

LAND AT MOUNT AVENUE, CHALDON
APPEAL REF: 6006497

APPENDICES TO PROOF OF EVIDENCE OF
TOM COLE MRTPI
APPELLANT, TOWN PLANNING

July 2026



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APPENDIX ONE

FIVE YEAR HOUSING LAND SUPPLY REPORT

Land at Mount Avenue, Chaldon, Tandridge, CR3 5BB

Housing Land Supply Statement

LPA Reference: TA/2025/771

794-PLN-NDIP-
00655
Statement
Final
13 March 2026

REPORT

Document status					
Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
draft	Statement	DRO	CAF	CAF	11.3.26
Final					13.3.26

Approval for issue	
Cameron Austin-Fell	13.3.26

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Executive Summary

This statement addresses housing land supply and other housing-related matters in the Borough and responds to the Tandridge District Council's ('the Council') latest land supply position, which for the purposes of our assessment draws on information published by the Council (and other relevant information).

According to government figures, there has been a consistent and persistent under-delivery of housing in Tandridge since the Housing Delivery Test (HDT) came in to effect in 2018.

The Council claims they can now demonstrate 2.17 years' worth of deliverable land against their requirement figure for the 2025-2030 period. The Council accepts that a five-year supply of deliverable land cannot be demonstrated in Tandridge.

Nonetheless, our assessment has identified a number of issues regarding the land supply position in Tandridge, which are pertinent to this appeal.

The AMR 2024/25 states that the base date for the latest assessment is now 1 October 2025. However, by doing so, this has resulted in an 'unbalanced' assessment, where only newly consented sites have been added into the supply without the commensurate number of completions during that period being removed. This is not a robust or credible approach. In our view, 1 April 2025 is the appropriate base date for this appeal. The five year period should cover 1 April 2025 to 31 March 2030.

On our analysis, we contend that the correct position is 1.22 years' worth of deliverable sites in Tandridge. This amounts to a shortfall of 3,754 dwellings when adjusted against the requirement. In our view, the scale of the housing shortfall currently impacting on the delivery of housing in Tandridge adds substantial weight to the provision of housing on the application site.

1 Introduction

- 1.1 This statement relates to a planning appeal against the non-determination of outline planning application ref. TA/2025/771 for 30 homes (50% affordable) with associated works including provision of vehicular and pedestrian access, landscaping, drainage, and other associated infrastructure (“the Site”).
- 1.2 It addresses housing land supply and other housing-related matters in the Borough and responds to the Tandridge District Council’s (‘the Council’) latest land supply position, which for the purposes of assessment draws on information published by the Council.
- 1.3 It is noted the Council is now claiming it can demonstrate 2.17 years’ worth of housing land, as set out in the Annual Monitoring Report (‘AMR 2025’) dated December 2025. This is disputed.
- 1.4 This statement should also be read in conjunction with the Housing Land Supply Statement of Common Ground prepared for this appeal (to be agreed) which sets out the parties’ respective position on matters relating to housing land supply and other housing-related matters.

2 National Policy and Guidance on Land Supply

2.1 This section provides a summary of the pertinent national policy and guidance on housing land supply which has helped inform the approach and analysis set out in this statement

2.2 The relevant version of the National Planning Policy Framework for this appeal was published on 12 December 2024 ('the Framework'). The Framework is a material consideration in the determination of planning applications and appeals where housing land supply is a relevant matter. Relevant extracts from the Framework are set out below.

The Presumption in favour of sustainable development

2.3 Paragraph 11(d) requires all plans and decisions to apply the 'presumption in favour of sustainable development':

"...where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date..." (subject to further provisions in limbs i and ii of the paragraph).

2.4 Footnote 8 of the Framework clarifies that 'out of date' means:

"...for applications involving the provision of housing, situations where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. See also paragraph 227..."

2.5 Paragraph 78 states local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing, and should include a buffer of 20% where there has been 'significant' under delivery of housing over the previous three years (when measured against the Housing Delivery Test) to improve the prospect of achieving the planned supply. This is applicable in this appeal given the acknowledgement that the Council cannot demonstrate a five-years supply of deliverable sites and has failed the HDT.

Delivering a sufficient supply of homes

- 2.6 Paragraph 61 makes clear the importance of boosting the supply of housing, by stating:

“To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area’s identified housing need as possible, including with an appropriate mix of housing types for the local community.”

- 2.7 In this context, paragraph 62 is important with respect to determining the correct approach to determining the minimum number of homes needed in the area where plans are more than five years old. The Council has applied the standard method in their latest assessment. We agree this is the correct approach in Tandridge at this time.

Identifying land for homes

- 2.8 In order to ensure that housing requirements are met, paragraph 78 states:

“Strategic policies should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies³⁸, or against their local housing need where the strategic policies are more than five years old³⁹. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period)....” (RPS emphasis)

- 2.9 The Glossary to the Framework sets out the definition what constitutes a ‘deliverable’ site:

“To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:

a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.” (TT emphasis)

- 2.10 The Framework (and Planning Practice Guidance (“PPG”)) identifies three criteria which need to be addressed for sites to be considered deliverable, namely that; they are available now, offer a suitable location for development now, and are achievable with a realistic prospect that housing will be delivered within five years.
- 2.11 The definition is then broken down into two sub-sets of site, classified according to their planning status. These are often referred to as category ‘A’ and category ‘B’ sites, depending on their status. Category A sites should be considered to be deliverable unless there is clear evidence that homes will not be delivered within five years; Category B sites should only be considered deliverable where there is clear evidence that housing completions will begin within five years. For sites in either category, they must all also meet the three criteria in the definition. The Framework therefore differentiates between sites with detailed permission and other types of sites (including outline applications and sites with no consent) where clear evidence is a requirement.
- 2.12 Additional advice is provided in PPG on implementing aspects of the Framework, including that which relates to housing land supply and delivery. Set out below are those sections of the PPG that are worthy of note.

Demonstrating a 5-year housing land supply

- 2.13 In response to the question ‘*What constitutes a ‘deliverable’ housing site in the context of plan-making and decision-taking?*’ (Paragraph: 007 Reference ID: 68-007-20190722 Revision date: 22 July 2019) in the context of housing land supply, the PPG provides additional detail to that set out in the Framework. It states:

“In order to demonstrate 5 years’ worth of deliverable housing sites, robust, up to date evidence needs to be available to support the preparation of strategic policies and planning decisions. Annex

2 of the National Planning Policy Framework defines a deliverable site. As well as sites which are considered to be deliverable in principle, this definition also sets out the sites which would require further evidence to be considered deliverable, namely those which:

- have outline planning permission for major development; are allocated in a development plan;*
- have a grant of permission in principle; or are identified on a brownfield register.*

Such evidence, to demonstrate deliverability, may include:

- current planning status – for example, on larger scale sites with outline or hybrid permission how much progress has been made towards approving reserved matters, or whether these link to a planning performance agreement that sets out the timescale for approval of reserved matters applications and discharge of conditions;*
- firm progress being made towards the submission of an application – for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates;*
- firm progress with site assessment work; or*
- clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects.*

Plan-makers can use the Housing and Economic Land Availability Assessment in demonstrating the deliverability of sites.” (my emphasis)

2.14 As recognised above, the guidance set out in PPG on assessing whether or not a site is ‘deliverable’ treats certain categories of site differently depending on their planning status and / or the progress made in bringing them forward for development. The guidance highlighted here is relevant to those sites that have not yet secured detailed consent (Full/Reserved Matters), or where an outline consent has been issued but no reserved matters application is in place, which places the ‘burden of proof’ on the Council to present the ‘clear’ evidence to demonstrate that these sites are deliverable. This is of relevance to

Tandridge, given the Council is relying on Category B sites to make-up a significant proportion of the claimed supply.

3 Deliverability Considerations in Decision-Making

- 3.1 Further advice and guidance on how these factors should be interpreted can be taken from the findings of relevant Section 78 decisions and rulings from the courts. Some of the pertinent points raised in these cases are examined below.

