and Cycle Parking

- 4.22 In terms of car parking, the exact quantum will be determined at the reserved matters stage. However, it will be designed to be policy compliant.
- 4.23 Indicatively, the Proposal will be served by 58 allocated car parking spaces and 8 unallocated / visitor car parking spaces. The exact quantum of car parking will be determined at reserved matters stage and therefore these figures should be treated as indicative only.
- 4.24 In terms of cycle parking, it is proposed that this would be provided to the applicable adopted standards and is expected to take the form of cycle storage sheds in rear gardens. The exact quantum and type of cycle parking will be determined at the reserved matters stage.

5.0 LEGISLATION, PLANNING POLICY FRAMEWORK AND GUIDANCE

- 5.1 This section of the Statement sets out current planning policy as well as other material considerations which are relevant to the assessment of the Site. Section 6 will then provide an assessment of the application against the relevant policies, guidance and other material considerations.

STATUTORY FRAMEWORK

- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the statutory development plan unless material considerations indicate otherwise. It is necessary to consider the Proposed Development in the context of national policy which is a material consideration. We summarise the policy considerations relevant to the application below.

- 5.3 The relevant statutory Development Plan comprises:

- *The Core Strategy (2008);*
- *The Local Plan Part 2 – Detailed Policies (2014); and*
- *The Caterham, Chaldon and Whyteleafe Neighbourhood Plan (2021).*

- 5.4 The Site is covered by the following designation in the adopted Local Plan:

- *Metropolitan Green Belt.*

- 5.5 Due to its age, it is considered that only very limited weight can be given to the adopted Local Plan as a whole, with only those policies consistent with the Framework attracting any weight. Many of the policies (e.g. those relating the supply of housing and affordable housing) should carry no weight at all. This is because the policies and the evidence base underpinning them are of a significant age and is therefore significantly out of date in many aspects. As an example, the policies relating to housing supply refer to Regional Planning (abolished between 2010 and 2013) and have not been derived using the Standard Method.

- 5.6 In turn, this is the case with the Neighbourhood Plan also as whilst it is more recent than the Core Strategy and the Local Plan Part 2, its policies are in general conformity with the Development Plan documents (i.e. the Core Strategy and the Local Plan Part 2).

MATERIAL CONSIDERATIONS

National Planning Policy Framework (“NPPF”)

- 5.7 The latest version of the NPPF was published on 7th February 2025. This version included a minor update to the version which was published on 12th December 2024. This version was significantly revised from the previous version (December 2023) as part of the Labour Government’s pro-growth agenda. The publication of the 12th December version followed a 6-week period of consultation in September and October 2024.

- 5.8 Paragraph 2 of the NPPF repeats that planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must therefore be taken into account as a material consideration of very significant weight in planning decisions; particularly given the adopted Local Plan is out of date.
- 5.9 The NPPF explains at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner. In order to achieve sustainable development, paragraph 8 identifies three overarching objectives of the planning system:
- 1) *An economic objective;*
 - 2) *A social objective; and*
 - 3) *An environmental objective*
- 5.10 At the heart of the NPPF is the presumption in favour of sustainable development (paragraph 11). For decision-making this means:
- *C) Approving development proposals that accord with an up-to-date development plan without delay; or*
 - *D) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date , granting permission unless:*
 - *i) The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - *ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*
- 5.11 As noted, footnotes to the above clarify that the policies referred to in Part i of paragraph 11 Part D above include those relating to land designated as Green Belt. Whilst this means the tilted balance does not apply by virtue of the Development Plan being out of date it does not preclude a demonstrable undersupply of housing constituting part of an overarching very special circumstances case, or to a grey belt case.
- 5.12 Housing land supply and housing delivery are discussed in this section. In summary, TDC are poorly performing in terms of both supply and delivery and TDC can neither demonstrate a five-year supply of deliverable housing sites nor a score of above 75% in the HDT:
- 5.13 Several key changes have been made to the NPPF from the December 2023 version which are material to the determination of this Application. These are summarised below.
- Housing Delivery and the new Standard Method
 - Paragraph 62 is clear that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method.
 - This is highly relevant in Tandridge as the new standard method significantly increases the number of homes that need to be planned for on an annual basis:
 - *Previous standard method: 634 dwellings per annum*
 - *New standard method: 843 dwellings per annum*

- *Increase of 209 dwellings per annum*
- This is also an increase from the proposed standard method presented in the consultation draft which would have been 773 dwellings per annum.
- This is a significant increase for the Council to plan for in comparison to the previous standard method. Notably, the withdrawn version of the Local Plan (Local Plan 2033 – withdrawn on 18th April 2024) made provision for 6,056 homes over the Plan period 2013 to 2033, therefore equating to a delivery of only 303 homes per annum.
- Importantly, the Objectively Assessed Need over the plan-period was 9,400 homes, or 470 homes per year. However, TDC did not propose to meet their need in full in the withdrawn Local Plan.
- The Local Plan Inspectors concluded (Para 80 of the Final Report) that the target housing delivery of 6,056 dwellings (3,030 dpa) was not justified, effective, consistent with national planning policy or positively prepared).
- Current progress on the new Local Plan for Tandridge is discussed later in this section. The NPPF does include transitional arrangements for the preparation of Local Plans and these are set out in Annex 1 ('Implementation').
- Paragraph 234 sets out that for the purpose of preparing Local Plans the policies in the new version of the NPPF will apply from 12th March 2025 other than where one or more of five situations apply. None of the situations apply / will apply by 12th March and therefore the new Local Plan will be examined under the new NPPF.
- Consequently, TDC are required to identify a significant amount of housing sites as part of the new Local Plan to ensure that their housing need - as set by the new Standard Method – is met in full. For context, annual provision of 303 homes would meet only 36% of the requirement to provide 834 homes per annum.
- Restoration of the requirement to demonstrate a five-year housing land supply
 - The new NPPF (at paragraph 78) restores the requirement – in all circumstances - to identify and update annually a supply of specific deliverable housing sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old (as is the case in Tandridge).
- Review of Green Belt Boundaries
 - The NPPF states at paragraph 145 that once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified through the preparation or updating of plans.

- Paragraph 146 confirms that exceptional circumstances in this context include, but are not limited to, instances where an authority cannot meet its identified need for homes, commercial or other development through other means.
- 94% of land in the District is Green Belt and it is clear that TDC cannot meet its identified need for homes without releasing Green Belt land and therefore the exceptional circumstances to alter the Green Belt boundary are fully evidenced and justified.
- Introduction of grey belt and changes to what is considered appropriate development
 - The concept of 'grey belt' land has been introduced which is defined in Annex 2.
 - "For the purposes of plan-making and decision-making, 'grey belt' is defined as:
 - *"land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development."*
 - The NPPF confirms at paragraph 155 that the development of homes, commercial and other development in the Green Belt should not be regarded as inappropriate where all of the following apply:
 - *a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
 - *b. There is demonstrable unmet need for the type of development proposed;*
 - *c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and*
 - *d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156 – 157 below.*
 - Therefore, land which is grey belt is not inappropriate development in the Green Belt subject to meeting the other requirements set out at paragraph 155.
 - Paragraph 156 goes on to set out that where major development involving the provision of housing is proposed on sites in the Green Belt subject to a planning application, the following contributions ('Golden Rules') should be made
 - *a. affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 below;*
 - *b. necessary improvements to local or national infrastructure; and*
 - *c. the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.*

- Paragraph 157 notes that before development plan policies for affordable housing are updated in line with the NPPF, the affordable housing contribution required to satisfy the Golden Rules is 15% above the highest existing affordable housing requirement which would otherwise apply to the development, subject to a cap of 50%
- In accordance with paragraph 158, a development which complies with the Golden Rules should be significant weight in favour of the grant of permission.

Planning Practice Guidance (“PPG”)

- 5.14 The PPG was first published in March 2014. The Housing and Economic Land Availability Assessment (“HELAA”) section of the NPPG has been updated twice since its original publication, firstly in September 2018 and most recently July 2019.
- 5.15 Various updates have been made to the sections of the PPG since the original publication and new guidance has also been added. This includes in relation to Biodiversity Net Gain in May 2024 and in relation to Green Belt in February 2025.
- 5.16 The Court of Appeal ruling in *Mead Realisations vs the Secretary of State* EWCA Civ 31 established that both the NPPF and the PPG have equal weight and must be considered equally for decision-making purposes.
- 5.17 In respect of Green Belt, the PPG provides guidance on:
- *The considerations involved in assessing the contribution Green Belt land makes to Green Belt purposes, where relevant to identifying grey belt land.*
 - *The considerations involved in determining whether release or development of Green Belt land would fundamentally undermine the remaining Green Belt in the plan area.*
 - *Guidance for considering proposals on potential grey belt land.*
 - *Guidance on identifying sustainable locations when considering the release or development of Green Belt land.*
 - *Updated guidance on how major housing development on land which is released from the Green Belt through plan making, or on sites in the Green Belt, should contribute to accessible green space.*
 - *Updated guidance on how to consider the potential impact of development on the openness of the Green Belt.*
- 5.18 Much of the PPG relates to plan-making and the review of Green Belt boundaries. This clarifies that:
- *Purpose a – to check the unrestricted sprawl of large built up areas.*
 - *It has been clarified that this purpose relates to the sprawl of large built up areas. Villages should not be considered large built up areas.*
 - *Purpose b – to prevent neighbouring towns merging into one another.*
 - *It has been clarified that this purpose relates to the merging of towns, not villages.*

- *Purpose d – to preserve the setting and special character of historic towns.*
 - *It has been clarified that this purpose relates to historic towns, not villages. Where there are no historic towns in the plan area, it may not be necessary to provide detailed assessments against this purpose.*

5.19 The PPG also provides clarity on several other matters in relation to grey belt land, including how the application of footnote 7 should be considered. For this, it is clarified that where areas of grey belt would be covered by or affect other designations in footnote 7, it may only be possible to provisionally identify such land as grey belt in advance of more detailed specific proposals.

