

ITEM

Application: 2025/771

Location: Land at Mount Avenue, Chaldon, CR3 5BB

Proposal: Erection of 30 dwellings (50% affordable) with associated works including provision of vehicular and pedestrian access, landscaping, drainage, and other associated infrastructure (Outline application with all matters reserved except access, layout and scale).

Ward: Chaldon

Decision Level: Chief Planning Officer (committee decision)

Constraints

Green Belt Area; Local Road – D – Mount Avenue, Birchwood Lane; Ancient Woodland within 500m; Gatwick Safeguarding – All; Area of Special Advertising Consent; Chaldon Parish; Source Protection Zones 2 and 3; Biggin Hill Safeguarding – 91.4m; EA Risk of Surface Water Flooding – 1 in 1000.

RECOMMENDATION:

Refuse

This application is reported to Committee following Cllr. Sharp raising concerns regarding the development on Green Belt Grounds and Highway Safety.

1. Summary

- 1.1 Planning permission is sought for the erection of 30 dwellings (50% affordable) with associated works including provision of vehicular and pedestrian access, landscaping, drainage, and other associated infrastructure (Outline application with all matters reserved except access, layout and scale). (Updated highways information received 16.02.2026).
- 1.2 It is considered that the development is not acceptable from a Green Belt perspective but would not harm the character and appearance of the area, nor would it harm the amenities of nearby residents, given the context of the site. Appropriate levels of parking and amenity areas would be provided. No obligations for infrastructure, affordable housing or green space have been provided.

2. Site Description

- 2.1 The site is a rectangular piece of land at the bell mouth to Mount Avenue, with Chaldon. 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.

3. Relevant History

2000/911 - Erection of 2 stables, haybarn and store. widen existing access. Refused 05/09/2000

4. Key Issues

- 4.1. The key issues relevant to consideration are the fact that the site lies within the Green Belt, whether the principle of development is acceptable, including a consideration of the Council's 5 Year Housing Land Supply and Housing Delivery test score. Alongside these there are a number of other matters relevant to the determination of the application - character and appearance, landscape character, residential amenity (existing and future occupiers), highways, parking provision, economy, landscaping, biodiversity, renewable energy and trees.

5. Proposal

- 5.1. This is an 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 are reserved for consideration at a later stage except scale, layout and access.
- 5.2. The proposals would entail an extension to the existing Mount Avenue highway, through what is currently a hedgerow, into a field currently used for grazing.
- 5.3. As per the applicant's Planning Statement, the proposals would involve:

*"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"*

6. Development Plan Policy

- 6.1. Tandridge District Core Strategy 2008 – Policies CSP1, CSP12, CSP14, CSP15, CSP17, CSP18, CSP19, and CSP21.
- 6.2. Tandridge Local Plan Part 2: Detailed Policies 2014 – Policies DP1, DP5, DP7, DP10, DP12, DP13, DP19, DP21, and DP22
- 6.3. The Caterham, Chaldon and Whyteleafe Neighbourhood Plan (2021)

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

- 7.1. Tandridge Parking Standards SPD (2012)
- 7.2. Tandridge Trees and Soft Landscaping SPD (2017)

8. National Advice

- 8.1. National Planning Policy Framework (NPPF) (2024)

8.2. Planning Practice Guidance (PPG)

8.3. National Design Guide (2019)

9. Consultation Responses

9.1. Chaldon Parish Council: Objection for the following reasons:

Green Belt
Sustainability of site
Impact on character
Impact on ecology
Lack of infrastructure

9.2. Thames Water: No Objection.

9.3. Highway Authority: No objection subject to conditions relating to access to Mount Ave. pedestrian access to Birchwood Lane, internal site roads, cycle facilities, parking for vehicles, Construction Transport Management Plan, sustainable transport improvements.

9.4. Lead Local Flood Authority: No objection. Condition required to secure detailed surface water drainage strategy and verification report.

9.5. SCC Archaeology: No Objection. Condition required to secure the implementation of a programme of archaeological works

9.6. TDC Housing: No Objection. Commented on need to replace proposed 4 bed affordable unit with a 3-bed affordable unit. Matter to be addressed within reserved matters submission.

9.7. Surrey Wildlife Trust – Have raised no objection subject to conditions relating to badgers, lighting, amphibian and reptile, buffer with ancient woodland, HPI strategy, general BNG, Ecological Enhancement Plan and Construction and Environment Management Plan and informatives relating to precaution during construction and vegetation clearance outside breeding season for birds

9.8. Tree Officer – Trees are to be removed but are young or poor quality and have very limited landscape or amenity value. No objection to the tree removal considering the scope for compensatory planting on site. No objection, subject to conditions relating to Hard and Soft landscaping, Detailed Arboricultural Method Statement, Arboricultural supervision and monitoring, no tree works during construction are recommended.

10. Public Representations/Comments

10.1. As of 17/01/2026, there had been 373 comments objections received from members of the public. They raised the following concerns:

Green Belt
Outside built-up area
Wildlife corridor
Character/density
Lack of infrastructure
Flood risk

Distance to amenities
Highways/parking
Residential amenity
Construction impact
Light pollution
Previous conditions have not been met
Inspector previously rejected the Local Plan on traffic and safety issues in Godstone

10.2. TDC Cllr Sharp also objected to the scheme, raising the following concerns:

Green Belt
Contrary to policy
Unsustainable location
Contrary to Neighbourhood Plan
Residential amenity

11. Assessment

11.1 Procedural Note:

11.2 The Tandridge District Core Strategy and Detailed Local Plan Policies predate the NPPF as published in 2024. However, paragraph 232 of the NPPF (Annex 1) sets out that existing policies should not be considered out-of-date simply because they were adopted prior to the publication of the Framework document. Instead, due weight should be given to them in accordance with the degree of consistency with the current Framework.