The starting point for the assessment – the ‘base date’

- 3.2 As is the nature of the process, supply assessments represent the position at a point in time, namely that which existed at the *base date*. Notably, the assessment would also quantify the number of completions up to the base date, in order to ensure a consistent and balanced consideration with respect to the flow of sites both into and out of the supply. If not, the assessment risks becoming unbalanced and lacking credibility as a basis for calculating the supply position. This was recognised in the appeal decision on Land at Market Square, Basildon [Appendix A] issued on 17 December 2021, which states in the Decision Letter (DL) *inter alia*:

“...it is important that the annual housing land supply calculation should not be distorted by ad hoc additions or deductions throughout the monitoring year. Therefore, those dwellings arising from planning permissions, resolutions, or applications post-dating the annual report should be discounted. (DL92)” (my emphasis)

- 3.3 There are many other decisions that have dealt with this matter, including the appeal decision at Farleigh Fields, North Somerset District recovered by the Secretary of State on 21 March 2017 [Appendix B]. Paragraph 326 of the Inspector’s DL states:

“It is common ground that it is appropriate to assess supply for the five year period starting from 1 April 2016, however NSC includes sites in its anticipated supply that have been consented since that base date. As the appellant identifies, there is a significant body of appeal decisions in which Inspectors have indicated that such an approach is not appropriate in the absence of proper accounting.... I share those Inspectors’ broad view that if such sites are to be included then account must also be taken of the housing requirement that has accrued during the same period. NSC has not factored in that increased requirement or the increased backlog accrued after 1 April 2016, such that there is an imbalance in its inputs and a consequential artificial inflation of its supply of housing land over the five year period in relative terms. Accordingly, all of those sites, which amount to 328 dwellings, should be omitted for the purposes of this exercise.” (TT emphasis)

- 3.4 The Secretary of State at the time agreed with the Inspector's recommendations, stating at paragraph 18 of their letter that:

"The Secretary of State has gone on to consider the disputed 'large consented sites'. For the reasons set out by the Inspector at IR325-327, he concludes that 328 units should be removed from supply, reducing the subtotal further to 7,885 (IR326)." (TT emphasis)

- 3.5 It is fair and reasonable to conclude from these decisions that in order to ensure the supply position follows the relevant period and uses relevant, consistent, and proportionate evidence, sites not deemed as deliverable at the base date should not be included in the five-year period. For example, simply because an application may have been validated and was under consideration prior to the base date does not demonstrate it is deliverable at the base date.

The Suitability of Sites

- 3.6 For any site to be considered deliverable, it must be shown to be suitable. The PPG¹ offers some advice, stating:

"A site or broad location can be considered suitable if it would provide an appropriate location for development when considered against relevant constraints and their potential to be mitigated." (my emphasis)

- 3.7 In terms of constraints, according to the same paragraph of the PPG this could include inter alia: *"appropriateness and likely market attractiveness for the type of development proposed"*

and

"potential impacts including the effect upon landscapes including landscape features, nature and heritage conservation."

- 3.8 It also states that:

¹ Paragraph: 018 Reference ID: 3-018-20190722 Revision date: 22 07 2019

“When assessing sites against the adopted development plan, plan-makers will need to take account of how up to date the plan policies are and consider the relevance of identified constraints on sites / broad locations and whether such constraints may be overcome.” (my emphasis)

- 3.9 Some helpful guidance on how constraints and other objections might be considered in the supply assessment can be found in the High Court ruling issued at *Wainhomes (South West) Holdings Ltd and the Secretary of State for Communities and Local Government et al* [2013] EWHC 597 (Admin) [**Appendix C**] which states, at paragraph 34(iv):

“(iv) Where sites without planning permission are subject to objection, the nature and substance of the objections may go to the question whether the site offers a suitable location; and they may also determine whether the development is achievable with a realistic prospect that housing will be delivered on the site within five years. Even if detailed information is available about the site and the objections, prediction of the planning outcome is necessarily uncertain. All that probably need be said in most cases is that where sites do not have planning permission and are known to be subject to objections, the outcome cannot be guaranteed. Accordingly, where there is a body of sites which are known to be subject to objections, significant site specific evidence is likely to be required in order to justify a conclusion that 100% of all those sites offer suitable locations and are achievable with a realistic prospect that they will be delivered within five years.” (my emphasis)

- 3.10 It is fair and reasonable to conclude from this part of the *Wainhomes* judgment that it is necessary to consider the nature of any objections affecting sites and the potential for significant site-specific evidence to demonstrate a given site offers a suitable location for development, as part of the overall test of deliverability.

The need for clear evidence

- 3.11 The definition of the Framework identifies that Category B sites should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years. As highlighted above, the PPG (paragraph 68-007) requires that robust, up to date evidence is provided.
- 3.12 A number of appeal decisions have interpreted this to require that there needs to be something cogent to provide strong evidence that in reality a site will deliver housing in the

timescale and in the numbers contended for, rather than simply relying upon mere opinion. Some examples (though clearly not exhaustive) are provided here.

- 3.13 Turning to a SofS decision from July 2020 at Audlem Road and Broad Lane, Stapeley [Appendix D] the absence of written agreements is clearly a matter capable of ruling sites from inclusion in the supply. As part of Paragraph 21 of the decision, it is noted that,

“He considers that, on the basis of the evidence before him, the following should be removed from the supply: sites with outline planning permission which had no reserved matters applications and no evidence of a written agreement”.

- 3.14 Where evidence is provided, this does not automatically render sites as deliverable, and it is necessary to interpret the information, both in terms of age and validity. As part of the Woburn Sands decision [Appendix E], the SofS agreed with the Inspector that the latest evidence should be used when considering deliverability, as set out in DL12:

“The Secretary of State has considered the Inspector’s analysis at IR12.4-12.64. For the reasons given at IR12.8-12.12 the Secretary of State agrees with the Inspector that it is acceptable that the evidence can post-date the base date provided that it is used to support sites identified as deliverable as of 1 April 2019 (IR12.11)....”. (my emphasis)

- 3.15 Putting this approach into practice, this would allow the consideration of evidence for outline schemes where there had been firm progress with Reserved Matters applications for example. Similarly, it also stands that where sites have not progressed as planned, this evidence can also be accounted for to give an up-to-date position. This particular point is explored further as part of the Audlem Road appeal highlighted above where, also at paragraph 21, the SofS removes components of supply where:

“...there is no application and the written agreement indicates an application submission date of August 2019 which has not been forthcoming, with no other evidence of progress”.

- 3.16 Turning to the matter of substance of evidence, the PPG² indicates that evidence can take the form of written agreements between local planning authorities and the site developers to set out the delivery intentions and start/build rates. This particular point was brought under scrutiny as part of the Popes Lane, Sturry, decision in Canterbury City [Appendix F]. As part of the disputed case on supply, the Council in this case had sought to reinforce their evidence on a number of sites through Statements of Common Ground with developers/landowners. The Inspector however was unconvinced of the robustness of this exercise, as indicated in DL23 of the decision:

“For a number of the disputed sites, the Council’s evidence is founded on site-specific SCGs which have been agreed with the developer or landowner of the site in question. I appreciate that the PPG refers to SCGs as an admissible type of evidence, and I have had full regard to that advice. But nevertheless, the evidential value of any particular SCG in this context is dependent on its content. In a number of cases, the SCGs produced by the Council primarily record the developer’s or landowner’s stated intentions. Without any further detail, as to the means by which infrastructure requirements or other likely obstacles are to be overcome, and the timescales involved, this type of SCG does not seem to me to demonstrate that the development prospect is realistic. In addition, most of the site-specific SCGs are undated, thus leaving some uncertainty as to whether they represent the most up-to-date position.”

- 3.17 From the reading of this decision, it is clear that a written account alone does not signify the test of deliverable has been met and it is necessary to interrogate assumptions in such statements to ensure that there is a realistic prospect of delivery. It was this particular point reflected upon as part of the Caddywell Lane decision [Appendix G] from March 2020. In his reading of the PPG, Inspector Stephens states in Paragraph 56 that clear evidence must be something cogent, as opposed to mere assertions, that there must be strong evidence that a given site will in reality deliver housing in the timescale and numbers contended.