Emerging Local Plan

5.20 The Council had been in the process of preparing a new Local Plan ('the Local Plan 2033'). This was submitted (Regulation 22 version) for examination in January 2019 and the Examination in Public ("EiP") hearing sessions took place, ending in December 2019.

5.21 Following this, the examination became extremely protracted, with numerous rounds of correspondence between the Council and the Inspector. This began with a letter from the Inspector in which he raised significant concerns regarding the soundness of the Plan and its trajectory in terms of when it was likely to be adopted.

5.22 The process ultimately ended in the Full Council resolving on 18 April 2024 to withdraw the Regulation 22 Submission version of the Local Plan 2033. The withdrawal was made under Section 22(1) of the Planning and Compulsory Purchase Act 2004 and a Statement of Withdrawal was published. The withdrawal was made following the finding by the Inspector on 14th February 2024 that the Plan was not capable of being adopted due to soundness issues. On this basis, it is acknowledged that the Plan holds no weight in the determination of this application.

5.23 However, case law directs that weight can be attributed to the evidence base that sat behind the Plan.

5.24 Ultimately, TDC do not have an up-to-date Local Plan or a plan-led solution to meeting identified housing need. This is highly relevant and significant in the context of this planning application and will be discussed in a later section of this Statement.

5.25 Following withdrawal of the Local Plan 2033, TDC confirmed that they have started working on a new Local Plan a Local Development Scheme ("LDS") was published at a Committee in June 2024 which set out the following high-level programme:

- *Begin work on the new Local Plan: Q2 2024/25*
- *Consultation of Local Plan (Reg 18): Q3 2025/26*
- *Publication of Local Plan (Reg 19): Q1 2026/27*
- *Submission to the Secretary of State: Q3 2026/27*

5.26 Importantly, the Council set out a number of potential risks in terms of delivery, timing and budget. This included staff resources; technical skills; changing politics; legislation and policy; evidence base; consultation, engagement and Duty-to-Cooperate; and finance. Ultimately, it is considered extremely unlikely that TDC will meet the deadlines set out in the high-level programme.

5.27 An updated LDS was published in February 2025. This ultimately schedules the adoption of the Plan for July 2028, with the first consultation (Regulation 18) expected in from April to October 2026. As with the previous version of the

LDS, several risks are set out and the timescales are heavily caveated. It would therefore not be surprising if further delays were encountered.

- 5.28 At a Planning Policy Committee on 19th June 2025, it was confirmed that a Green Belt Assessment is underway and that the initial results of Stage 1 (of 3) are anticipated in Autumn 2025. At the same Committee, the Housing Delivery Test Action Plan 2025 was published.

Written Ministerial Statements

- 5.29 A Ministerial Statement ('Building the homes we need') was published on 30th of July 2024 by Angela Rayner - Deputy Prime Minister and Secretary of State for Housing, Communities and Local Government – alongside the consultation of a new version of the NPPF. This is also a material consideration.

- 5.30 In the Ministerial Statement, it is stated that the Government has set out the first major steps in its plan to build the homes the country need. The reforms set out the aim to fix the foundations of housing and the planning system, taking the tough choices needed to improve affordability, turbocharged growth and building the 1.5 million homes that the Government have committed to delivering over the next five years.

- 5.31 Key elements of the Statement are summarised below:

- *Restoring and raising housing targets*
 - *Last year's changes to the NPPF (December 2023) which loosened the requirement for local authorities to plan for and meet their housing needs are being reversed and the Government will go further still by mandating that the new standard method is used as the basis for determining local authorities' housing requirements in all circumstances.*
 - *As well as this, the overall targets will be increased from around 300,000 to 370,000.*
- *Building in the right places*
 - *As well as the target of how many homes are to be build, the Government also need to ensure that we are building in the right places.*
 - *The first port of call should be brownfield land, however this will not be enough to meet our housing needs and therefore Green Belt development will also be required.*
- *Moving to strategic planning*
- *Delivering more affordable homes*
 - *The Government is committed to the biggest growth in social and affordable housebuilding in a generation.*
- *Building infrastructure to grow the economy*
- *Supporting local planning*
 - *The reforms to planning policy make it more important that every local authority has a development plan in place. In pursuit of this, the Government propose to take a pragmatic approach to the interaction between the changes set out and the fact that local authorities across England will have local plans at various stage of development.*
 - *This means that Plans at an earlier stage of plan development (i.e. Reg 18 and earlier) should prepare plans against the revised version of the NPPF and progress as quickly as possible.*

- *First step of a bigger plan*
 - *The actions taken now will get the country building, however they represent only a downpayment on the Government's ambitions. A Planning and Infrastructure Bill will be introduced later in the first session which will include further reform.*

Supplementary Planning Documents / Guidance ('SPD' / 'SPG')

5.32 TDC have published a number of SPDs which are material to the determination of this Application:

- Interim Policy Statement for Housing Delivery (2022)
- Parking Standards (2012)
- Trees and Soft Landscaping (2017)

5.33 The Parish Council have also prepared the following document which is material to the determination of this Application:

- Caterham, Chaldon & Whyteleafe Design Guidance and Codes (2024)

Housing Land Supply and Housing Delivery

Housing Land Supply

5.34 As noted previously, in accordance with Paragraph 78 of the NPPF, LPAs are required to identify and update annually a supply of specific deliverable housing sites sufficient to provide a minimum of five years' worth of housing.

5.35 In the most recent Annual Monitoring Report ('AMR') 2023/2024 (published May 2024), TDC acknowledge having a 1.92-year housing land supply. This is based on the standard method annual requirement of 634 dwellings per annum plus a 20% buffer.

5.36 However, given the introduction of the new Standard Method, the shortfall is actually much more significant than this.

Housing Delivery

5.37 TDC scored 42% in the HDT 2023 measurement (published in December 2024). This was based on:

- Requirement: 1,716 dwellings over the 3-year period;
- Delivery: 716 dwellings.

5.38 This was a negligible improvement from the 2022 result of 38% which was based on the following:

- *Requirement: 1,667 dwellings over 3-year period (2019-20, 2021-21 and 2021-22)*
- *Delivery: 631 dwellings*

5.39 TDC's 2021 score was equally low (also 38%) and this was a 12% decrease from the 2020 score (50%). TDC therefore remain firmly in the 'Presumption' category and there is no prospect of them climbing out of this category in the near future.

5.40 The shortfall in terms of both supply and delivery is compounded by the fact that TDC do not have an up-to-date Local Plan and a plan-led solution to meeting housing need. This is discussed in further detail in a later part of this Statement.

Housing Delivery Test Action Plan

- 5.41 At the Planning Policy Committee in June 2025, TDC published their Housing Delivery Test Action Plan 2025 in response to the housing land supply and delivery.
- 5.42 Clearly, the Local Plan Review is the action which is going to have the most significant impact on housing land supply and delivery. However, as discussed progress on this is limited.

Other Material Legislation

Biodiversity Net Gain ("BNG")

- 5.43 BNG is an approach to development that makes sure that habitats for wildlife are left in a measurably better state than they were before the development. BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).
- 5.44 This means that relevant development must deliver a BNG of 10% which means that development will result in more or better-quality natural habitat than there was before development.

Community Infrastructure Levy ("CIL")

- 5.45 Changes were made to the CIL Regulations through the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 which came into force in September 2019.
- 5.46 The current CIL Charging Schedule for TDC came into effect in 2014. The Proposed Development will be CIL liable and therefore will make a CIL contribution. This will be determined at the Reserved Matters stage when floorspace is confirmed.