11.3 In the absence of a five-year supply of housing, it is necessary to apply the presumption in favour of development as set out in paragraph 11 of the NPPF. For decision making, this means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong 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.

11.4 With regards to paragraph 11 (d) (i), footnote 7 explains the concept of “specific policies” in the NPPF indicating that development should be restricted. This includes development relating to sites within the Metropolitan Green Belt. It is therefore necessary to assess whether the proposal would be appropriate within the Green Belt before applying an assessment under Paragraph 11 (d) (i) which will be undertaken at the end of this report.

Principle

11.5. The site is within the village of Chaldon, within the Green Belt. Policy CSP1 directs development toward the Category 1 settlements of Caterham,

Whyteleafe, Warlingham, and Oxted/Hurst Green/Limpsfield, and the site is thus not sequentially preferred as part of the extant development plan.

- 11.6. The NPPF 2024 supports the protection of Green Belts and the restriction of development within these designated areas. Paragraph 142 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, the essential characteristics of the Green Belt being its openness and permanence.
- 11.7. Paragraph 143 of the NPPF lists the 5 purposes of the Green Belt as follows:
 - To check the unrestricted sprawl of large built-up areas;
 - To prevent neighbouring towns merging into one another;
 - To assist in safeguarding the countryside from encroachment;
 - To preserve the setting and special character of historic towns; and
 - To assist in urban regeneration by encouraging the recycling of derelict and other urban land.
- 11.8. Development in the Green Belt is inappropriate unless any of the exceptions at paragraphs 154 and 155 of the NPPF apply. The site comprises agricultural grazing land with vegetation to the boundaries and a small, wooded area in the northwest corner.
- 11.9. Paragraph 153 of the NPPF states: When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness (Other than in the case of development on previously developed land or grey belt land, where development is not inappropriate). Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 11.10. Paragraph 154 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt and lists a number of exceptions. The proposed development would not, however, fall within any of those listed exceptions.
- 11.11. Paragraph 155 sets out that 'the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all 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
 - d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.
- 11.12. Paragraph 156 states: Where major development involving the provision of housing is proposed on land released from the Green Belt through plan

preparation or review, or 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

11.13. Grey Belt is defined within the NPPF 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."

11.14. In assessing planning applications within the Green Belt, it is also considered relevant to acknowledge the steps which the Government's Planning Practice Guidance indicates should be undertaken in order to carry out the Green Belt assessment process and to relate it to the current development proposal.

11.15. The PPG states that:

11.16. In order to assess the Green Belt in the relevant local or strategic development area effectively, authorities will need to:

- identify the location and appropriate scale of area/s to be assessed
- evaluate the contribution each assessment area makes to Green Belt purposes (a), (b), and (d), using the criteria identified below
- consider whether applying the policies relating to the areas or assets of particular importance in footnote 7 to the NPPF (other than Green Belt) would potentially provide a strong reason for refusing or restricting development of the assessment area
- identify grey belt land
- identify if the release or development of the assessment area/s would fundamentally undermine the five Green Belt purposes (taken together) of the remaining Green Belt when considered across the area of the plan

Paragraph: 003 Reference ID: 64-003-20250225

11.17. Policy DP10 of the Local Plan reflects paragraphs 152-160 of the NPPF in setting out that inappropriate development in the Green Belt is, by definition, harmful and that substantial weight must be attributed to this harm. Permission should only be granted where very special circumstances can be demonstrated to outweigh the harm by reason of inappropriateness and any other harm identified.

11.18. Policy DP13 states that unless very special circumstances can be clearly demonstrated, the Council will regard the construction of new buildings as inappropriate in the Green Belt. Policy DP13 sets out the exceptions to this,

one of which (Part G) is the limited infilling or the partial or complete redevelopment of previously developed (brownfield) sites in the Green Belt, whether redundant or in continuing use (excluding temporary buildings), where the proposal would not have a greater Impact on the openness of the Green Belt and the purpose of including land within it than the existing development. Also to note is (Part I) Any other form of development as listed under paragraph 90 of the NPPF.

- 11.19. Annex 2 of the NPPF (2024) sets out a number of definitions and includes the following as a definition of previously developed land. This is as follows:

Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

- 11.20. The application site comprises of “agriculture land” and therefore does not constitute previously developed land under the terms of the NPPF.
- 11.21. The proposal is not considered to fall within any of the categories of development specified as exceptions to the general presumption against inappropriate development in the Green Belt detailed in paragraph 154 of the NPPF. This assessment will therefore consider the proposal in relation to grey belt and against the requirements of paragraph 155.

Grey Belt Assessment:

- 11.22. As set out within the definition above grey belt land is land which does not strongly contribute to any of purposes (a), (b), or (d) of the Green Belt detailed in paragraph 143 of the NPPF nor that a footnote 7 policy (excluding Green Belt) which provides a strong reason for refusing the development is relevant. The Planning Practice Guidance on Green Belt, last updated on 27 February 2025, provides guidance on the assessment of a site's contribution to Green Belt purposes. This will be used in the assessment below to assess the sites contribution to the purposes.
- 11.23. The application site borders the settlement of Chaldon, which is adjacent Caterham, which is identified in the Council's Settlement Hierarchy as a category 1 settlement. The NPPF or NPPG does not provide any definition of that is meant by large built up areas and should be a matter of planning judgement.