² PPG Paragraph 68-020-20190722

Inspector Stephens goes onto discuss what he regards to be a demonstration of clear evidence, in Paragraph 57 of the decision, stating:

“Clear evidence requires more than just being informed by landowners, agents or developers that sites will come forward, rather, that a realistic assessment of the factors concerning the delivery has been considered. This means not only are the planning matters that need to be considered but also the technical, legal and commercial/financial aspects of delivery assessed. Securing an email or completed pro-forma from a developer or agent does not in itself constitute ‘clear evidence’. Developers are financially incentivised to reduce competition (supply) and this can be achieved by optimistically forecasting delivery of housing from their own site and consequentially remove the need for other sites to come forward”.

- 3.18 It is fair and reasonable to conclude from these cases that the choice or selection of sites to include in the supply calculation is one that should be based on sound planning judgments based underpinned by up to date and credible evidence. On this point, the Council has provided no specific evidence on any of those sites where clear evidence is required. This is a significant issue. The main findings from our analysis on the Council’s claimed deliverable supply sources in section 7 of this statement.

4 The latest housing land supply position in Tandridge

4.1 This section briefly outlines the Council's approach on land supply, including the latest supply calculation for decision-making purposes. It highlights the main assumptions that have informed the Council's current position.

The Council's approach on land supply – key assumptions

4.2 The Council's latest, full land supply assessment is set out in *Tandridge District Council Annual Monitoring Report 2024/2025 December 2025* ('AMR 2024/25'). The extract below (Table 4.1) summarises the latest supply calculation.

Table 4-1 Tandridge land supply calculation, December 2025

COMPONENT						OUTPUT
Standard Method annual requirement						827
Annual requirement +20%						993
Five-year requirement (inc. buffer)						4,964
Total Supply						2,158
Year	2025/26	2026/27	2027/28	2028/29	2029/30	TOTAL
FUL <=9	123	66	22	0	0	211
FUL >=10	43	123	133	95	80	474
UC <=9	38	13	5	0	0	56
UC >=10	20	20	20	20	9	89
OUT > 10	0	0	264	276	210	750
PA / CoU / CLU	27	3	4	0	0	34
C2 / Communal	0	20	20	20	24	84
Windfall	0	0	0	230	230	460
Over / Under Provision						-2,806
Total Years Supply						2.17

Source: AMR 2024/25 (Table 12 Identified Supply Figures)

4.3 The Council has identified a total supply from deliverable sites amounting to **2,158** dwellings over the next five years. On this basis, the Council claims they can now demonstrate **2.17** years' worth of deliverable land against their requirement figure for the 2025-2030 period. For comparison, this is a slight improvement on the previous published position (1.92 years) but still represents a substantial shortfall against the national policy threshold of five years (minimum) expected of all local authorities, contrary to paragraph 78 of the Framework.

Housing Delivery Test and Housing Action Plans

- 4.4 The Council has prepared a Housing Action Plan ('HAP') every year since 2021. This is in accordance with paragraph 79 of the Framework, which stipulates that where delivery falls below 95% of the requirement over the previous three years, the authority should prepare an 'action plan' to assess the causes of under-delivery and 'identify actions' to 'increase delivery in future years'. This is determined against the Housing Delivery Test score prepared for each respective three-year period.
- 4.5 We can see that in 2021 edition the Council had achieved a **50%** HDT score based on 2017-2020 delivery period in 2021 and referenced in the first action plan issued by the Council in June 2021 (HAP 2021, para 4.4). The most recent score is even lower, at **42%**, based on 2020-2023 period published in 2024 and referred to in the latest Housing Action Plan dated December 2025 (HAP 2025, para 20.85).
- 4.6 The full set of HDT scores for Tandridge are set out below. This provides a clear 'ready reckoner' of past and current performance in delivering housing against the required number of homes in Tandridge since 2015, based on published figures³.

Table 4-2 Housing Delivery Test Scores in Tandridge

period	HDT Score
2015-2018	65%
2016-2019	50%
2017-2020	50%
2018-2021	38%
2019-2022	38%
2020-2023	42%
Av.	47%

Source: MHCLG

- 4.7 What we see is a consistent and persistent under-delivery of housing in Tandridge since the HDT was in operation, of less than 50% on average. This was regardless of whether the Council had prepared an action plan or not. This was also the measure of delivery performance in the context of the national lockdown announced on 23 March 2020, which

³ [Housing Delivery Test - GOV.UK](https://www.gov.uk/guidance/housing-delivery-test)

was described as an ‘unprecedented event’ which saw temporary disruption to local authority planning services and the construction sector across the UK. Government adjusted the HDT methodology to reflect these impacts in the results for 2017-20 and 2018-21, by reducing the ‘homes required’ within the 2019 to 2020 year by a month and within the 2020 and 2021 year by four months.

- 4.8 New HDT scores for all local authorities, including Tandridge, are expected to be published very shortly covering the periods 2021-2024 and 2022-2025.
- 4.9 Taken together, this demonstrates a clear reluctance or inability on the part of the Council to deliver the number of homes required to meet the needs of the district.

Emerging Local Plan

- 4.10 According to the Council, following the withdrawal of ‘Our Local Plan 2033’ on 18 April 2024 it was agreed that the Council would start work on a new Local Plan.
- 4.11 TDC recently undertook consultation on the Regulation 18 version of their Plan titled ‘*Regulation 18: Early Engagement Consultation*’ document and invited comments from interested parties. This consultation closed on 01 March 2026⁴. The consultation points to an indicative date for adoption by ‘Mid 2028’ but, more importantly, the intention to submit the Plan for examination sometime in ‘mid 2027’. The expected submission date therefore goes beyond the 31 December 2026 deadline announced by government (updated 6 March 2026) for those Councils wishing to prepare a Local Plan under the current plan-making system⁵. The recent consultation represents the start of the process for preparing the Plan. In these circumstances, it is self evident the Council will not be in a position to submit the final plan by the end of this year (a period of less than 10 months) and meet the government’s deadline.

⁴ <https://www.tandridge.gov.uk/Your-council/News-and-consultation/Consultations/Local-Plan-consultation-closed-1-March-2026>

⁵ [Rollout of the new local plan-making system - GOV.UK](#) (6 March 2026)

- 4.12 Consequently, the (new) Tandridge Local Plan will need to be produced under the new plan-making system as set out in the Levelling Up and Regeneration Act (2023), which will streamline the new process to 30 months. (NB: guidance on the new local plan-making system ‘roadmap’ was published on 2 March 2026, which indicates the 30-month plan preparation process will start on the date the LPA passes through Gateway 1⁶).
- 4.13 Under the new system, we anticipate that the Council will be required to start the process of preparing the Local Plan by publishing a ‘notice to commence’ plan preparation by 30 June 2026 and then publish a ‘Gateway 1 self-assessment’ by 31 October 2026. On this timeframe, we would not expect the new Plan to be adopted until at least early 2029.
- 4.14 Given the Council will not secure an adopted Plan under the current system (and therefore with no new housing site allocations) it is unlikely that the land supply position will improve materially (or at all) in the short-term unless more permissions are issued on other suitable sites via the planning application process.

⁶ [Gateway 1: what you need to do - GOV.UK](#)

5 The base date and assessment period

- 5.1 The AMR 2024/25 states that the base date for the latest assessment is 1 October 2025 (AMR 2024/25, 2.87). It also states the assessment period is 2025-2030.
- 5.2 The Council has described this as an 'interim' position. This is "...to ensure that the Council's evidence reflects the most recent and accurate data available..." (AMR 2024/25, para 2.88). According to the Council, the amended base date of 1 October 2025 has been selected, "...to incorporate recent planning permissions, site delivery trajectories, and changes in site status since the start of the monitoring year, ensuring that the position presents the most up-to-date and robust evidence of deliverable supply..." (para 2.89)
- 5.3 We do not object in principle to using a base date that deviates from the (usual) 1 April calendar date. Nonetheless, whichever approach is used must be robust and credible, based on adequate and proportionate evidence.
- 5.4 In reality, the Council's approach is confusing and not informed by up to date evidence. Specifically, the Council has only identified new supply sources (planning permissions) and points to 'changes in site status' and 'site delivery trajectories'. This, we assume, accounts for sites the Council considers to be deliverable and sites granted consent between 1 April and 30 September 2025. However, it is not apparent from the assessment that the Council has deducted completions from any sites identified in the supply but where completions had occurred during this 'interim' period. This would relate to those sites that are either under construction or which benefited from detailed planning permission, and where delivery is expected during year 1 (2025/26).
- 5.5 The lack of clarity on completions is further highlighted in Table 4 and 5 of the AMR 2024/25, which both refer to an 'April – March' monitoring year. This is not consistent with an October (mid-year) base date for the supply assessment. We also note there are no completions figures provided in the AMR covering the April 2025 – September 2025 period. In effect, the Council has changed its land supply assessment period, but has not changed its monitoring

processes to align with the new approach. This further undermines the move to a 1 October 2025 base date, even if this is only an interim measure.