6.0 DEVELOPMENT IN THE GREEN BELT

Development in the Green Belt and (in)appropriateness

- 6.1 Policy DP10 ('Green Belt') of the Local Plan Part 2 sets out the Council's approach to the Green Belt. Part A of the Policy confirms that the extent of the Green Belt as shown on the Policies Map will only be altered in exceptional circumstances and this would be through a review of the Core Strategy and/or through a Site Allocations Development Plan Document. Part B of the Policy is clear that within the Green Belt, permission for any inappropriate development which is, by definition, harmful to the Green Belt, will normally be refused. Proposals involving inappropriate development in the Green Belt will only be permitted where Very Special Circumstances ('VSC') exist, to the extent that other considerations clearly outweigh any potential harm to the Green Belt by reason of inappropriateness and any other harm. It is important to note that this Policy (and the Local Plan Part 2) was adopted in 2014, approximately 11 years before the current version of the NPPF.
- 6.2 Policy DP13 ('Buildings in the Green Belt') states that unless VSC can be clearly demonstrated, the Council will regard the construction of new buildings as inappropriate development before setting out a number of exceptions. Again, it should be noted that this Policy was adopted in 2014 and therefore a significant period before the grey belt concept was enshrined in national policy.
- 6.3 Section 13 of the NPPF is dedicated to 'Protecting Green Belt land'. In this context, Paragraph 142 states that the Government attaches great importance to Green Belts and that the fundamental aim of policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 6.4 Paragraph 143 establishes the five purposes of the Green Belt:
- *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*
- 6.5 Paragraph 145 states that once established, Green Belt boundaries should only be altered in exceptional circumstances.
- 6.6 With regards to proposals affecting the Green Belt, Paragraph 153 states that when considering any planning application, LPAs should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in VSC. VSC 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.
- 6.7 Paragraph 154 sets out that development in the Green Belt is inappropriate unless one of the exceptions set out applies.
- 6.8 The Proposed Development do not fall within any of these exceptions. However, Paragraph 155 provides further exceptions to inappropriate development in the Green Belt for the development of homes, commercial and other

development. This Paragraph states that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all of the following apply:

- *A) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- *B) There is a demonstrable unmet need for the type of development proposed;*
- *C) The development would be in a sustainable location, with particular reference to Paragraphs 110 and 115 of this Framework; and*
- *D) Where applicable the development proposed meets the 'Golden Rules' requirements set out in Paragraphs 156-157 below.*

6.9 Paragraph 155 therefore introduces the grey belt and this is a significant change from the previous version of the NPPF. grey belt is defined as:

- *"For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in Paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development."*

6.10 The 'Golden Rules' requirements are set out at Paragraph 156 – 157. Paragraph 156 states that where major development involving the provision of housing is proposed on sites in the Green Belt subject to a planning application, the following contributions ('Golden Rules') should be made:

- *A) affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 below;*
- *B) necessary improvements to local or national infrastructure; and*
- *C) the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.*

6.11 Paragraph 157 notes that before development plan policies for affordable housing are updated in line with the NPPF, the affordable housing contribution required to satisfy the Golden Rules is 15% above the highest existing affordable housing requirement which would otherwise apply to the development, subject to a cap of 50%.

6.12 In accordance with Paragraph 158, a development which complies with the Golden Rules should be given significant weight in favour of the grant of permission.

6.13 Paragraph 159 confirms that the improvements to green spaces required as part of the Golden Rules should contribute positively to the landscape setting of the development, support nature recovery and meet local standards for green space provision where these exist in the development plan.

Assessment of the Site and (in)appropriate development

- 6.14 It is the Applicant's position that the Proposed Development is appropriate development in the Green belt, in accordance with Paragraphs 154 and 155 – 158.
- 6.15 As Chaldon is a village (and not a town or a large built-up area), purposes a, b and d do not apply to the Site. It is confirmed in the adopted version of the Neighbourhood Plan at paragraph 2.4 that Chaldon is a village. When discussing Chaldon, it is noted that "the village straddles Rook Lane" (our emphasis underlined). Chaldon Village Council's website provides further confirmation setting out that "Chaldon Village Council serves the village of Chaldon"¹.
- 6.16 In considering whether Chaldon is a village, it is helpful to look at the recent appeal decision reference APP/M3645/W/24/3355743² which was also in Tandridge. When assessing whether Smallfield is a large-built up area, the Inspector noted that it is relevant, when making the judgement, to have regard to the Development Plan. The Neighbourhood Plan alone therefore confirms that it is a village. The Council's Green Belt Assessment provides further proof by assessing Chaldon as being its own settlement. It is referred to within this as a "smaller settlement" and therefore by definition, not a large built-up area.
- 6.17 Therefore, in accordance with the definition contained in the NPPF, the Site does not make a contribution to any purposes a, b or d.
- 6.18 To assess whether the Site meets the definition of Grey Belt, it is also necessary to confirm whether the Site is "land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development". The application of policies relating to the areas or assets also extends to considering whether development in their setting would provide reasons to refuse permission, rather than just being a question of whether the Site contains those designations.
- 6.19 Footnote 7 land is defined as:
- *"The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change".*
- 6.20 In this respect, the Site is not a:
- *habitats site or a SSSI;*
 - *Local Green Space;*
 - *National Landscape;*
 - *National Park or defined as Heritage Coast; or*
 - *designated heritage asset (and other heritage assets of archaeological interests).*
- 6.21 In respect of areas at risk of flooding, the Site is in Flood Zone 1 and does not contain any areas of risk of surface water flooding.

¹ <https://chaldonvillagecouncil.org.uk/>

² Land West of Chapel Road, Smallfield Surrey, RH6 9JH: Appeal allowed for up to 270 dwellings on a grey belt Site.

- 6.22 On this basis, there are no designations within Footnote 7 which provide a strong reason for refusing or restricting development.
- 6.23 Therefore, by definition, the Site is grey belt.
- 6.24 To confirm that the Proposal would not be inappropriate development, it is then necessary to assess the Proposed Development against the remainder of the Paragraph 155 requirements and then the 'Golden Rules'.
- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the Plan
- 6.25 As established, the Site is grey belt land and it is therefore necessary to assess whether the development would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the Plan.
- 6.26 The PPG provides further guidance and confirms that a Green Belt Assessment should consider the extent to which release or development of Green Belt land would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the plan area as a whole. In reaching this judgement, authorities should consider whether, or the extent to which, the release or development of Green Belt land would affect the ability of all the remaining Green Belt across the area of plan from servicing all five of the Green Belt purposes in a meaningful way.
- 6.27 In making this assessment, consideration should be given to the Green Belt Analysis prepared by LVIA Ltd. Their assessment is that the Development would not fundamentally undermine the Green Belt as a whole. The enclosure of the Site by strong defensible physical barriers is clearly demonstrated. Any spatial change as a result of the Development would be restricted to the Site only. Any change to visual openness would be seen from only the area surrounding the Site and no long range views of the Development would be visible. Therefore, the Development of this Site would not fundamentally affect the overall Green Belt.
- 6.28 Whilst it is noted that a Green Belt Assessment was carried out by TDC as part of the now withdrawn emerging Local Plan, this is of limited relevance to the Site. The Green Belt Assessment was carried out in three parts, with part 1 being published in 2015. In the settlement assessment, it was noted that:
- *Chaldon is a small rural settlement in the North West of the District. Part of the settlement is a designated Conservation Area, and is considered to have a strong open character. Because of its setting in open countryside it makes an important contribution to the openness of the Green Belt.*
 - *It is noted within the parcel assessments that some encroachment occurs from the dwellings along Doctor's Lane and Leazes Avenue but the core of the settlement is still considered to be open.*
 - *Conclusion: The low density and the rural character of the settlement is considered to make a contribution to the openness of the Green Belt. As such, this settlement has not been identified as an area for further investigation. However, the Green Belt plays an important role to the setting of the Chaldon Conservation Area, which has been identified as an area for further investigation (this area is labelled 011 on the map in Appendix F)*
- 6.29 The Site was not included in the area 011 and therefore this was the extent to which the Site was assessed as part of the GBA. Therefore, the GBA is of little relevant as it did not conduct a site specific assessment.
- b) There is a demonstrable unmet need for the type of development proposed
- 6.30 TDC is unable to demonstrate a five-year housing land supply and delivered well below 75% of its housing requirements in the most recent HDT (2023) (scoring 42%). Consequently, there is an overwhelming demonstrable unmet need for housing in Tandridge.

c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework

- 6.31 The PPG confirms that whether locations are sustainable should be determined in the light of local context and site or development-specific considerations. In formulating these judgements, national policy is clear that authorities should consider opportunities to maximise sustainable transport solutions, as set out in paragraphs 110 and 115 of the NPPF.
- 6.32 Paragraphs 110 and 115 sit within the sustainable transport section of the NPPF with paragraph 110 directing development to locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.
- 6.33 In this regard, the Site boundary is contiguous with Chaldon and the sustainability credentials of the Site have been set out previously at paragraphs 2.4 – 2.12 ('Accessibility and Local Amenities'). The Transport Assessment provides further detail in section 3.0 ('Baseline Conditions') which demonstrates the accessibility of the Site on foot and by cycle, by bus, by rail and access to local amenities. It is clear that the Proposal is a sustainable location for the Development Proposed. The Transport Statement and Travel Plan Statement, both prepared by Motion are key documents in this context.
- 6.34 In respect of Paragraph 110 therefore, the Site is a location that is sustainability. An assessment is made against Paragraph 115 below, having regard to the accompanying Transport Assessment prepared by Motion.
- 6.35 Paragraph 115 requires that:
- A) Sustainable transport modes are prioritised taking account of the vision for the Site, the type of development and its location.
 - As noted, the Transport Assessment and Travel Plan are clear in setting out the existing connections for sustainable transport modes and this demonstrates that these will be prioritised.
 - Additionally further enhancements to the local highway network are proposed (where appropriate) to encourage travel by active travel modes. This could include the provision of dropped kerbs, tactile paving and/or appropriate signage of pedestrian/cycle routes where applicable.
 - The Proposal also includes a permeable route through the Site for active travel modes which is expected to provide a significant benefit in the context of encouraging travel by active modes in the local community.
 - Section 4 ('Management & Measures') and 5 ('Action Plan') of the Travel Plan Statement demonstrate a genuine commitment to prioritising sustainable transport modes.
 - B) Safe and suitable access to the site can be achieved for all users.
 - The Transport Statement demonstrates that the proposed access from Mount Avenue through the appropriate extension of the existing street is safe and suitable.
 - C) The design of streets, parking areas, other transport elements and the context of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code;
 - The Proposal would comply with national guidance and is wholly acceptable in terms of its design.
 - D) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.
 - The Transport Statement demonstrates that the Proposal would result in negligible increases in vehicle trips throughout the day and at peak times and would have no material impact on the local highway network. The Proposal would not result in any severe cumulative impacts.

d) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156 – 157 below

6.36 The Proposal would meet the Golden Rules requirements as assessed below:

- A) Affordable housing subject to a cap of 50%:
 - The Proposal includes 50% affordable housing.
- B) Necessary improvements to local or national infrastructure:
 - Necessary improvements are to be made to local infrastructure secured through CIL, S106 and S278. This includes the following:
 - Community Infrastructure Levy payment;
 - The provision of access to the Site;
 - Further improvements may be determined during the Application process subject to discussions with the LPA and County Council.
- C) The provision of new, or improvements to existing green spaces that are accessible to the public:
 - The Proposal includes a significant area of woodland open space that will be open to the public. This includes a permeable path through the space.

(In)appropriate Development Conclusion

6.37 Against criteria A – D of Paragraph 155:

- *A) The Site is grey belt and its development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the Plan.*
- *B) TDC has a demonstrable unmet need for housing.*
- *C) The Site is situated in a sustainable location for housing.*
- *D) The Development meets the Golden Rules.*

6.38 By consequence of these factors, the Proposed Development for new homes should be regarded as appropriate development in the Green Belt.

6.39 This means that it is not necessary to demonstrate VSC to outweigh harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the Proposal. Additionally, significant weight in favour of the grant permission should be given to the Proposals because it would comply with the Golden Rules, in accordance with Paragraph 158 of the NPPF.

6.40 On this basis, it is our conclusion that the entirety of the Proposed Development constitutes appropriate development in the Green Belt.

6.41 However, if the decision-maker disagrees with this assessment and determines that the Proposal is inappropriate, we have also presented a VSC case in Section 8. This establishes why the substantial harm to the Green Belt as well as the other harm identified, is clearly outweighed by other benefits that amount to VSC, in accordance with Paragraph 153 of the NPPF.

6.42 In order to undertake the VSC assessment, and notwithstanding the Applicant's position that the Site is grey belt, it is necessary to undertake an assessment of Green Belt harm as well as any other harms as cumulatively these give rise

to the overall harm that would need to be clearly outweighed by other considerations in order for VSC to exist. Green Belt harm is explored in this section with any other harm identified in Section 7.

Harm to the Green Belt

6.43 In terms of the harm to the Green Belt, as noted previously, inappropriate development is by definition, harmful to the Green Belt and in accordance with the NPPF, substantial weight should be given to this harm. Consequently, if the decision-maker deems the Proposals to be inappropriate development, then substantial weight is given to this harm.

6.44 Harm can also be attributed to the Green Belt in terms of impact on openness, and there is both a spatial and visual element to such harm. Harm can also be attributed to the five purposes of the Green Belt and the impact of the development upon these.

6.45 The GBA prepared by LVIA Ltd provides a comprehensive assessment of the Green Belt harms that are likely to occur as a result of the Proposed Development which is summarised as follows.

Harm to Openness – Spatial and Visual

6.46 The Proposal would introduce a residential development onto the Site. However, this should be seen in the context of the existence of built form on three of the Site boundaries.

Openness – Spatial

6.47 The GBA acknowledges that the introduction of dwellings would have the effect of reducing spatial openness, as would occur with any development. To an extent, the increase in Development will reduce spatial openness on the Site and this part of the Green Belt to an extent.

6.48 However, this change will be localised and limited due to the existing residential context of the Site and the settlement fringe location in which it sits.

Openness – Visual

6.49 The GBA notes that the Site is currently seen in the context of the settlement fringe and its influences. The geographic extent of the surrounding area from where visual change will be discernible will be very limited due to the local residential dwellings and vegetation. This means that there is unlikely to be a perceptible reduction in the visual openness formed by a residential scheme due to the current generally enclosed nature of the landscape.

6.50 The visual aspect of the Green Belt will be affected in a very limited way, with any change localised and limited due to the enclosure formed by surrounding elements of the settlement fringe in which it sits.

Harm to the Green Belt purposes

- Purpose a:
 - The GBA notes that the Site falls within a 'pocket' formed by a combination of woodland, residential curtilage and Birchwood Lane to the south.
 - The Site will not physically extend further into the countryside than the existing development boundary in any direction, as the existing settlement edge extends further in the landscape than the Site's extents.

- A combination of the scale of the Site, its containment and relationship with the existing building development boundary will ensure that the Development will not result in urban sprawl. As a result, the Site has no function when assessed against Purpose a.
- Purpose b:
 - The Site has a strong physical enclosure as existing. The development footprint will result in development extending no further towards any other settlement and will not reduce the gap between the current building edge of Caterham and neighbouring settlements.
 - The Development of the Site would not result in any merging of settlements and as a result has no function when assessed against Purpose b.
- Purpose c:
 - The landscape in which the Site sits is currently surrounded on all sides by existing residential development, a road and vegetation which form a 'pocket' that defines the Site boundary within the existing settlement fringe.
 - Whilst development will normally inevitably cause an element of encroachment, the contained nature of the Site and relationship within the established settlement fringe will minimise adverse impact in this respect. Development of the Site would therefore result in limited encroachment and the Site has a weak function when assessed against Purpose d.
- Purposes d and e:
 - Neither are relevant and therefore there is no harm to either.

6.51 Table 6.1 below summarises the level of contribution to the Green Belt purposes (prepared by LVIA Ltd):

Purpose	Contribution
a	None
b	None
c	Weak
d	None
e	None
Overall	Weak / None Function

Table 6.1: Level of contribution to the Green Belt purposes (taken from the LVIA Ltd GBA)

6.52 Overall, it is the conclusion of the GBA that the Site performs as a weak / none functioning part of the Green Belt and does not contribute to the fundamental aim of the Green Belt.

Conclusion on Overall Green Belt Harm

6.53 Having regard to the assessment by LVIA Ltd in respect of the harm arising to the Green Belt, we ascribe the weight as follows:

- Harm by inappropriateness (Paragraph 153) – Substantial (if the decision-maker deems the Proposal to be inappropriate development)
- Impact on Openness (Spatial and Visual) (Paragraph 153) – Limited (if the decision-maker deems the Proposal to be inappropriate development)

- Purposes (Paragraph 144) – None

6.54 The Planning Statement now assesses the suitability of the Proposals in land use terms, before assessing the Proposal against other policy considerations, following which it identifies any “other harm” arising.

7.0 PRINCIPLE OF DEVELOPMENT AND OTHER PLANNING CONSIDERATIONS

PRINCIPLE OF LAND USE

- 7.1 Policy CSP 1 ('Location of Development') of the Core Strategy sets out that in order to promote sustainable patterns of travel, development will take place within the existing built-up areas of the District and be located where there is a choice of mode of transport available and where the distance to travel to services is minimised. This Policy also states that there will be no change in 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 allocations. Any changes will be made through a Site Allocations Development Plan Document and the accompanying Proposals Map.
- 7.2 Whilst the Site is located in Chaldon – a village - it is understood that the Local Plan classifies this as being part of the Category 1 Settlement of Caterham for the purposes of CSP 1. The Policy identifies that the Category 1 settlements are where development should take place.
- 7.3 It is acknowledged that the Proposed Development conflicts with this Policy in that it proposes development outside of the existing built-up area (albeit the Site borders the existing built-up area to the north and west and there is also development to the east). However, there is a choice of mode of transport available and the distance to travel to services is minimised. Additionally, TDC have failed to find sufficient land within the existing built up areas and other settlements to deliver housing. The conflict with this Policy should be given no weight as the Policy is out-of-date and would have no longer formed part of the Development Plan if TDC had not failed to have their Local Plan 2033 adopted.
- 7.4 Policy CSP 2 ('Housing Provision') sets out the housing targets for Tandridge over the Plan period 2006 – 2026 and is clear that provision will be made for a net increase of at least 2,500 dwellings in this period. At present Tandridge can demonstrate only a 1.92-year housing land supply and scored 38% in the HDT 2022. Therefore, TDC are underperforming in terms of both delivery and need.
- 7.5 This, along with the fact that TDC has no plan-led solution to meeting housing need demonstrates a need to look at alternative sites that are located within the Green Belt. This is particularly the case as 94% of Tandridge is within the Metropolitan Green Belt.
- 7.6 Policy CCW1 ('Housing Requirement') of the Neighbourhood Plan sets out that that Proposals will be supported as identified in the Housing Site Available Table included in the Plan. This does not identify the Site for delivering housing and in the supporting text, it is stated that the housing need can be met within the Neighbourhood Plan boundaries. The supporting text also states that there is a strong desire to develop within the settlement boundaries and to protect the Green Belt, prioritising brownfield sites wherever possible. Again, this Policy should be given no weight as housing need cannot be met within the Neighbourhood Plan boundaries.
- 7.7 In order to establish that the principle of development is acceptable, it is necessary to assess whether the Development is appropriate in the Green Belt (in accordance with Paragraphs 155 and 156 of the NPPF) or whether VSCs exist (in accordance with Paragraph 153 of the NPPF).