The NPPG sets out different criteria in assessing purpose A:

Purpose A – to check the unrestricted sprawl of large built-up areas

Purpose A – to check the unrestricted sprawl of large built up areas

This purpose relates to the sprawl of large built up areas. Villages should not be considered large built up areas.

Contribution	Illustrative features
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Strong	Assessment areas that contribute strongly are likely to be free of existing development, and lack physical feature(s) in reasonable proximity that could restrict and contain development. They are also likely to include all of the following features: - be adjacent or near to a large built up area - if developed, result in an incongruous pattern of development (such as an extended "finger" of development into the Green Belt)
Moderate	Assessment areas that contribute moderately are likely to be adjacent or near to a large built up area, but include one or more features that weaken the land's contribution to this purpose a, such as (but not limited to): - having physical feature(s) in reasonable proximity that could restrict and contain development - be partially enclosed by existing development, such that new development would not result in an incongruous pattern of development - contain existing development - being subject to other urbanising influences
Weak or None	Assessment areas that make only a weak or no contribution are likely to include those that: - are not adjacent to or near to a large built up area - are adjacent to or near to a large built up area, but containing or being largely enclosed by significant existing development

- 11.24. To the north and east is the boundary of Caterham, which is classed as an urban area. To the west is the ribbon development along Birchwood Lane. To the south is Birchwood Lane and beyond is the Area of Great Landscape Value, however the site is not within it. The proposal seeks permission for 30 dwellings. The land is free from development and open field. The proposal will extend south and west wards from the settlement edge.
- 11.25. The submitted plans show the layout and building heights within the development area. It is noted that 2-storey dwellings are proposed with a main road along the west and southern part of the site and a minor road coming off it creating a cul-de-sac. The layout plans show that the proposed building line would respect the building line along this part of Birchwood Lane.
- 11.26. It is noted that this area was considered as part of the Green Belt Review which formed part of the evidence base for the withdrawn Our Local Plan (2033). GBA 010 parcel is relevant to the assessment of this proposal. Within this evidence base the Green Belt Assessment with regards to purpose (a) – to check the unrestricted sprawl of large built-up area, the Green Belt Assessment stated:

Purpose 1: to check the unrestricted sprawl of large built-up areas

What are the characteristics of development, if any? i.e. is the development which exists; planned, ad-hoc or sporadic?

D.11.5 There are low density large dwellings related to the settlement of Chaldon in this parcel. There are some agricultural buildings, a golf course and associated buildings within the parcel.

Has this changed significantly since the Green Belt was first designated?

D.11.6 The parcel has been subject to infilling over the years and therefore has changed. However, the policies applicable to Chaldon recognised that it has a unique character and identity, which should be maintained.

Is any area of the parcel physically connected to a built up area/settlement?

D.11.7 The parcel is adjacent to the built up settlement of Caterham on the Hill and covers the settlement of Chaldon.

Is there a strong, defensible boundary between the existing built up area and the Green Belt, for example: main roads, built form, watercourses, etc.? Or is there another notable feature which is more effective in preventing urban sprawl i.e. a hilltop or ridgeline, or drainage ditch, etc.?

D.11.8 The built up area of Caterham is defined by residential dwellings and Green Lane, the settlement of Chaldon does not have a settlement boundary. The woodland and topography around Chaldon and Caterham strengthen the boundary around the settlements.

Conclusion on Purpose 1

D.11.9 The north western section of this parcel sits adjacent to the built up area of Caterham. The Green Belt in this area, including the Golf Course, plays a strong role in preventing Caterham from expanding westward. The boundary

between the urban area and the Green Belt is also generally well defined with a clear separation between town and country.

It is clear from the site plan that the proposal would encroach into the area west of the defined boundary of Caterham and into Chaldon.

11.23 As noted above the applicants have provided their assessment of purpose a in that the site is contained and does not extend further into the countryside and considered that there would be no urban sprawl. It is noted that the properties facing Birchwood Lane are low level, single storey with some have roof conversions. This proposal would add two storey dwellings across the site and would therefore be more prominent outside the site and within the public realm of Birchwood Lane. The built form is sporadic along Birchwood Lane and outside the settlement boundary of Caterham, this proposal seeks to add, 30 two storey dwellings across the site and would add to the visual encroachment into the countryside.

11.24 In terms of the overall conclusion of this parcel it was stated that:

D.11.9 The northwestern section of this parcel sits adjacent to the built-up area of Caterham. The Green Belt in this area, including the Golf Course, plays a strong role in preventing Caterham from expanding westward. The boundary between the urban area and the Green Belt is also generally well defined with a clear separation between town and country.

D.11.27 This parcel effectively serves a number of the Green Belt purposes. The northeast part of the parcel helps prevent Caterham from sprawling westwards and enveloping the neighbouring settlement of Chaldon. Whilst the parcel is not development free, the character of Chaldon means that such development does not generally have a negative impact on the open countryside. The Green Belt designation plays an important role in preserving the setting of the existing Conservation Areas and listed buildings and as such has been identified as an area for further investigation (this area is labelled 011 on the map in Appendix F).