- 5.6 In light of the concerns set out above, the Council has not provided sufficient evidence that they have monitored completions on housing sites between 1 April and 30 September 2025 and it is unclear whether completions during this period have been factored into the re-basing of the base date to 1 October 2025 for latest supply assessment. This has resulted in an ‘unbalanced’ assessment, where only newly consented sites have been included. In line with the Basildon and Farleigh Fields cases outlined above, all sources of supply that post-date the 1 April 2025 monitoring date should be removed from the supply.
- 5.7 On this basis, we recommend that a 1 April 2025 is the appropriate base date for this appeal. The five year period should cover 1 April 2025 to 31 March 2030.

6 The Housing Land Requirement

- 6.1 According to the AMR 2024/25, the (five-year) housing (land) requirement has been calculated using the Standard Method, identifying an annual housing need of 827 dwellings per annum. As a result of the Council's Housing Delivery Test result, a 20% buffer has been applied, resulting in an annual requirement of **993** dwellings, and a five-year requirement amounting to **4,964** dwellings (AMR, 2024/25, para 2.84).
- 6.2 We agree this is the correct requirement figure for this appeal. Nonetheless, we expect new assumptions on dwelling stock and affordability ratios to be published in the coming months, which will necessitate an update to the housing figures to ensure they are kept up to date.

7 Assessment of Land Supply

7.1 Section 4 of this statement outlines the supply components the Council is relying on in their latest assessment. The table below lists these sources by component.

Table 7-1 TDC Identified Supply Figures

AMR 2024/25	Component	2025/26	2026/27	2027/28	2028/29	2029/30	TOTAL
Table 3	FUL <=9	123	66	22	0	0	211
Table 4	FUL >=10	43	123	133	95	80	474
Table 5	UC <=9	38	13	5	0	0	56
Table 6	UC >=10	20	20	20	20	9	89
Table 7	OUT > 10	0	0	264	276	210	750
Table 8	PA / CoU / CLU27		3	4	0	0	34
Table 9	C2 Communal	/0	20	20	20	24	84
	Windfall	0	0	0	230	230	460
	Total						2,158

Source: AMR 2024/25, Table 12

7.2 The AMR 2024/25 lists these various sources on a site-by-site basis in the appendices to the report. We have reviewed the supply components and set out our findings on those sources, below.

Sites with full planning permission that are for 9 units or fewer (FUL <9)

7.3 The Council has identified 108 sites with detailed planning permission of 9 or less dwellings. These are listed in Appendix 1 (Table 3) of the AMR 2024/25. The claimed supply from this source totals 211 dwellings.

7.4 Of these, 23 sites were granted permission after 1 April 2025, but prior to 1 October. These total 47 dwellings on those sites. As explained, the rebasing of the base date to 1 October 2025 is disputed. If these sites are removed, this reduces the supply from this source to **164** dwellings.

7.5 No other adjustments are sought.

7.6 **Appendix H** of this statement provides a schedule of the disputed sites in this category.

Sites with full planning permission that are for 10 units or more (FUL 10>)

7.7 The Council has identified 8 sites with detailed planning permission of 10 or more dwellings. These are listed in Appendix 1 (Table 4) of the AMR 2024/25. The claimed supply from this source totals 474 dwellings.

7.8 Of these, 3 sites were granted permission after 1 April 2025, but prior to 1 October. These total 245 dwellings on those sites. As explained, the rebasing of the base date to 1 October 2025 is disputed. If these sites are removed, this reduces the supply from this source to **229** dwellings.

7.9 No other adjustments are sought.

7.10 **Appendix I** of this statement provides a schedule of disputed sites in this category.

Sites that are under construction that are for 9 units or fewer (UC <9)

7.11 The Council has identified 21 sites with detailed planning permission of 9 or less dwellings. These are listed in Appendix 1 (Table 5) of the AMR 2024/25.

7.12 Under the Framework definition, sites in this category are deemed as deliverable unless clear evidence indicates otherwise. The claimed supply from this source totals **56** dwellings. No deductions are proposed from this source.

Sites that are under construction that are for 10 units or more (UC 10>)

7.13 The Council has identified 1 site currently being built out for 10 or more dwellings. This is listed in Appendix 1 (Table 6) of the AMR 2024/25.

7.14 Under the Framework definition, sites in this category are deemed as deliverable unless clear evidence indicates otherwise. The claimed supply from this source totals **89** dwellings. No deductions are proposed from this source.

Outline permissions for sites of 10 units or more (OUT 10>)

- 7.15 The Council has identified 8 sites with detailed planning permission of 10 or more dwellings. These are listed in Appendix 1 (Table 7) of the AMR 2024/25. The claimed supply from this source totals 750 dwellings. This is by far the largest contributor to the claimed supply, by component.
- 7.16 Nonetheless, under the Framework definition it must be demonstrated with clear evidence that sites with outline planning permission are deliverable within the next five years. Seven of these sites are disputed, as explained below.
- 7.17 **Appendix J** of this statement provides a full schedule of disputed sites in this category.

Development Site At 532253 143328, Plough Road, Smallfield

- 7.18 This site was granted permission in outline for up to 120 dwellings on 17 July 2024.

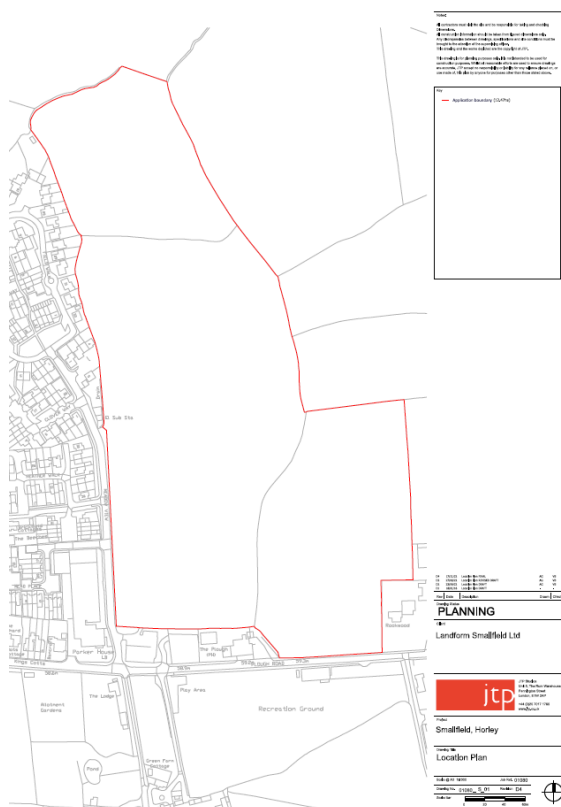


Figure 7-1 Development Site At 532253 143328, Plough Road, Smallfield - Location Plan (taken from planning application)

- 7.19 Subsequent to the outline, a reserved matters application (2025/723) was submitted in August 2025, but has not yet been determined. This is due to a number of outstanding

objections on flooding and drainage issues in relation to the RM that remain unresolved submitted by Surrey CC, who acts as the Lead Local Flood Authority in Tandridge district [Appendix J.1]. It is not clear when these issues will be resolved and allow the application to be determined. This case clearly falls within the remit of *Wainhomes* outlined above, whereby proposals subject to significant objections should not be considered deliverable.

7.20 A number of pre-commencement conditions attached to the outline consent have not been discharged or even applied for at this time (NB: only one application has been submitted for condition 15). Furthermore It is likely that additional pre-commencement conditions will be applied to any RM consent, given the outstanding issues, which will also need to be discharged prior to development coming forward.