7.8 The Proposal is appropriate development as demonstrated in Section 6. However, if the decision-maker disagrees with this assessment and determines that the Proposal is inappropriate, we have also presented a VSCs case in Section 9. Therefore, on either assessment the Proposal should be supported in the Green Belt.

7.9 It is therefore considered that the principle of development is acceptable and subject to other policy considerations, permission should be granted.

DESIGN CONSIDERATIONS

7.10 The layout and appearance of the Proposed Development is reserved for the future Reserved Matters application(s). However, an Illustrative Site Plan, Site Block Plan, Illustrative Street Scenes and a Design and Access Statement have been submitted which demonstrate that a high-quality development will be delivered, in accordance with Section 12 of the NPPF ('Achieving well-designed and beautiful places') and Policy CSP 18 ('Character and Design') of the Core Strategy.

7.11 Policy CSP 18 requires all new development to be of a high standard that reflects and respects the character, setting and local context, including those features that contribute to local distinctiveness. Based on the Site Plan it is clear that the Proposed Development uses land efficiently whilst respecting the existing character. It also respects local character, working with and complementing the scale, height, density, grain, massing, type and details of the surrounding area.

7.12 The Illustrative Street Scenes also confirm that the scheme will be of an appropriate scale, layout and use, is in a suitable location and would create sustainable development that supports and complements the role of Chaldon. It will also integrate with and complement its surroundings in an appropriate manner and the retention of landscaping, as well as the improvements assist in demonstrating this.

7.13 Policy CCW3 ('Housing Density Outside the Caterham Masterplan Area') sets that housing densities in the range of 30 to 55 dwellings per hectare ('dph') will be supported in this location. The Proposal includes a density of 20.7 dph across the whole Site. However, if this calculation is carried out for the developable area only the dph figure is 34.5. The latter is considered to be the appropriate approach for calculating given that the area of public open space (i.e. the Woodland Area) will provide a genuine benefit for residents. Therefore, the Proposal is an appropriate density in accordance with Policy CCW3.

7.14 The Proposed Development, at this outline stage, has demonstrated a commitment to achieving high quality design. More detailed design considerations will be developed and submitted at the appropriate Reserved Matters stage and will be guided by the principles set out as part of the Outline Application.

LANDSCAPE CONSIDERATIONS – DESIGN

7.15 The approach to landscaping has informed the overarching design approach and the Proposals are strongly landscape-led and context responsive. The proposed landscaping utilises green and infrastructure to improve the function, habitat value and to contribute to a high-quality landscaped area for the enjoyment of both future residents and the public. The key component of the landscape proposals is the publicly accessible open space situated along the western boundary of the Site. This space will both retain and enhance the existing woodland, as well as presenting an opportunity for the provision of informal play spaces.

7.16 The Proposal is therefore in accordance with Policy DP7 ('General Policy for New Development') in that the Proposal respects and contributes to the distinctive character and amenity of the area in which it is located with layouts that maximise opportunities for linkages, including the pedestrian access point to Birchwood Lane.

LANDSCAPE CONSIDERATIONS – IMPACT ASSESSMENT

- 7.17 In support of this Application, a Landscape and Visual Impact Assessment ("LVIA"), prepared by LVIA Ltd, is submitted. The LVIA carries out a detailed assessment of the Proposed Development in terms of landscape effects, effects, visual effects and effects on nighttime views whilst also providing an assessment against the relevant planning policies in relation to landscape.

Landscape Character

- 7.18 The LVIA concluded that the Sites baseline character is influenced by its surrounding urban fringe context that is formed by the settlement fringe along Mount Avenue to the west, Caterham Common Road to the east and Mount Avenue to the north. The change due to its residential nature, will be permanent and irreversible.
- 7.19 The assessment of the local character area of the site and its context is assessed as having a medium sensitivity to this form of development.

Construction Stage

- 7.20 It is assessed that during this stage and with the retention of the main important landscape features such as the mature boundary trees, the Site will subject to a medium magnitude of change. Consequently, the significance of the landscape effect for the construction of the proposal is assessed to be moderate adverse (i.e. not a material change).

Operational Stage

- 7.21 It is assessed that a minor loss of key landscape elements and the introduction of elements that may be prominent but may not be considered uncharacteristic will occur at this stage. Consequently, the significance of landscape effect for the operation of the proposal is assessed to be moderate adverse (i.e. not a material change).

Significance of Residual Landscape Effects

- 7.22 It has been assessed that after 15 years and with a successful mitigation strategy, a reduction in the magnitude of landscape effect will occur. Consequently, the significance of landscape effect for the construction of the proposal is assessed to be minor adverse (i.e. not a material change).
- 7.23 Alongside this level of change, beneficial green infrastructure elements will be introduced.

Visual Effects

- 7.24 Six viewpoints have been chosen, all of which are from publicly accessible areas and have been specifically chosen to represent certain views or users of certain views. Viewpoints chosen include views from publicly accessible routes and roads that fall within the Zone of Theoretical Visibility ('ZTV'). The ZTV is used as a working tool to inform the assessment team of the extent of the zone within which the Proposed Development may have an influence or effect on landscape character and visual amenity and the areas within which the study area together with the site survey work should be concentrated.
- 7.25 The visual impact assessment concluded that the site occupies a relatively small visual envelope on account of the surrounding built form, landform and mature vegetation.

7.26 With regards to identified visual receptors, the assessment concluded that the road users of Mount Avenue to the north of the site would generally experience a clearly seen change that would be noticeable but experienced in the context of the existing built form. It further concluded that from Birchwood Lane to the south receptors would be afforded clear views of the Site which would be seen in the context of the surrounding residential dwellings. Users of Chaldon Common Road to the east would experience no change due to the intervening dwellings and vegetation preventing views. Views from the wider landscape would not be available due to the well vegetated nature of the landscape and the developed nature of the receiving settlement fringe.

7.27 Residential receptors are considered to be of high sensitivity but have no right to a view in planning terms. The change that they are subject to will be limited to their property and will not be publicly accessible so less people will experience the change. There is likely to be a limited visual change to a handful of residents from a single façade of their properties along Mount Avenue and Birchwood Lane due to their close proximity.

Construction Stage

7.28 This stage of the proposal is temporary. The introduction of construction features and facilities, construction lighting, together with general construction activities for projects of this scale would not represent uncommon features in the wider landscape. With the introduction of all these construction activities, it would result in a medium magnitude of change.

7.29 The sensitivity of the large majority of visual receptors in closest proximity to the proposed construction activities can be classified as high or medium (users of publicly accessible routes and road users). Consequently, with a high receptor sensitivity set against a medium magnitude of visual change, the temporary visual effect during the construction period would, as a worst case, result in a significance of effect that can be assessed as major/moderate adverse (i.e. a material change).

Operational Stage

7.30 The visual effect would result in a significance of effect that can be assessed as major/moderate adverse (i.e. a material change) as a worst case. This is from viewpoints 1, 2 and 3 that sit close to the site's southern boundary along Birchwood Lane on the route of footpath 13.

7.31 The remainder of viewpoints will not be subject to a material change. The change will generally be perceptible but will not change the character of views due to the receiving baseline of the landscape.

Significance of Residual Visual Effects

7.32 The residual impact assessment will be reduced from all viewpoints as a result of a successful mitigation strategy. As a worst case, viewpoints 1, 2 and 3 are assessed to be subject to a moderate adverse residual visual effect (i.e. not a material change).

Overall Landscape and Visual Conclusion

7.33 Ultimately, the LVIA is clear that the Proposed Development is anticipated to result in no substantial adverse impacts to the visual or landscape baseline at a residential stage (i.e. when the mitigation measures are incorporated). Therefore, the Proposal is assessed as being acceptable from a landscape and visual assessment perspective.

7.34 On this basis it is concluded that the Proposed Development would comply with all relevant aspects of local planning policy in respect of the landscape and visual issues. The Proposed Development accords with Policy CSP 18 ('Character and Design') of the Core Strategy in that it will be designed to a high standard in a way that respects local

character, setting and context. One of the key mitigation measures is the minimisation of potential impact on the existing landscape resource through the protection of existing boundary vegetation. The Proposal therefore has regard to the topography of the Site and important trees or groups of trees and other important features which need to be retained.