11.25 Consequently, the evidence presented does not adequately support the applicant's assertions over the relative contribution of the site to purpose (a). Based on the fact that the site's existing form and character is open and undeveloped land adjacent to the settlement edge, it is concluded the site strongly contributes to purpose (a) by preventing the unrestricted sprawl of the large built-up area of Caterham and separation between town and country. For this reason, the site cannot be concluded to be grey belt and Para.155 does not apply to the consideration of this application.

Purpose B – to prevent neighbouring towns merging into one another

11.26 The site is adjacent to Caterham and is considerable distance to the nearest towns and it only forms a very small part of this separation and does not make a visual contribution to its separation. As per the extract from the guidance below the site is only likely to make a weak contribution to Purpose B.

Weak or None	Assessment areas that contribute weakly are likely to include those that: - do not form part of a gap between towns, or - form part of a gap between towns, but only a very small part of this gap, without making a contribution to visual separation
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Purpose D – to preserve the setting and special character of historic towns

11.27. The settlement of Chaldon is not considered to be a historic town for the purpose of this assessment and therefore the site does not contribute to this purpose. As such the site cannot be argued to make any contribution to Purpose D.

Weak or None	Assessment areas that make no or only a weak contribution are likely to include those that: - do not form part of the setting of a historic town - have no visual, physical, or experiential connection to the historic aspects of the town
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Footnote 7 Policies (excluding Green Belt)

11.28. There are no strong reasons for refusal under Footnote 7 policies.

11.29. The applicants have submitted a Green Belt Assessment (dated April 2025) following the publication of the NPPF in December 2024. This concludes:

11.30. *The site does not comprise previously developed land. The site makes no or weak contribution to the Green Belt purposes which would provide a strong reason for refusing or restricting development. Accordingly, the site is concluded to comprise grey belt land.*

11.31. In terms of the grey belt considerations and whilst the Council has not yet concluded its Green Belt Assessment following the publication of the revised NPPF it is considered that the development site may well be likely to be considered to constitute grey belt land when this assessment is concluded.

Assessment Against Paragraph 155 Requirements:

11.32. Paragraph 155 indicates that the development of homes in the Green Belt should also not be regarded as inappropriate where all of the following apply:

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:

11.33. Whilst it has been concluded by the appellants that the development constitutes grey belt land in order to potentially comply with a. it is also necessary to

consider whether the development of the site would fundamentally undermine the five Green Belt purposes of the remaining Green Belt.

11.34. The findings on an Inspector in a recent appeal (16th September 2025) in respect of Land to the east of Wymers Wood Road, Burnham, Buckinghamshire, SL1 8LQ, (APP/X0415/W/25/3360406), are also considered to be relevant. In that case the Inspector indicated that:

19. I have already found that the appeal site does not strongly contribute to purposes (a), (b), or (d) in Paragraph 143 of the Framework. As the appeal site is not urban land, Green Belt purpose (e), which seeks to assist in urban regeneration by encouraging the recycling of derelict and other urban land, is not a determinative matter in the appeal.

20. The site is devoid of development except for fencing and a gate. The lack of built form on the site and its open nature comprising grass, bushes and trees results in it having a rural feel and an openness that are characteristic of the countryside. Although relatively small in size, the presence of the site amongst the large residential properties that surround it contributes positively to the rural character and tranquillity of this area of the countryside. As such, the proposal would result in encroachment of development into the countryside, which conflicts with Green Belt purpose (c).

21. Whilst the proposal would utilise 'grey belt' land, it would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. The proposal does not, therefore, meet all of Framework Paragraph 155's required criteria (a), (b), (c) and (d), so fails to meet Paragraph 155 overall.

11.35. The same arguments are considered to be applicable to the application site.

11.36. In terms of the effect of the development on the openness of the Green Belt, in the Burnham case the Inspector found that:

23. Given that there are currently no buildings on the site, the construction of the proposed development would result in a considerable increase in building volume. The proposal would therefore inevitably reduce the spatial openness of the site.

24. Visually, the site is easily visible from public realm of Warren Lane, gaps in the planting of Holland Road and more specifically the Public Rights of Way that cross the site. The proposed development would lead to the introduction of a sizeable built form. Furthermore, a large area of hardstanding would be laid down in the site to create a parking and turning area, and a residential access would be formed adjacent to the road. As such, the visual openness of the site would be compromised, and this would cause harm to the openness of the Green Belt.

25. On this basis, the proposal would fail to preserve the openness of the Green Belt part (c).

11.37. Whilst it is considered that the site could be considered to constitute grey belt land, it is nevertheless considered that the development would fundamentally undermine the purposes (taken together) of the remaining Green Belt across

the area of the plan due to the encroachment into the open countryside and the impact of the development on openness.

There is a demonstrable unmet need for the type of development proposed:

- 11.38. It is accepted that 155 (b) is met in respect of the provision of market and affordable housing due to the Council's current 5-year housing land supply position.
- 11.39. The District Council's position (as set out within the Annual Monitoring Report) 2023/24 was set out to be that the housing land supply figure amounted to a 1.92-year provision.
- 11.40. It is clear that there is a shortfall in deliverable sites for housing, the proposal due to its size and scale and delivery of affordable housing, if this application is approved then the delivery of 30 units would be considered to be a significant benefit when considering the overall shortfall.