7.21 On balance, whilst some progress has been made towards delivery of housing, it remains unclear when development is likely to commence. The current trajectory is not supported by clear evidence. The trajectory should be pushed back by at least one year. As a consequence, the supply within the next five years should be reduced by 40 dwellings.

Five-year projection	LPA	TT RPS	Difference
Plough Lane, Smallfield	120	80	40

Orchard Court, 33 East Grinstead Road, Lingfield

7.22 This site was granted consent in outline for 54 older persons units on 7 June 2024.

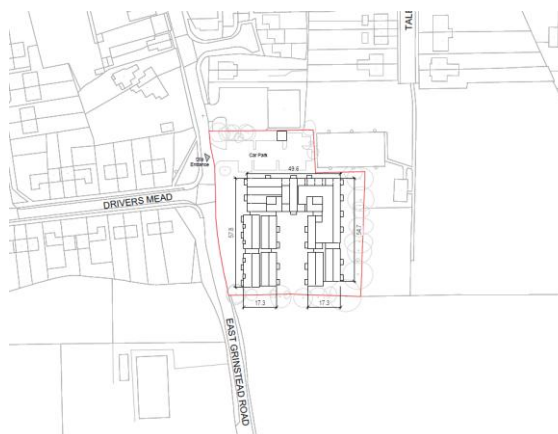


Figure 7-2 Orchard Court - Location Plan (taken from planning application)

7.23 This site is owned by Surrey County Council. It appears the existing buildings have been demolished (indicated on Googlemaps). However, there are no records of any discharge of conditions applications being submitted pursuant to the original outline consent. No RM application has been submitted. Furthermore, no developer has been identified and it is unclear whether the site has been or is being marketed for sale. On this basis, no clear evidence has been provided to demonstrate any progress towards a reserve matters application. Consequently, the realistic prospects of delivery within the next five years has not been demonstrated. Remove the site in full.

7.24 As a consequence, the supply within the next five years should be reduced by 54 dwellings.

Five-year projection	LPA	TT RPS	Difference
Orchard Court, 33 East Grinstead Road, Lingfield	54	0	-54

Stables, Red Lane Farm, Red Lane, Limpsfield, Oxted

7.25 This site was granted in outline for 12 dwelling on 22 September 2025.

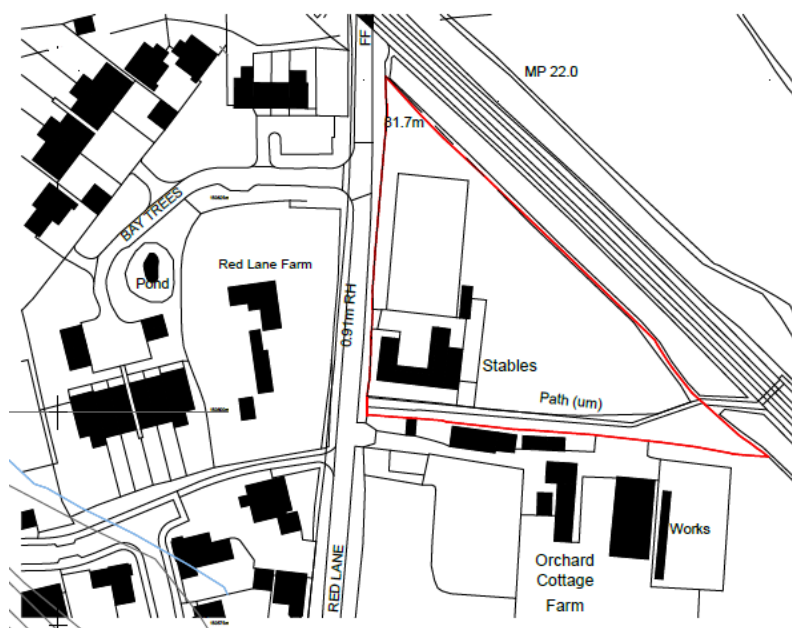


Figure 7-3 Stables, Red Lane Farm - Location Plan (taken from planning application)

- 7.26 A variation of condition application (2025/1517) was validated on 21 January 2026, but has not yet been determined. It is acknowledged the applicant (Chartwell Land) is a local housebuilder with a recent track record in the area and it is assumed they will buildout the site. However, no discharge conditions applications submitted as yet, and no firm progress towards a reserve matters application. Furthermore, the site was granted consent after 1 April 2025. As explained, the rebasing of the base date to 1 October 2025 is disputed.
- 7.27 On this basis, lack of clear evidence to demonstrate firm progress towards a reserve matters application. Consequently, the realistic prospects of delivery within the next five years has not been demonstrated.
- 7.28 As a consequence, the supply within the next five years should be reduced by 12 dwellings.

Five-year projection	LPA	TT RPS	Difference
Stables, Red Lane Farm, Red12 Lane, Limpsfield		0	-12

Former Shelton Sports Club, Shelton Avenue And Land Adjacent To 267 Hillbury Road, Warlingham

7.29 This site was granted outline consent for up to 150 dwellings on 20 June 2025.

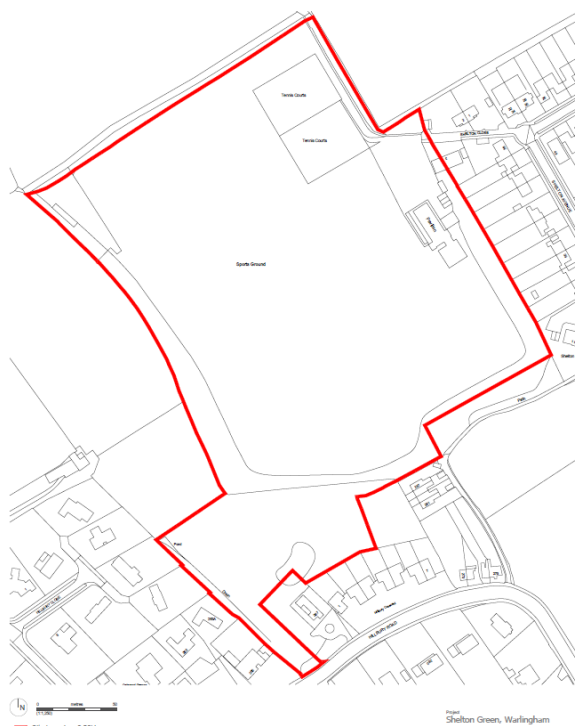


Figure 7-4 Former Shelton Sports Club - Location Plan (taken from planning application)

7.30 It is acknowledged the applicant (Chartwell Land) is a local housebuilder with a recent track record in the area and it is assumed they will buildout the site. However, no discharge conditions applications submitted as yet, and no firm progress towards a RM application. Furthermore, the site was granted consent after 1 April 2025. As explained, the rebasing of the base date to 1 October 2025 is disputed.

7.31 On this basis, lack of clear evidence to demonstrate firm progress towards a reserve matters application. Consequently, the realistic prospects of delivery within the next five years has not been demonstrated.

7.32 As a consequence, the supply within the next five years should be reduced by 150 dwellings.

Five-year projection	LPA	TT RPS	Difference
Former Shelton Sports Club	150	0	-150

1 Park Lane, Warlingham

7.33 This site was granted outline consent for up to 45 dwellings on 24 July 2025.



Figure 7-5 1 Park Lane - Site Plan (taken from planning application)

7.34 The online register indicates that this application has only been approved pending completion of a s106 Agreement, and so a formal consent has not yet been issued (hence why a decision notice has not been issued available on the register. No discharge conditions applications submitted as yet on the outline, and no firm progress towards a reserve matters application. Lack of clear evidence provided. Furthermore, the site was granted consent after 1 April 2025. As explained, the rebasing of the base date to 1 October 2025 is disputed.

7.35 On this basis, there is a lack of clear evidence to demonstrate firm progress towards a reserve matters application. The realistic prospects of delivery within the next five years has not been demonstrated.