- 7.35 The Proposal will also be compliant with Policy CSP 20 ('Areas of Outstanding Natural Beauty') which establishes several principles that will be applied to the Area of Great Landscape Value. In this context, it is important to reiterate that the Site is not within this. The Proposal complies with the Policy by ensuring that it conserves the special landscape character as well important viewpoints.
- 7.36 Compliance with Policy CSP 21 ('Landscape and Countryside') is also achieved with as the Proposal would conserve the character and distinctiveness of the existing landscape and countryside and would not give rise to any adverse effects where landscape and visual impact is concerned. It is therefore protected.
- 7.37 The Proposed Development is in accordance with Policy DP7 ('General Policy for New Development') by providing a high design standards which would integrate effectively with its surroundings, reinforcing local distinctiveness and landscape character. Important trees are retained to ensure that landscape is protected.
- 7.38 Compliance is also achieved with Policy CCW10 of the Neighbourhood Plan ('Locally Significant Views') as the Proposal does not have a detrimental impact on any of the locally significant views.

HIGHWAYS & ACCESS

- 7.39 As noted previously, access to the Site is applied for in full detail. Vehicular access will be provided from Mount Avenue to the north into the Site by extending the existing residential street. Additionally, a secondary access - for active modes only - will be provided from Birchwood Lane to the south. Further detail on this is set out within the Transport Statement and Travel Plan Statement, prepared by Motion, that demonstrates these are safe and suitable access points.
- 7.40 The vehicular access point is proposed in the form of an extension to the existing residential street of Mount Avenue. The existing section of Mount Avenue would be retained as existing, albeit is proposed to continue the footways into the Site with a minimum width of 2m on each side of the carriageway. The adjacent driveways would thereafter be served by dropped kerb footway crossovers, in keeping with the existing situation on the street. Illustrative detailing of the proposed access arrangement can be found within Appendix C of the Transport Statement.
- 7.41 The proposed access has considered the requirements of refuse vehicles. Appendix D of the Transport Statement provides the swept path analysis that has been undertaken and confirms that a refuse vehicle can suitably access the Site via the proposed access point. The layout of the Proposed Development is such that it can suitably accommodate residential vehicle movements and access to parking whilst providing adequate access for Site refuse collection without excessive reversing or manoeuvring. Upon access into the Site, the carriageway maintains the existing width of 5.4m before gradually tapering down to a width of 4.8. The wider width upon entry to the Site has been designed to provide a new turning point for neighbouring resident's vehicles.
- 7.42 In terms of pedestrian infrastructure, it is not intended that any form of vehicular access onto Birchwood Lane is retained but rather repurposed to provide an access point for active modes. Intervisibility splays of 2m x 2m are proposed to be provided onto the layby to ensure the safety of users. Appendix C of the Transport Statement provides further detail on the proposed layby and active modes access point.

- 7.43 Car and cycle parking will be provided in accordance with the Council's Residential Parking Standards SPD (2012), the detail of which will be provided at the Reserved Matters stage.
- 7.44 The Proposed Development is therefore in accordance with Policy CSP 12 ('Managing Travel Demand') of the Core Strategy in that it will make improvements to the existing infrastructure network, including road, pedestrians and cyclists. This also accords with Policy CCW5 ('Design of Development') of the Neighbourhood Plan insofar as it provides offroad parking in accordance with the standards set by the Council. Accordingly, the approach has been informed by the adopted highway design standards.

FLOOD RISK AND DRAINAGE

- 7.45 A Flood Risk Assessment & Drainage Strategy has been prepared by AWA. This concludes that the Site is located within Flood Zone 1 and that the potential risk of flooding from other sources – including surface water, sewers and artificial sources – is low.
- 7.46 The surface water drainage strategy will manage flood risk by reducing the greenfield runoff leaving the site via the use of infiltration. Two surface water systems are proposed:
- *One collecting roof runoff and conveying them to the pond via a traditional gravity fed pipe and manhole system; and*
 - *The other system collecting all runoff from road, drives and hardstanding and conveying them to the pond via porous paving to all roads. Within the pond are 3 no. borehole soakaways, which will drain all runoff from both systems to ground.*
- 7.47 Both surface water systems, the pond and boreholes soakaways are designed to cater for the 1 in 100 year storm event including an additional 40% allowance for climate change. Catchments for dwellings have been increased by 10% to allow for urban creep.
- 7.48 The foul water drainage for the entire Site will be served by a traditional gravity fed pipe and manhole foul water drainage system, which will convey all flows to the Thames Water public foul water sewer network, making the connection point at public manhole reference 0000.
- 7.49 Ultimately, the Proposal is in accordance with Section 14 of the NPPF ('Meeting the challenge of climate change, flooding and coastal change') and particularly Paragraph 170 which is clear that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. This is what the Proposal does by providing residential development in a sequentially sound location.
- 7.50 The use of SuDS is in accordance with Policy CSP 15 ('Environmental Quality') which requires SuDS where they are necessary to minimise the impact on natural resources. It is also compliant with Policy DP21 ('Sustainable Water Management') which requires Proposals to secure opportunities to reduce both the cause and impact of flooding, for example through the use of Green Infrastructure for flood storage and the incorporation of SuDS.

ECOLOGY & BNG

- 7.51 A Preliminary Ecological Appraisal ("PEA") and BNG Assessment has been carried out by Urban Edge and is submitted as part of this Application.
- 7.52 The PEA concludes that the majority of the survey area is of low ecological value. Whilst constraints, including priority habitats and nesting / roosting animals, to the Proposed Development have been identified, it has been concluded

that proportionate and effective mitigation is available to protect against the risk of impacts. Ultimately, no further surveys have been identified to be required prior to the submission of a planning application.

- 7.53 We consider that the ecological enhancement recommendations set out within the PEA can be secured as part of a future Reserved Matters Application.
- 7.54 The Proposed Development will have no adverse effects on any protected species or priority species. It is noted that there will be the minor loss of existing trees, which are considered of low value but in any case, this is mitigated by the planting of native hedgerow, trees, scrub and woodland that will offset the loss.
- 7.55 The PEA ultimately concludes that the implementation of the recommended measures will enable the Proposed Development to accord with national and local planning policy. Specifically, the Development accords with DP19 ('Biodiversity, Geological Conservation and Green Infrastructure') of the Core Strategy in that it will promote nature conservation and management, maximise opportunities for geological conservation and protects access to green infrastructure.
- 7.56 Further to the above, a Biodiversity Net Gain ("BNG") Assessment, prepared by Urban Edge, has been submitted with the Application. The Assessment has been prepared to assess whether the Development is capable of delivering measurable contributions to local biodiversity.
- 7.57 The Assessment concludes that the Proposed Development would achieve a BNG of 13.52% in terms of habitat units and 123.23% in terms of hedgerow units. The Proposed Development therefore accords with (and exceeds) the requirements set out within the Environment Act 2021, that requires a minimum of 10% BNG on developments.
- 7.58 In considering the above, the Proposed Development wholly accords with Policy CSP 17 of the Core Strategy ('Biodiversity') which requires development proposals to protect biodiversity and provide for the enhancement and expansion of biodiversity.

ARBORICULTURE

- 7.59 An Arboricultural Impact Assessment, prepared by TRII Consultancy, has been submitted alongside this Application.
- 7.60 In accordance with national and local policy, the Proposed Development has been informed by a survey of existing tree stock using the guidance provided at BS5837:2012. Of the 118 individual trees, 11 tree groups and 3 hedgerows that were surveyed, 113 trees are proposed to be retained.
- 7.61 The Assessment concludes that only 5no. Trees are required for removal to facilitate the Proposed Development, all which are considered to be of low arboriculturally quality and limited landscaper value. A further two bramble patches, and a small group of blackthorns are also required for removal. The details of the trees, hedgerow and brambles proposed to be removed are as follows:
- Oak (T69) - Category C;
 - Sycamore (T115) - Category C;
 - Hawthorn (T116) - Category U;
 - Ash (T117) - Category U;
 - Sycamore (T118) - Category U;
 - Brambles (G5) and Blackthorn (G10) - Category U; and
 - Brambles Hedgerow (H2) - Category U.

- 7.62 Importantly, the Site retains the majority of the existing trees, with these being protected during construction through the use of secure tree protection fencing. The retention strategy ensure the Site maintains its strong green character, with leafy views and well-defined natural boundary that makes a positive contribution to the surrounding landscape.
- 7.63 Further to the above, new planting is proposed, including native trees and hedgerows, to enhance the Site's existing character and contribution to the delivery of BNG. Further detail of the proposed landscaping can be found within the Landscaping Plans and Landscape Ecological Management Plan.
- 7.64 The Assessment ultimately concludes that, based on the Site inspection and the available information, the Proposed Development is acceptable from an arboricultural perspective and the long-term health and stability of the trees retained can be safeguarded. It is considered that the retention of trees can be secured via an appropriately worded planning condition.
- 7.65 This accords with Policy CSP 18 ('Character and Design') of the Core Strategy that requires new development to not result in an overall loss of tree cover and Policy DP7 ('General Policy for New Development') that requires provisions to be made for the retention of existing trees that are important by virtue of their significance.