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

- 11.41. In this respect, Planning Practice Guidance confirms that, where grey belt land is not in a location that is or can be made sustainable, development on this land is inappropriate. Local context and site or development-specific considerations are relevant, together with opportunities to maximise sustainable transport solutions. With reference to paragraphs 110 and 115 of the Framework key considerations include the ability of the location to limit the need to travel, offer a genuine choice of transport mode and safe access for all users.
- 11.42. There are local bus routes on Rook Lane – and the applicant proposes to connect with this via off site infrastructure improvements. The site scoring band of 51 (of a range 0-100 where higher is better) on the Connectivity Tool published by the Department for Transport. The walking distance (circa 30 minutes) of Caterham town centre, which includes a railway station, shopping centre and other key amenities. Alternatively, Caterham-on-the-hill High Street is slightly closer (circa 25-minute walk), with a number of shops and a pharmacy.
- 11.43. It is also important to consider that sustainable development means significantly more than simply transport measures. It is acknowledged that there is a particular focus on transport within Paragraph 155 (c), but nowhere does it state that other aspects of sustainability should not be considered.
- 11.44. The Surrey County Council Transport Team have commented that the proposal is not ideal in regards to travel by sustainable modes. Their comments are on file and although some facilities are further away to allow for walking, there are reasonable prospects of accessing these facilities by public transport. However, there are concerns raised regarding the level of measures proposed to make the site sustainable. These will involve significant works, which in turn will increase in cost. Therefore, it is considered that the proposal would not be compliant with paragraph 155 (c).

Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.

- 11.45. The 'Golden Rules' are applicable to this development, and it is therefore necessary to review the proposal in the light of the requirements of paragraphs 156 and 157.
- 11.46. *Paragraph 156:*
- 11.47. Paragraph 156 states:
- 11.48. Where major development involving the provision of housing is proposed on land released from the Green Belt through plan preparation or review, or on sites in the Green Belt subject to a planning application, the following contributions ('Golden Rules') should be made:
- 11.49. 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;
- 11.50. necessary improvements to local or national infrastructure; and
- 11.51. 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.
- 11.52. It is acknowledged that the proposed development, would provide 50% affordable housing which would be in excess of the NPPF requirement of 49% in the case of Tandridge. At this current time, the applicants have agreed the tenure split and stated that affordable housing will be provided but this has not been formally secured by a Section 106 agreement and therefore it is considered this criterion has not been met fully.
- 11.53. In terms of criterion b. there should be an improvement to local or national infrastructure. Whilst the improvements to local walking, cycling and public transport infrastructure detailed in the application are acknowledged and welcomed. There are some improvements listed the applicants list for local improvements and a draft S106 has not been produced which has not been signed or negotiated by relevant parties. Currently it is not considered that criteria (b) has been fully met.
- 11.54. The proposal would be built on open field. The submitted plans show that there will be walking routes and access through the site to access open space proposed and therefore would meet criteria c. However, there are no finalised obligations in terms of maintenance etc of the open space and therefore it is considered that this part has not been fully met.
- 11.55. Overall, however, it is concluded that the application proposes to develop a predominantly undeveloped area. Whilst the application site is screened to some degree due to the topography of the site, public views would still be readily available from Mount Avenue and Beachwood Lane. The site would therefore be visible from public vantage points and would represent a notable encroachment on the ground. As such, the proposal would conflict with Green Belt purpose c).
- 11.56. Overall, therefore it is not considered that the proposed meets the requirements of paragraphs 155 and 156 and would therefore constitute inappropriate development in the Green Belt. In these circumstances it would be necessary

to consider whether there would be any 'very special circumstances' that would outweigh the harm to the Green Belt and any other harm.

- 11.57. The proposed development would constitute inappropriate development in the Green Belt. The site comprises open land beyond the established settlement boundary and performs a role in safeguarding the countryside from encroachment and checking the outward spread of the settlement, contrary to the purposes set out in paragraph 143(a) and (c) of the National Planning Policy Framework.
- 11.58. The development would project an estate-style form across a broad frontage into open Green Belt land, thereby reducing openness and weakening the permanence and defensibility of the Green Belt boundary. As a consequence, it has not been demonstrated that the site constitutes grey belt land, nor that the development would avoid fundamentally undermining the purposes of the remaining Green Belt when taken together, as required by paragraph 155(a) of the Framework. Furthermore, notwithstanding any wider need for housing or the site's proximity to the settlement, the proposal fails to satisfy all of the criteria set out in paragraph 155 and therefore remains inappropriate development. In accordance with paragraph 147 of the Framework, substantial weight is afforded to this harm, which is not clearly outweighed by other considerations.
- 11.59. The NPPF does not provide guidance as to what can comprise 'very special circumstances'. However, some interpretation of very special circumstances (VSC) has been provided by the Courts. The rarity or uniqueness of a factor may make it very special, but it has also been held that the aggregation of commonplace factors could combine to create very special circumstances (i.e. 'very special' is not necessarily to be interpreted as the converse of 'commonplace'). However, the demonstration of very special circumstances is a 'high' test and the circumstances which are relied upon must be genuinely 'very special'. In considering whether 'very special circumstances' exist, factors put forward by an applicant which are generic or capable of being easily replicated on other sites, could be used on different sites leading to a decrease in the openness of the Green Belt. The provisions of very special circumstances which are specific and not easily replicable may help to reduce the risk of such a precedent being created. Mitigation measures designed to reduce the impact of a proposal are generally not capable of being 'very special circumstances'. Ultimately, whether any particular combination of factors amounts to very special circumstances will be a matter of planning judgment for the decision-taker.
- 11.60. The issue of very special circumstances will be discussed later in this report.