7.36 As a consequence, the supply within the next five years should be reduced by 45 dwellings.

Five-year projection	LPA	TT RPS	Difference
1 Park Lane, Warlingham	45	0	-45

Rede Cottage, 57 Redehall Road, Smallfield, Horley

7.37 This site was granted outline consent for up to 85 dwellings on 2 July 2025.



Figure 7-6 Rede Cottage - Site Plan (taken from planning application)

7.38 A similar situation exists here to that which is evident on the Park Lane site. The online register indicates that this application has only been approved pending completion of a s106 Agreement, and so a formal consent has not yet been issued (hence why a decision notice has not been issued available on the register. No discharge conditions applications submitted as yet on the outline, and no firm progress towards a reserve matters application. Lack of clear evidence provided. Furthermore, the site was granted consent after 1 April 2025. As explained, the rebasing of the base date to 1 October 2025 is disputed.

7.39 On this basis, there is a lack of clear evidence to demonstrate firm progress towards a reserve matters application. The realistic prospects of delivery within the next five years has not been demonstrated.

7.40 As a consequence, the supply within the next five years should be reduced by 85 dwellings.

	LPA	TT RPS	Difference
Five-year projection			
Rede Cottage, 57 Redehall Road	85	0	-85

Land West Of Chapel Road, Smallfield

7.41 This application was approved on appeal for 270 dwellings in June 2025.

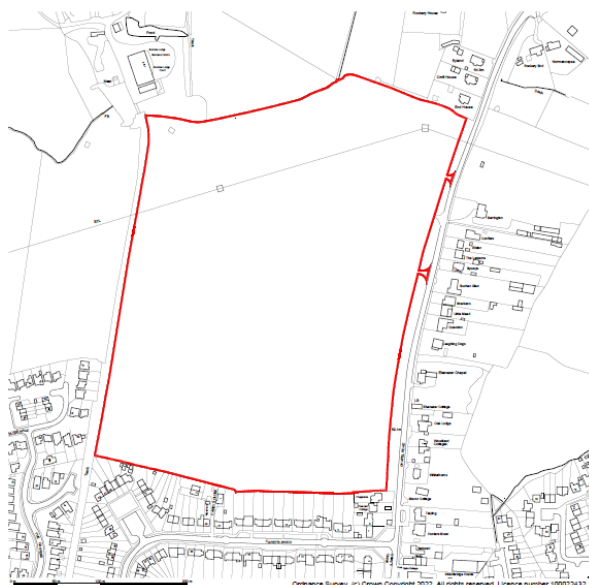


Figure 7-7 Location Plan – Land West of Chapel Road (taken from planning application)

7.42 According to the agent, the site has subsequently been put on the market and expressions of interest have been received. Whilst the site may be sold, it has yet to be sold and so it is unclear what the future trajectory is for the site, who will secure the reserve matters consent and who will build out the site, or whether a fresh outline /full application may be submitted once the site is acquired by the new owner. No clear evidence has been presented to demonstrate realistic prospect that homes will be delivered in the next five years. In addition, the site was granted consent after 1 April 2025. As explained, the rebasing of the base date to 1 October 2025 is disputed.

7.43 On this basis, there is a lack of clear evidence to demonstrate firm progress towards a reserve matters application. The realistic prospects of delivery within the next five years has not been demonstrated.

7.44 As a consequence, the supply within the next five years should be reduced by 270 dwellings.

7.45 The total deductions identified from this source amounts to 656 dwellings. If these sites are removed, this reduces the supply from this source to from 750 to **94** dwellings.

Five-year projection	LPA	TT RPS	Difference
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Permissions for Prior Approval, Change of Use, or Certificate of Lawful Use (PA / CoU / CLU)

- 7.46 The Council has identified 18 sites with detailed planning permission of 9 or less dwellings. These are listed in Appendix 1 (Table 8) of the AMR 2024/25.
- 7.47 Under the Framework definition, sites in this category are deemed as deliverable unless clear evidence indicates otherwise (as they are minor developments, bar one site). The claimed supply from this source totals **34** dwellings.
- 7.48 No deductions are proposed from this source.

Permissions for C2 (Extra Care) / Communal development (C2 / COM)

- 7.49 The Council has identified 1 site with detailed planning permission in this category. These are listed in Appendix 1 (Table 9) of the AMR 2024/25.
- 7.50 Under the Framework definition, sites in this category are deemed as deliverable unless clear evidence indicates otherwise. The claimed supply from this source totals **84** dwellings.
- 7.51 No deductions are proposed from this source.

Windfall Allowance

- 7.52 Paragraph 75 of the Framework makes clear that where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends.
- 7.53 The AMR 2024/25 includes an allowance of **460** dwellings within the deliverable supply. This is based a review of past delivery rates observed between 2013/14-2024/25, set out at Table

13 of the AMR. The Council has applied the allowance over the last two years of the five-year period (230 in 2028/29, and 230 in 2029/30).

7.54 On balance, we do not object to the inclusion of a windfall allowance in the forward supply calculation presented in the AMR 2024/25. We would however strongly resist any suggestion that the allowance should be increased as there is no evidence to justify any change.

7.55 Nonetheless, the Council's own evidence demonstrates the important contribution that windfall development has made to the overall completion rates (and thus in meeting housing need) seen in Tandridge during this period. This is explained in the following table.

Table 7-2 Total (net) dwelling completions and contribution from windfall sites, 2013-25, Tandridge

Monitoring year	Total completions (net)	Windfalls
April 2013 – March 2014	256	256
April 2014 – March 2015	142	142
April 2015 – March 2016	322	322
April 2016 – March 2017	228	228
April 2017 – March 2018	332	332
April 2018 – March 2019	244	244
April 2019 – March 2020	262	262
April 2020 – March 2021	117	117
April 2021 – March 2022	238	238
April 2022 – March 2023	303	303
April 2023 – March 2024	238	238
April 2024 – March 2025	183	183
Adjustment for 2018/729 allocation		-111
Total	2,865	2,754
% of total completions delivered on windfall sites		96%
Source:	AMR 2024/25 (Table 4)	AMR 2024/25 (Table 13); TT RPS

7.56 According to the data, **96%** of all completions in Tandridge between 2013 and 2025 were secured on sites not allocated in a development plan. This is not the usual situation we might expect to see elsewhere across the country. Whilst this may belie the wider objective of a 'plan-led' system at the local level, it nonetheless is clear evidence that the Council would have failed to meet the housing needs of Tandridge without development coming forward on windfall sites.

7.57 Windfall development has been a critical source of housing supply in Tandridge. As explained in section 4 of this statement, the Council is not in position to adopt a new Local Plan (which we assume would include sites allocated for housing) any time soon. Consequently, windfall development will continue to be an important characteristic of housing delivery in Tandridge for the foreseeable future.

Summary of deductions

7.58 The following table draws together the various adjustments identified based on our assessment.

Table 7-3 Deductions from supply

	TDC	RPS	Deductions
FUL <=9	211	164	47
FUL >=10	474	229	245
UC <=9	56	56	0
UC >=10	89	89	0
OUT > 10	750	94	656
PA / CoU / CLU	34	34	0
C2 / Communal	84	84	0
Windfall	460	460	0
total deductions			948

7.59 The deductions we put forward in this statement total **948** dwellings. On this basis, when apply the deduction the deliverable supply in Tandridge is **1,210** dwellings over the next five years. This is summarised in the following table.

Table 7-4 Impact of deductions

	Supply
TDC	2,158
minus deductions	948
RPS	1,210

7.60 The next section of this statement presents an adjusted land supply calculation for Tandridge derived from our assessment.

8 Adjusted land supply calculation

- 8.1 The following table provides our land supply calculation for the appeal, taking into account the various adjustments identified in this statement.

Table 8-1 Land supply calculation for Tandridge (2025-30)

	TDC	RPS
Standard Method annual requirement	827	827
Annual requirement +20%	993	993
Five-year requirement (inc. buffer)	4,964	4,964
Total Supply	2,158	1,210
Over / Under Provision	-2,806	-3,754
Total Years Supply	2.17	1.22

- 8.2 On our analysis, we contend that the correct position is **1.22 years'** worth of deliverable sites in Tandridge. This amounts to a **shortfall of 3,754 dwellings** when adjusted against the requirement.
- 8.3 This clearly shows there is a pressing need to grant more applications for residential development in Tandridge in order to tackle the shortfall in supply, which we would describe as being substantial.

9 Summary and conclusions

9.1 This statement addresses housing land supply and other housing-related matters in the Borough and responds to the Tandridge District Council's ('the Council') latest land supply position, which for the purposes of assessment draws on information published by the Council.