ENERGY & SUSTAINABILITY

- 7.66 A Sustainability and Energy Statement, prepared by NuPlanet, is submitted in support of this Application. Whilst the Proposal is in outline only, this sets out the Applicant's commitment to delivering a sustainable development through the incorporation of sustainable design and construction methods, energy and water saving measures, sustainable transport promotion, waste reduction techniques and measures to enhance the Site's ecological value.
- 7.67 The Proposed Development includes an outline Energy Strategy that ensures measures to minimise the use of energy and CO₂ emissions are maximised through a fabric first approach. The Proposed Development sets a minimum CO₂ emissions reduction target over Part L1 2021 requirements of 20% through renewable technologies, which exceed the Code for Sustainable Homes Level 3 requirements for new build houses and the requirements set out within Policy CSP14 ('Sustainable Construction') of the Core Strategy. The Strategy sets out how the Proposed Development has considered the energy hierarchy and proposes sustainable measures such as the incorporation of air source heat pumps and the provision of PV solar panels on the most southerly facing roofs, ensuring that energy demand during the Site's operational phase can be met through sustainable methods.
- 7.68 The Proposed Development also seeks to facilitate sustainable measures through the drainage design that will incorporate boreholes to minimise surface water runoff. Further detail on the drainage proposals can be found within the Drainage Report prepared by AWA Engineers.
- 7.69 The Proposed Development also promotes sustainable modes of travel by encouraging active travel, facilitated by the provision of secure cycle parking and access to the Site via Birchwood Lane for active modes.
- 7.70 Furthermore, the Proposals are committed to managing construction and operational waste in accordance with the principles set out within the Waste Hierarchy, with a focus on waste prevention, reuse and recycling, with materials being sourced locally from sustainable sources where feasible.
- 7.71 In the light of the above, it has been evidenced that the Proposed Development accords with Core Strategy Policy CSP 14 ('Sustainable Construction') such that all new residential development to reach a minimum percentage saving

in CO2 emissions through the incorporation of onsite renewable energy. It is important to note that further detail on energy reduction will be provided at the Reserved Matters stage.

- 7.72 Further, the approach outlined above accords with Policy CCW6 (Environmentally Sustainable Design) of the Neighbourhood Plan insofar as the Proposed Development will incorporate measures to deliver environmentally sustainable design to reduce energy consumption and mitigate the impacts on climate change.

ARCHAEOLOGY & HERITAGE

- 7.73 The Application has been submitted alongside an Archaeological Desk Based Assessment, prepared by RPS. The Assessment concludes that the Site contains no designated or non-designated heritage assets, nor are there any within its immediate proximity which would be affected by the Development. Further, the Assessment has considered the setting of designated archaeological assets within the wider area and concluded that none will be affected by the Proposed Development.
- 7.74 The Assessment further sets out that available datasets do not record any anomalies of obvious archaeological interest on the Site. It is noted that there is some archaeological background noise across the wider landscape setting of the Site for localised Mesolithic and Bronze Age archaeology.
- 7.75 The Assessment concludes that the, based on the available evidence, and negative fieldwork from local archaeological investigations, a low / uncertain to moderate / uncertain archaeological potential for Monolithic to Bronze Age archaeology can be ascribed at the Site, with a low potential for all other past periods of human activity. It is considered that targeted archaeological evaluation (trial trenching) represents an appropriate and proportionate response to uncertain archaeological potential identified. It is considered that this further work can be secured by an appropriately worded planning condition.
- 7.76 The Assessment further concludes that the Proposed Development would have no direct physical impacts on any designated heritage assets at the Site or within the Site's proximity.
- 7.77 It has therefore been demonstrated that the Proposed Development is wholly in accordance with Policy DP20 ('Heritage Assets') of the Core Strategy that states there will be a presumption in favour of development proposals that seek to protect and preserve the District's heritage assets and historic environment.

CONCLUSION

- 7.78 It is our assessment that the Proposal is in compliance with all relevant planning policy, both national and local.
- 7.79 This is except for Policy CSP 1 in relation to the principle of development. However, as demonstrated the principle is acceptable given accordance with the NPPF and as the Local Plan policy should be given no weight.

8.0 DEVELOPMENT PLAN COMPLIANCE AND MATERIAL CONSIDERATIONS

Compliance with Development Plan

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires the determination of planning applications in accordance with the development plan unless other material considerations indicate otherwise. It is necessary therefore to consider whether the Proposed Development is compliant with the development plan when read as a whole.
- 8.2 Policy CSP 1 ('Location of Development') of the Core Strategy directs development to within the existing built-up areas of the District and to be located where there is a choice of mode of transport available and where the distance to travel to services is minimised. This Policy also states that there will be no change in Green boundaries, unless it is not possible to find sufficient land within the existing built-up areas and other settlements to deliver current and future allocations. Any changes will be made through a Site Allocations Development Plan Document and the accompanying Proposals Map. Whilst the Site is located in Chaldon – a village - it is understood that the Local Plan classifies this as being part of the Category 1 Settlement of Caterham for the purposes of Policy CSP1. The Policy identifies that the Category 1 settlements are where development should take place.
- 8.3 It is acknowledged that there is conflict with this Policy in that the Proposal is outside of the existing built-up area (albeit the Site borders the existing built-up area to the north and west and there is also development to the east). However, there is a choice of mode of transport options available and the distance to travel to service is minimised. Additionally, TDC have failed to find sufficient land within the existing built up areas and other settlements to deliver housing. The conflict with this Policy should be given no weight as the Policy is out-of-date and would have no longer formed part of the Development Plan if TDC had not failed to have their Local Plan 2033 adopted.
- 8.4 Policy CCW1 ('Housing Requirement') of the Neighbourhood Plan sets out that the Proposals will be supported as identified in the Housing Site Available Table included in the Plan. This does not identify the Site for delivering housing and in the supporting text, it is stated that the housing need can be met within the Neighbourhood Plan boundaries. The supporting text also states that there is a strong desire to develop within the settlement boundaries and to protect the Green Belt, prioritising brownfield sites wherever possible. Again, this Policy should be given no weight as housing need cannot be met within the Neighbourhood Plan boundaries.
- 8.5 Moreover, the fact that the Site is considered to not be inappropriate development against Paragraph 155 of the NPPF further demonstrates that no weight should be given to conflict with these policies.
- 8.6 The fact that the Site is not inappropriate development which by consequence means: it is grey belt that would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan; that there is a demonstrable unmet need for housing; that it is a sustainable location for development; and that the Proposal satisfies the Golden Rules of Green Belt development demonstrates that it is an exceptionally strong candidate to help deliver the housing and infrastructure that the District needs.

- 8.7 It has been demonstrated that the principle of development is acceptable and that the Proposal is compliant with all other policy considerations.
- 8.8 It is therefore concluded that the Proposal is compliant with the Development Plan when read as a whole.

The Planning Balance

- 8.9 Notwithstanding the above conclusion, it is also necessary to consider if there are material considerations that could weigh in favour or against the Proposed Development such that a different conclusion should be drawn.

Material Considerations against the Proposed Development

- 8.10 It is our case that the Site is grey belt and the Proposal meets the requirements of Paragraphs 155 and 156 meaning that it constitutes appropriate development in the Green Belt. Therefore, no weight is given to any harm to openness from a spatial and visual perspective as a result of the Development of the Site.
- 8.11 No weight is given to any landscape visual impact given that the Proposed Development is anticipated to result in no substantial adverse impacts to the visual or landscape baseline at a residential stage (i.e. when the mitigation measures are incorporated).

Material Considerations in favour of the Proposed Development

- 8.12 Weighing in favour of the Proposed Development and accepting, of course, that TDC needs to develop land in the Green Belt to deliver its future housing and wider infrastructure needs is the Site's suitability as a sustainable location for development. This is not least because it is a sustainable location adjoining the settlement boundary of Chaldon.
- 8.13 There are a number of other material considerations weighing in favour of the Proposed Development. These weigh in favour of approval and are set out below when establishing the VSC.

Conclusions on Material Considerations

- 8.14 It is our strong view that there are many tangible material considerations of ranging weight that weigh heavily in favour of a positive determination.
- 8.15 Moreover, the material considerations which weigh against the Proposals are extremely limited.
- 8.16 In summary, the Proposal is considered compliant with the Development Plan when read as a whole and there are also material considerations that further weigh in favour of the Development such that planning permission should be granted when considered in the context of Section 38(6) of the Planning and Compulsory Purchase Act.

The Benefits

- 8.17 As noted, it is the Applicant's firm conclusion that the Site is grey belt and that the Development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the Plan. Furthermore, as TDC has a demonstrable unmet housing need and as the Development would be in a sustainable location and meets the Golden Rules, the Development is appropriate development in the context of Paragraph 155 of the NPPF.

- 8.18 The implication of this is that there is no harmful impact on the Green Belt including its openness and therefore it is not necessary to present a VSC case to clearly outweigh the harm to the Green Belt, and other harm arising.
- 8.19 Notwithstanding this, if the decision-maker is of the view that the Site does not comply with all criteria of Paragraph 155, Paragraph 153 would apply which sets out that the Development would be inappropriate development and should not be approved except in VSC. Furthermore, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness and VSC 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.
- 8.20 In this alternative scenario, the Proposal would be inappropriate development and therefore VSC would be required to justify the Proposed Development. The benefits are set out below. In terms of scale, Very Substantial is afforded the highest weight, with no weight being the lowest. In order, the weighting applied is:
- *Very Substantial*
 - *Substantial*
 - *Significant*
 - *Moderate*
 - *Limited*
 - *None*
- 8.21 There is no definitive guidance as to what would constitute “very special circumstances” in the NPPF or elsewhere, rather case law has clarified that circumstances do not need to be rare or uncommon to be “special”³ and there are no restrictions on what might be regarded as such a consideration⁴.