12.0 Housing supply

1. The NPPF at paragraph 78 sets out a requirement for local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing against their local housing need where strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer of 20% where there has been significant under delivery of housing over the previous three years to improve the prospect of achieving the planned supply. Footnote 39 of the NPPF provides that where local housing need is used as the basis for assessing whether a supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance.

12.2 The Tandridge Core Strategy housing delivery policy (CSP2) is more than five years old. Five-year housing need assessed against the standard method, together with the required 20% buffer, gives a requirement of 4,964 dwellings, or 993 per annum, including a 20% buffer. Current housing land supply in Tandridge district is 1.97 years

12.3 In September 2022, the Council adopted an Interim Policy Statement for Housing Delivery (IPSHD) which sets out criteria for bringing forward new housing to boost the supply because of the problems with the then emerging Local Plan which later had to be withdrawn. Since the IPSHD was adopted, permission has been granted by the Council for a number of large Green Belt sites that comply with the criteria in the IPSHD.

12.4 The IPSHD states:

Development will be supported where proposals meet the following criteria and are in accordance with the Council's development plan:

- i. Provide for the re-development of previously developed land in the urban areas and the Green Belt;
- ii. Housing sites included in the emerging Local Plan where the Examiner did not raise concerns (see Appendix A);
- iii. Sites allocated for housing development in adopted Neighbourhood Plans which will make a contribution to the overall delivery of housing in the District;
- iv. Provide for the release of infill or re-development sites in settlements washed over by the Green Belt where this would not conflict with maintaining the openness of the Green Belt;
- v. Constitute enabling development (for charitable development or heritage asset conservation purposes) (See Appendix B);
- vi. Housing development meeting a recognised local community need or realising local community aspirations including affordable housing and the bringing forward of rural exception schemes in appropriate locations;
- vii. Sites that deliver flood mitigation measures for already identified areas of the District at serious risk of flooding;

and any such sites identified according to the above criteria must be deliverable and viable, having regard to the provision of any necessary on-site and off-site infrastructure, affordable housing requirements and payment of the Community Infrastructure Levy.

The site was not proposed for allocation in the withdrawn Local Plan, nor does it meet any of the other criteria listed in the IPSHD. The IPSHD, therefore, does not provide any material weight in favour of the proposed development.

12.5 Sites have already been delivered as part of the adopted IPSHD. These are:

- a. Application 2022/1161, May 2023: young Epilepsy, St Piers Lane, Lingfield - provision of a residential care community (Use Class C2) comprising 152 units of accommodation.
- b. Application 2022/1658, December 2023: Plough Road, Smallfield – for 120 dwellings including 40% affordable housing and flood relief engineering works.

c. Application 2022/267, December 2023: Former Shelton Sports Club, Warlingham – for 150 dwellings including 45% affordable housing.

d. Application 2022/1523, September 2024: Land at Former Godstone Quarry – for 140 dwellings including 50% affordable housing and a new GP surgery.

e. Application 2024/1389, July 2025: Redehall Road, Smallfield – for 85 dwellings including 40% affordable housing.

f. Application 2024/1393, July 2025: 1 Park Lane, Warlingham – for 45 dwellings including 49% affordable housing.

12.6 The above sites have contributed significantly to the Council's current housing land supply. There are other sites that are likely to come forward that meet the criteria in the IPSHD and are expected to further boost the supply.

12.7 By way of demonstrating progress in housing delivery since the IPSHD was adopted, under the previous standard method (23/24 OAN) the most up to date figure would show an increase from 1.9 years to 2.68.

12.8 The Council has successfully defended the refusal of planning permission for housing development applications on sites in the Green Belt which did not accord with the IPSHD, as follows:

- APP/M3645/W/23/3319149: Station Road, Lingfield. The Inspector referenced the IPSHD in paragraph 15 of his decision letter stating: "For this appeal it is a material consideration when considering the benefit arising from the additional supply of housing, but I only give it limited weight because of its non-statutory status."

- APP/M3645/W/24/3345915: Chichele Road, Oxted. The Inspector referenced the IPSHD in paragraph 9 of her decision letter: "...I note that the appeal site was not brought forward as a proposed housing allocation in the submitted eLP and thus does not meet the criteria for inclusion within the IPSHD. I shall treat the IPSHD as a material consideration for this appeal, particularly as a mechanism used by the Council to address its housing need. However, as it does not form part of the development plan, this limits the weight which can be afforded to this document." In the determination of both of these appeals the IPSHD was found to be a material consideration.

12.9 It is acknowledged that, in the absence of a five-year housing land supply, and notwithstanding the progress being made in housing delivery in Tandridge District through the adoption and implementation of the IPSHD, significant weight should be given to the proposal in this planning application for the delivery of market and affordable housing in the overall planning balance.

13.0 Housing Balance

13.1. Policy CSP7 requires proposals to contain an appropriate mix of dwellings in accordance with current identified needs. The Council's evidence base includes a Strategic Housing Market Assessment 2015 and its 2018 update. The SHMA and its outputs are reflected in our Housing Strategy Policy HS1: Market Housing, which is contained in the Council's most recent Housing Strategy (A Place to Call Home; 2019) which sets the direction for a variety of housing typologies.

13.2. In terms of size of housing, the SHMA highlights that the smallest need across the district is likely to be for 1-bed units (10%), with need for 2-bed units (across flats and houses) amounting to 26% followed by 29% need for 4+ bed-units and the greatest need for 3-bed units at 35%. The evidence base should be used to guide the type and size of housing provided in order that any proposal provides a mix which suits the district's needs.