9.2 It relates to a planning appeal against the non-determination of outline planning permission TA/2025/771 for 30 homes (50% affordable) with associated works including provision of vehicular and pedestrian access, landscaping, drainage, and other associated infrastructure, ("the Site"). RPS became involved in the appeal around the time the appeal was being lodged.

Housing Delivery

9.3 There has been a consistent and persistent under-delivery of housing in Tandridge since the HDT was in operation (in 2018) of less than 50% on average (47%). The current measure is 42% (2020-2023). This demonstrates a clear reluctance or inability on the part of the Council to deliver the number of homes required to meet the needs of the district.

The Council's latest position on land supply

9.4 The Council's latest, full land supply assessment is set out in *Tandridge District Council Annual Monitoring Report 2024/2025 December 2025*. The Council claims they can now demonstrate 2.17 years' worth of deliverable land against their requirement figure for the 2025-2030 period. This is based on a claimed supply amounting to 2,158 dwellings. Our assessment has identified a number of issues regarding the land supply position in Tandridge, which are pertinent to this appeal.

The base date and assessment period

9.5 The AMR 2024/25 states that the base date for the latest assessment is now 1 October 2025. We do not object in principle to using a base date that deviates from the (usual) 1 April calendar date. However, it is not apparent whether the Council has deducted

completions from any sites identified in the supply where those completions had occurred during the period prior to the re-based starting point (between 1 April and 30 September 2025). This has resulted in an ‘unbalanced’ assessment, where only newly consented sites have been added into the supply without the commensurate number of completions during that period being removed. This is not a robust or credible approach.

- 9.6 On this basis, we recommend that a 1 April 2025 is the appropriate base date for this appeal. The five year period should cover 1 April 2025 to 31 March 2030.

Housing Land Requirement

- 9.7 As a result of the Council’s persistent under-delivery of housing in recent years, a 20% buffer has been applied to the standard method figure, resulting in an annual requirement of **993** dwellings, and a five-year requirement amounting to **4,964** dwellings.

- 9.8 We agree this is the correct requirement figure for this appeal.

Assessment of supply

- 9.9 Our assessment has identified 948 dwellings that should be discounted from the deliverable supply. When applying this deductions, we argue the correct supply is **1,210** dwellings over the next five years. Details on those elements in dispute are discussed in section 7 of this statement, with site-by-site comments presented in the appendices.

Land supply calculation (adjusted)

- 9.10 On our analysis, we contend that the correct position is **1.22 years**’ worth of deliverable sites in Tandridge. This amounts to a **shortfall of 3,754 dwellings** when adjusted against the requirement. Our calculations are set out below.

	TDC	RPS
Standard Method annual requirement	827	827
Annual requirement +20%	993	993
Five-year requirement (inc. buffer)	4,964	4,964
Total Supply	2,158	1,210
Over / Under Provision	-2,806	-3,754
Total Years Supply	2.17	1.22

- 9.11 In this context, it is worth noting that the Council is unlikely to adopt a new Local Plan in the foreseeable future, given the plan that was in the process of being prepared was withdrawn in April 2024. The consequence of this situation is that there are no immediate prospects that the shortfall in housing supply in Tandridge will be remedied any time soon.

Scale of the shortfall

- 9.12 On this analysis, there is a pressing and demonstrable need to grant more applications for residential development in Tandridge in order to tackle the shortfall in housing land supply, which we would describe as being 'substantial'. We draw this conclusion having regard to the *Hallam*⁷ judgement in 2018 [**Appendix K**] which recognised that the size of the shortfall is a relevant consideration is determining the weight to ascribe to relevant policies for housing. Notably, it states:

"47...in a case where the local planning authority is unable to demonstrate five years' supply of housing land, the policy leaves to the decision-maker's planning judgment the weight he gives to relevant restrictive policies. Logically, however, one would expect the weight given to such policies to be less if the shortfall in the housing land supply is large, and more if it is small...."

- 9.13 In light of this judgement, the scale of the housing shortfall currently impacting on the delivery of housing in Tandridge adds substantial weight to the provision of housing on the application site, in our professional opinion.

⁷ [Hallam Land Management Ltd v Secretary of State for Communities And Local Government & Anor \[2018\] EWCA Civ 1808 \(31 July 2018\)](#)

APPENDIX TWO

APPELLANT'S RESPONSE TO THIRD PARTIES

APPENDIX TWO: APPELLANT’S RESPONSE TO THIRD PARTY COMMENTS

Theme	Comment	Response
Highways, Transport and Access	- Mount Avenue was previously considered as a “park and stride” location for the expansion of St Peter and St Paul’s School but was rejected by Surrey Highways because the road is too narrow and access is constrained. - Concerns regarding the deliverability and lawfulness of the proposed access arrangements - The approval of an additional 7 houses in Mount Avenue further undermines the deliverability of the current application.	- Whether or not Mount Avenue was previously considered as a “park and stride location for the expansion of St Peter and St Paul’s School” is irrelevant to this appeal. SCC comments that the road was too narrow were made in respect of the use of the road as a park and stride, requiring additional street capacity for parked cars. The Application proposes off street car parking and will not is not relevant to the Application. - Policy DP5 requires development to provide “safe and suitable access to the site which is achievable by all and promotes access by public transport, foot and bicycle.” - SCC Highways support the Application subject to the implementation of conditions and financial contributions to be secured via the S106 agreement. SCC Highways raised no concerns regarding the access from Mount Avenue. The response concluded that “the proposed access arrangements onto Mount Avenue including narrowing of the available carriageway in order to provide footways on either side of the road....the principle of this approach is suitable.” - The Officer’s report states “A new access from Mount Avenue is to be created. This will be the...main access serving the development. There are no strong objections to this from a character perspective”. - The Application is compliant with Policy and this is demonstrated by the fact that SCC raised no objection, nor does this form a reason for refusal.
	- Increased traffic would cause congestion and create safety risks on a narrow residential road - The significant increase in housing numbers on Mount Avenue is considered unsustainable for the capacity of the road. - Traffic generation, highway safety and parking issues have not been properly addressed.	- Part 6 of Policy DP7 requires proposals to “not significantly harm the amenity of neighbouring properties by reason of pollution (noise, air or light), traffic or other general policy.” - The Officer’s Report at paragraph 16.5 states “Vehicles accessing the site would be via Mount Avenue. This is an existing route which already serves dwellings along Mount Avenue. There will be an increase in movements compared to the current situation. However, due to the proposed use still being residential it is not considered that the noise and pollution arising from such movements would lead to a significant impact upon the existing neighbours. These are not considered to amount to the significant harm cited at criterion 6 of policy DP7.” - It is reiterated that SCC Highways support the application subject to conditions and the legal agreement and raised no concerns regarding the proposed access from Mount Avenue. - The Application is therefore compliant with Policy.
	- Chaldon is not a sustainable location for the development of the scale being proposed. - Poor and insufficient public transport availability with pedestrian and cyclist access to Caterham railway station impractical due to the steepness of Church Hill.	- The existing condition of Church Hill Road is not relevant to the Application and is not a matter for consideration as part of the appeal. - This matter is covered in detail within my Proof and the Proof prepared by R Allman of Motion Transport Consultants. - Our position is that the Site is a sustainable location for the development proposed.
Impact on Residential Amenity	- New buildings would overlook existing homes, resulting in a loss of privacy. - Current residents purchased homes on the understanding that Mount Avenue was a quiet cul-de-sac and the proposal would fundamentally alter its character. - Overshadowing of low rise adjacent properties by new two story houses in close proximity.	- Policy CSP18 requires development to not “significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any other adverse effect.” - Part 7 of Policy DP7 requires “a minimum privacy distance of 22 metres” between habital rooms and “a minimum distance of 14 metres” between principal windows. - The development meets the required separation distances. - Paragraph 16.4 of the Officer’s Report confirms that “As a result of the size of the site and the significant distance between various elements of the proposal and the adjoining occupiers it is not considered that the proposal would appear visually intrusive, nor would it result in a loss of privacy....The proposed dwellings would achieve the 22m separation distance call for by policy DP7 with neighbouring dwellings to the north, east and west.” - The Application does therefore not give rise to negative impacts on neighbouring residential properties by way of a loss of privacy and this is confirmed by TDC.
	- Construction activity and future occupation would create noise and disturbance. - Damage to the highway is likely to be caused by heavy vehicles during the construction phase.	- Part 6 of Policy DP7 requires proposals to “not significantly harm the amenity of neighbouring properties by reason of pollution (noise, air or light), traffic or other general policy.” - The scheme will be carried out in accordance with a Construction Transport Management Plan that will identify the measures to mitigate the impact of construction on neighbouring residents. This Plan will be submitted to and approved by TDC and SCC Highways will be consulted as part of this. - Paragraph 9.3 of the Officer’s Reports confirms the requirement from SCC Highways to impose a condition requiring a Construction Transport Management Plan. The Appellant agrees to this condition. - The development will therefore not give rise to any unacceptable impacts to neighbouring amenity during the construction process and the conditions ensure this is the case
Environmental Impacts	- The proposal would harm wildlife, trees and potentially protected species. - The development would destroy natural habitats and reduce land valued by the community. - The proposal would diminish the peaceful nature of the local environment. - The development would impact on wildlife features such as foxes, bats and birds.	- Policy CSP17 requires development proposals to “protect biodiversity and provide for the maintenance, enhancement, restoration and, if possible, expansion of biodiversity.” - Policy DP19 notes a presumption in favour of development proposals that “promote nature conservation and management.” - that the proposals underpinned by a Preliminary Ecological Appraisal that identifies opportunities for ecological enhancement considering the species that are on-site. The development will result in 13.5% BNG for habitat units and 123.3% BNG for hedgerow units which is significant in excess of the statutory 10% requirement. - Surrey Wildlife Trust as statutory consultee raised no objection subject to conditions. The Appellant accepts the conditions recommended. - Paragraph 18.8 of the Officer’s Report states “Overall, therefore no formal objections have been raised by the specialist consultees on biodiversity/ecology grounds, subject to the submission of further survey information and mitigation details at the Reserved Matters stage and as such the application is considered in general conformity with the requirements of Policy CSP17.... and Policy DP19.” - The development is therefore acceptable from an ecological perspective and results in BNG above the statutory requirement which is considered a substantial benefit.