Housing Delivery

- 8.22 The provision of up to 30 dwellings – of which 50% would be affordable – would make a considerable contribution to meeting housing need in Tandridge. We give this contribution Very Substantial weight in the context of the housing land supply and delivery position in the District.
- 8.23 Policy CSP 2 (‘Housing Provision’) of the Core Strategy sets out that provision will be made for a net increase of at least 2,500 dwellings in the period 2006 to 2026 (equating to just 125 units per annum) and referenced the South East Plan (2009) which was the Regional Spatial Strategy for the South East. This Policy is therefore significantly out of date and should be given no weight. Ultimately, it does not provide an accurate reflection of contemporary housing need.
- 8.24 TDC are in the process of preparing a new Local Plan and this will be required to be prepared in accordance with the new NPPF. The impact of this is that TDC will need to plan for a significantly higher number of homes than was the case previously.
- 8.25 Under the superseded Standard Method, TDC were required to provide 634 homes per annum. The new Standard Method results in a significant increase to 843 homes per annum, an increase of 209 homes per annum.

³ Wychavon DC v Secretary of State for Communities and Local Government and Butler [2008] EWCA Civ 692

⁴ Brentwood Borough Council v Secretary of State for the Environment [1996] 72 P&CR 61

Affordable Housing Delivery

- 8.26 Policy CSP 4 ('Affordable Housing') confirms that up to 34% affordable housing will be sought on sites such as the one subject to this application. The Proposed application provides 50% affordable housing and is therefore significantly in excess of the adopted policy requirement.
- 8.27 For context, withdrawn Policy TLP12 ('Affordable Housing Requirement') of the Local Plan 2033 set out that the need for affordable homes within the District is confirmed by the extent of the Council's housing waiting list and the evidence which underpins the Plan, including the Council's Strategic Housing Market Assessment (SHMA) 2015 and the update of 2018. The need identified in the SHMA update is for 391 affordable dwellings per year over the first five years of the Local Plan (comprising backlog and newly arising need) before reducing to 310 affordable dwellings per year for the remaining plan period.
- 8.28 The delivery of affordable homes in Tandridge has again been poor, as detailed in the AMR. In the past five years (April 2019 – March 2024), a total of 324 affordable units have been completed. This includes just 9 units in 2020 – 2021. Therefore, in the past five years cumulatively, Tandridge have failed to deliver enough affordable housing to meet one years need. This further illustrates the poor performance of TDC in respect of affordable housing delivery which demonstrates how acute the situation is.
- 8.29 The Proposal will provide much needed affordable housing which should be seen in the context of the significant shortfall and we therefore give this Very Substantial weight in favour of the Proposals.

Failure of the Development Plan Process to provide a Plan-led solution to meeting housing needs

- 8.30 The provision of housing - both market and affordable - should be viewed in the context of Local Plan position in Tandridge. As noted, the emerging Local Plan was found unsound and policies contained in the adopted Local Plan are significantly out-of-date. This is particularly the case in relation to housing need, both market and affordable.
- 8.31 This leaves TDC in a very precarious and weak position in terms of having no plan-led solution to meeting housing. The absence of a plan-led solution will endure for several years given that TDC are currently at a very early stage in terms of preparing a new Local Plan, with the most recent LDS scheduling adoption for July 2027.
- 8.32 However, the Council have already acknowledged a number of potential risks in terms of delivery, timing and budget. This included staff resources; technical skills; changing politics; legislation and policy; evidence base; consultation, engagement and Duty-to-Cooperate; and finance.
- 8.33 Ultimately, it is considered extremely unlikely that TDC will meet the deadlines set out in the high-level programme.
- 8.34 We give Very Substantial weight to the emerging Local Plan position and the absence of a plan-led solution to meeting.

Golden Rules

- 8.35 Paragraph 158 of the NPPF confirms that a development which complies with the Golden Rules should be given significant weight in favour of the grant of permission.
- 8.36 The Proposal is compliant and therefore Significant weight is given to this.

Economic Benefits

- 8.37 The Proposal would result in direct and indirect economic benefits during both the construction period and the operational phase. This is a particularly pertinent consideration given the current economic downturn whereby housing

delivery has been impacted by economic headwinds, delays related to the plan-making process and consideration uncertainties relating to the planning application process (as is being experienced in Tandridge).

- 8.38 There will be considerable direct and indirect economic outputs related to the construction process. Identified receptors with the potential to be affected by construction phase encompass a range of resident and business groups; working age residents who may be hired to work on site, including as construction workers; local businesses which may become part of the supply chain; and local businesses in which construction employees will spend some of their wages. These groups will benefit in terms of jobs created or safeguarded and new skills acquired.
- 8.39 The occupiers of the proposed housing will result in an increase in local spending and support for nearby services as a consequence of the final development. Using the Home Builders Federation housing calculator tool, the development of 30 homes is estimated to:
- Support the employment of 104 people, providing 1 apprentice, graduate or trainee;
 - Increase open space, community sport and leisure spending by £27,000; and
 - Generate £800,000 in tax revenue, including £60,375 in council tax revenue
- 8.40 The economic benefits should therefore be given Moderate weight in favour of the Proposal.

BNG

- 8.41 The Proposal would achieve a BNG of 13.52% in terms of habitat units and 123.23% in terms of hedgerow units. The Proposed Development therefore accords with (and exceeds) the requirements set out within the Environment Act 2021, that requires a minimum of 10% BNG on developments.
- 8.42 Consequently, this benefit should be given Significant weight in favour of the Proposal.

Harm and Weighting		Benefits and Weighting	
Green Belt Harm (by definition)	Substantial	Housing Delivery	Very Substantial
Harm on Openness (Spatial and Visual)	Limited	Affordable Housing Delivery	Very Substantial
Spatial Strategy of directing development to within settlement boundaries	None	Failure of the Development Plan Process to provide a Planned solution to meeting housing needs	Very Substantial
		Meeting Golden Rules	Significant
		Economic Benefits	Moderate
		BNG	Significant

Table 8.1 – Harm v Benefits Table

- 8.43 Ultimately, it is the Applicant's strong conclusion that the benefits of the Proposal outweigh any harm. Therefore, if the decision-maker requires VSC to be demonstrated, these exist as the potential harm to the Green Belt by reason of inappropriateness, and any other resulting from the Proposal is clearly outweighed by other considerations.

9.0 CONCLUSION

9.1. This Planning Statement has been prepared by Montagu Evans on behalf of Sigma Homes. It accompanies an outline planning application (with all matters reserved except scale, layout and access) for the Proposed Development at Mount Avenue, Chaldon.

9.2. The application for planning permission hereby submitted is for:

“Outline planning application for the erection of up to 30 dwellings (including 50% affordable) including provision of vehicular and pedestrian access, landscaping (incorporating SUDS) and other associated infrastructure provision. All matters reserved except scale, layout and access”.

9.3. In summary, the Proposed Development comprises the following:

- Residential (C3) development for up to 30 units (up to 15 affordable housing units provided);
- Vehicular access from Mount Avenue and pedestrian access from Birchwood Lane;
- Building heights of up to 2-storeys;
- Open Space provision (Woodland Open Space);
- Surface water detention basin; *and*
- A biodiversity net gain of 13.52% in habitat units and 123.23% in hedgerow units

9.4. This Statement provides a comprehensive account of the Proposed Development and an appraisal of it against relevant planning policy and other material considerations.

9.5. For the reasons set out in Section 8, it is our conclusion that the Proposals are compliant with the Development Plan when read as a whole. Furthermore, in the planning balance those material considerations in favour of the Proposed Development clearly outweigh those material considerations against including when the tilted balance is engaged.

9.6. The Applicant’s position is that the Site is grey belt and is not inappropriate development in the context of Paragraph 155 of the NPPF by consequence that the Development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan, would contribute to a demonstrable unmet need for housing, is situated in a sustainable location, and meets the Golden Rules of Paragraph 156 of the NPPF – the latter which commands significant weight in favour of the grant of permission. Consequently, it is the Applicant’s view that it is not necessary to demonstrate VSC which would be required to outweigh the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the Proposals if the Proposals were inappropriate development.

9.7. However, if the decision-maker concludes that the Proposals are inappropriate development in the Green Belt, there are VSCs that clearly outweigh harm to the Green Belt and any other harm arising such that the Proposals would continue to be compliant with the with the Development Plan when read as a whole.

9.8. Therefore, irrespective of whether the Site is considered to be appropriate or inappropriate development, the Proposal is still very much in compliance with the Development Plan when read as a whole and in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning permission should be granted.

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WE CONSIDER OUR CREDENTIALS, HOW WE HAVE STRUCTURED OUR BID AND OUR PROPOSED CHARGING RATES TO BE COMMERCIALY SENSITIVE INFORMATION.
WE REQUEST THAT THESE BE TREATED AS CONFIDENTIAL