13.3 This proposal is for 30 residential units. Taking the information provided:

There will be the following for market housing, with a total of 15 units:

0 – 1 bed
4 – 2 bed (27%)
10 – 3 bed (67%)
1 – 4+ bed (6%)

13.4 With regards to social housing, a total of 15 units is proposed, with the following:

4 – 1 bed (27%)
5 – 2 bed (33%)
5 – 3 bed (33%)
1 – 4+ bed (7%)

13.5 As such, the scheme appears to generally accord with the mix of housing required, although it over provides on 3-bed houses and under provides on 4-bed+ dwellings. Given the sites location within a semi-rural area the mix of homes is considered appropriate. However, while the proposed development would accord with Policy CSP7 of the Core Strategy 2008 it would not outweigh the other harm identified within this report.

14.0 Affordable Housing

14.1 The affordable housing provision will need to be set in the context of national and local planning guidance. Policy CSP4 of the Core Strategy states, the Council will require that a proportion of new dwellings built in the district will be affordable, to be available to people on lower incomes, unable to afford housing at the prevailing market price or who need to live within the district.

14.2 The NPPF December 2024 describes affordable housing as:

Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

a) Social Rent: meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent; (b) the landlord is a registered provider; and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision.

b) Other affordable housing for rent: meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is

included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

c) Discounted market sales housing is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

d) Other affordable routes to home ownership is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low-cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision or refunded to Government or the relevant authority specified in the funding agreement.

14.3 Policy CSP4 of the Core Strategy indicates that in order to maximise the supply of affordable housing the Council will require:

- on sites within the built-up areas of 15 units or more or sites of or greater than 0.5 hectare; and
- on sites within the rural areas of 10 units or more

that up to 34% of the dwellings should be affordable.

14.4 The Policy indicates that the actual provision will be negotiated on a site-by-site basis after taking into account market and site conditions. It further states that affordable housing may be in the form of social rented or intermediate or a mix of both. The Council may require up to 75% of the affordable housing on a site to be social rented, the precise proportions will be agreed with the Council having regard to the specific needs at the time and within the area.

14.5 The Policy confirms that there will be a presumption that affordable housing will be provided on the development site, however in some circumstances the Council may accept an off-site contribution on another site provided by the developer; such alternative site may trigger a requirement for affordable housing itself, such a requirement will be on top of the alternative site provision. The Council will retain the discretion to accept such alternative provision, particularly having regard to the need to contribute to mixed communities.

14.6 It is stated that if an alternative site is not available and the Council and the developer both consider that it would be preferable that a financial contribution should be made towards affordable housing provision on another site within the District, the Council will require the developer to enter into a legal agreement to secure that provision. The financial contribution will be broadly equivalent in value to the on-site provision.

14.7 Paragraph 156 of the NPPF is also directly relevant and indicates, amongst other things, that:

Where major development involving the provision of housing is proposed on land released from the Green Belt through plan preparation or review, or 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;..

14.8 Paragraph 157 confirms:

Before development plan policies for affordable housing are updated in line with paragraphs 67-68 of this Framework, the affordable housing contribution required to satisfy the Golden Rules is 15 percentage points above the highest existing affordable housing requirement which would otherwise apply to the development, subject to a cap of 50%. In the absence of a pre-existing requirement for affordable housing, a 50% affordable housing contribution should apply by default. The use of site-specific viability assessment for land within or released from the Green Belt should be subject to the approach set out in national planning practice guidance on viability.

14.9 The application proposal states that it would provide 50% affordable housing provision. The Housing Team have stated that the tenure mix required would be:

The tenure mix we require will be:

	1 bed	2 bed	3 bed	Total
Social/Affordable Rent	4	3	4	11
Shared Ownership	0	2	2	4
Total	4	5	6	15

14.10 The Housing Team have commented that 4 bed houses are not required in this area and should be swapped for 3 bed houses. It is also stated that the applicant's early engagement with a Registered Provider and Affordable Housing Mix.

14.11 Although the applicants have indicated that the proposal will meet the "Golden Rules" in relation to affordable housing, there has been no S106 provided to secure this at the time of writing the report and therefore it is considered that the provision for affordable housing has not been met.

14.12 Given the above conclusions the proposal would be contrary with the requirements of Policy CSP4 of the Core Strategy 2004 and the NPPF and would not provide the requirement specified in paragraph 156 of the NPPF.

15.0 Character and design

15.1 The NPPF (2024) states that design is integral to sustainable development and that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

15.2 The Tandridge Core Strategy predates the NPPF, but the national policy advises that existing policies should not be considered out-of-date simply

because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework.

- 15.3 Tandridge Core Policy CSP18, seeks to ensure that new development is of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained. This is detailed further within Policy DP7 which sets out the expectations of the LPA in terms of design and quality of development. These policies are consistent with the NPPF and should therefore be accorded significant weight in the assessment of this application.
- 15.4 A new access from Mount Avenue is to be created. This will be the main vehicular, pedestrian and cycle access serving the development. There are no strong objections to this from a character perspective.
- 15.5 The proposed dwellings would replace the proposed access road within the site. The layout would be concentrated on the southeastern part of the site with the green space along the western boundary.
- 15.6 The proposed dwellings would be two storeys in height and of conventional design, with hipped and gabled roof. The design and access statement sets out a palette of materials that are proposed. This is not considered out of keeping with the local aesthetic.
- 15.7 Overall, the proposed development is not considered to conflict with local character and would accord with criterion B of policy DP12, and with policies CSP18 and DP7 insofar as they relate to design and character.