APPENDIX TWO: APPELLANT'S RESPONSE TO THIRD PARTY COMMENTS

	Loss of Green Space or Open Land as the development will destroy valuable natural habitat & reduce community green areas.	- Part C of NPPF Paragraph 155 requires development to provide new or improved green spaces that are accessible to the public in order to meet the Golden Rules. - The Application involves the development of privately owned land and will therefore not impact the provision of existing community green areas. - The development will improve the situation by providing a significant area of publicly accessible open space. Paragraph 11.54 of the Officer's Report confirms that the provision of accessible open space would meet Part C of NPPF Paragraph 155. - It is clear that the development will not reduce community green areas but will in fact improve the situation.
	- Concerns that drainage infrastructure may be insufficient to support increased development and population levels. - The development would lead to an increase in flooding to the surrounding area.	- Policy DP21 states "Proposals should seek to secure opportunities to reduce both the cause and impact of flooding; for example through the use of Green Infrastructure for flood storage and, where necessary, the incorporation of Sustainable Drainage Systems (SuDS) suitable to the scale and type of the development, ensuring the discharge of surface run off is restricted to that of the pre-development site. Consideration should be given as to the future maintenance of any proposed SuDS schemes." - The development is supported by a Flood Risk and Drainage Strategy. This confirms that the Site is within Flood Zone 1 and therefore not at risk of fluvial flooding. The exact detail regarding landscaping and the incorporation of SuDS features will be secured through reserved matters. - Paragraph 20.6 of the Officer's Report confirms that the LLFA are satisfied with the drainage strategy subject to conditions on the final surface water drainage scheme. The Appellant accepts these conditions. - Paragraph 20.8 of the Officer's Report states "Overall, the proposal is not considered to raise any significant flood risk or drainage issues and would be generally in compliance with the requirements of Policy DP21 of the Tandridge Local Plan and the NPPF subject to the imposition of appropriate conditions as specified by the Lead Local Flood Authority." - Clearly, the development will not increase flood risk, and the proposed drainage strategy is acceptable and will be secured under a future reserved matters application.
Community and Social Impact	- Local utilities, schools and public services may be unable to accommodate the additional population generated by the scheme. - Lack of amenities and services in the village sufficient to support the influx of new residents.	- Policy CSP11 states "Developers will be required to contribute to improved infrastructure and services (including community needs) necessary to support the proposed development; the Council will generally require such provision to be made before the development is occupied" and that "planning applications which in the Council's opinion will require the provision of infrastructure or a financial contribution to services will be expected to be accompanied by unilateral obligations." - The Council's adopted Interim Policy Statement for Housing Delivery requires proposals to have <i>"regard to the provision of any necessary on-site and off-site infrastructure.....and payment of the Community Infrastructure Levy."</i> - The Officer's Report does not reference an impact on community and / or social infrastructure. The reasons for refusal listed within the Report do not allege an unacceptable impact on community nor social infrastructure. - The Appellant is entering into a Section 106 Agreement with the Council that will secure any specific financial contributions or works required to facilitate the development in terms of local infrastructure and services. The application will also be CIL liable and will therefore make a financial contribution to improving local infrastructure thus mitigating any perceived impact of the development.
Character and Design	- Density and layout of the proposed buildings are not in keeping with their surroundings. - The development would alter the character of the village.	- Policy CSP18 requires new development to be "of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness". - Paragraph 15.7 of the Officer's Report confirms that "the proposed development is not considered to conflict with local character and would accord....with policies CSP18....insofar as they relate to design and character." - Clearly, the design of the development does conflict with policy and further design detail will be subject to approval at the reserved matters stage.
Green Belt	- Inappropriate Green Belt reclassification. - It is considered that the proposed development, by reason of the increase in built form and the intensification of the use of the site would cause harm to the open rural character of the site and surrounding area.	- It is unsure what is meant by the first bullet point. - However, matters of Green Belt and grey belt are discussed in detail within my Proof and that of John-Paul Friend. - Matters of local character are discussed above.

APPENDIX THREE

TANDRIDGE POLICY COMMENTS 30TH JUNE 2026

Tom Cole

From: Amit Patel [REDACTED]
Sent: 30 June 2026 13:15
To: Ben Dakin; Tom Cole
Cc: Paul Batchelor
Subject: FW: Appeal 6006497 - Land at Mount Avenue, Chaldon, CR3 5BB

Hi Ben,

Please see the email from the Policy Team. This was uploaded to the on line system on the 28th April 2026.

Kind regards

Amit Patel
Principal Planning Officer
Planning
Tel: [REDACTED]
[REDACTED]

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

www.tandridge.gov.uk



From: Nick Perrins [REDACTED]
Sent: 17 April 2026 16:06
To: Amit Patel [REDACTED]
Cc: Paul Batchelor [REDACTED] Thomas James [REDACTED]
Subject: RE: Appeal 6006497 - Land at Mount Avenue, Chaldon, CR3 5BB

Hi Amit

Its as we discussed before:

- The site is adjacent to the large built up area. The site has potential to strongly contribute to Green Belt purpose (a) as a result.
- More pertinently, to address SCC's objections the appellant needs to be deliver significant highways improvements. There is no information before us to confirm these are deliverable. Without this information it is not possible to conclude whether the proposal meets Para 155 c (in terms of sustainability) and d (in terms of ability to meet golden rules). There remain concerns with 155 a but at this stage the bigger issue is c and d.

Public inquiry for 30 dwellings seems excessive and unjustifiable. This should be written representations.

The first stage though is that you will need to set out what your recommendation would have been if the LPA determined. Either way you need to check whether you can submit a report under delegated powers given the call in (in the event of an approval) or need to go to committee. If you can proceed without recourse to committee then that will be quicker.

From my perspective it would appear that they haven't provided enough information to satisfy Para 155 c and d (they might have done in the appeal so you need to check) and therefore the proposal is inappropriate development and they need to demonstrate VSC, which housing alone is not normally concluded to reach that high bar.

Hope this helps

Nick Perrins
Principal Planner
Planning
Tel: [REDACTED]
[REDACTED]

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