16.0 Neighbouring Amenities

- 16.1. Paragraph 135 of the NPPF 2024 states:
- 16.2. Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 16.3. Policy CSP18 of the Core Strategy advises that development must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any other adverse effect. Policy DP7 of the Local Plan: Part 2 has the same

objectives of protecting neighbouring amenity embodied in criteria 6-9. The policy contains a minimum distance relating to new development and existing properties of 14m between principal windows of existing dwellings and the walls of new buildings without windows and 22m where habitable rooms of properties would be in direct alignment.

- 16.4. 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 details of window positions and glazing types would follow as part of the reserved matters (appearance) and are capable of being secured via condition at that stage of the process if deemed necessary in neighbouring amenity terms. The proposed dwellings would achieve the 22m separation distance called for by policy DP7 with neighbouring dwellings to the north, east and west. In addition, the existing substantial screening is shown to be retained, and this can be secured by condition for the short to medium term.
- 16.5. 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.
- 16.6. Separation distances between the proposed dwellings would be adequate and reasonably sized outdoor amenity spaces would be provided. Each dwelling would meet the nationally described space standard, and all habitable rooms would be adequately lit. Overall, an acceptable standard of accommodation would be provided for future occupiers in accordance with paragraph 135(f) of the NPPF.

17.0. Amenities of Future Occupiers

- 17.1. Any reserved matters application would be expected to comply with the requirements of the Technical housing standards – nationally described space standard 2015 which sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. While not formally adopted by this Council it is a useful indicator of appropriate floor spaces.
- 17.2. Policy DP7 of the Detailed Policies 2014 states that new development will be granted when the following matters are addressed...Environment: The proposals provide a satisfactory environment for the occupiers of both the existing and new development... Facilities: The proposal provides appropriate facilities for individual and communal use including bicycle storage, amenity areas and garden areas (proportionate to the size of the residential units and appropriate for the intended occupiers); as well as facilities for the storage and collection of refuse and recycling materials which are designed and sited in accordance with current Council standards, avoiding adverse impacts on the street scene and the amenities of the proposed and existing properties.
- 17.3. It is noted that the Design and Access statement sets out that all of the proposed dwellings would meet the Nationally Described Space Standards (2015).

- 17.4. Given the size of the site and overall layout it is considered that any proposal that would come forward at the reserved matters stage would be designed to the satisfaction of the LPA.

18.0. Biodiversity and Ecology

- 18.1. Policy CSP17 of the Core Strategy 2014 states that development proposals should protect biodiversity and provide for the maintenance, enhancement, restoration and, if possible, expansion of biodiversity, by aiming to restore or create suitable semi-natural habitats and ecological networks to sustain wildlife in accordance with the aims of the Surrey Biodiversity Action Plan. (34) The Council will seek to enhance biodiversity by supporting the work of the Downlands Countryside Management Project and by supporting Local Nature Reserves and Community Wildlife Areas.

- 18.2. Policy DP19 of the Detailed Policies 2014 states, there will be a presumption in favour of development proposals which seek to:

Protect, enhance or increase the provision of, and access to the network of multi-functional Green Infrastructure (GI);
Promote nature conservation and management;
Restore or create Priority Habitats; or
Maximise opportunities for geological conservation.

B. In order to conserve and enhance the natural environment, proposals which would result in significant harm to local, national or statutory sites of biological or geological importance or the broader GI network will be refused planning permission unless:

All reasonable alternative locations with less harmful impacts are demonstrated to be unsuitable; and

The proposal incorporates measures to avoid the harmful impacts arising, sufficiently mitigate their effects, or, as a last resort, compensate for them.

C. Where a proposal is likely to result in direct or indirect harm to an irreplaceable environmental asset of the highest designation, such as a Site of Special Scientific Interest (SSSI), ancient woodland or veteran trees, the granting of planning permission will be wholly exceptional.

With regard to SSSIs, exceptions will only be made where benefits of development at the site clearly outweigh both the impacts on the features of the site and on any broader networks of SSSIs.

In the case of ancient woodland and veteran trees exceptions will only be made where the need for and benefits of the development in that location clearly outweigh the loss.

In all cases, any impacts or harm should not just be mitigated, but overall ecological benefits should be delivered.

D. Planning permission for development directly or indirectly affecting protected or Priority species will only be permitted where it can be demonstrated that the species involved will not be harmed or appropriate mitigation measures can be put in place.

- 18.3. Net gain: - The supporting ecological information and Biodiversity Metric indicate that proposed landscaping design will achieve a net gain of 4.14

habitat units and 1.41 hedgerow units. This results in gains of 13.52% in habitat units and 123.23% for hedgerow units from pre- to post-development.

18.4. Paragraph 187 of the National Planning Policy Framework (NPPF) makes it clear that: "Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate".

18.5. Paragraph 192 requires the promotion of "the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity".

18.6. It would appear that proposed landscaping and the net gain can be delivered if proposals are adhered to, and such matters are capable of being secured through conditions and S106.

18.7. Surrey Wildlife Trust have commented on the application. Their full comments are available online, but they have not raised any concerns, subject to conditions. Their general comments are as follows:

A site walkover to check badger setts

Bat roosting opportunities as part of integral design features

A sensitive lighting management plan

15m buffer zone to ancient woodland, including footpaths and secured by S106 agreement

Avoid any construction work during breeding bird season from March to August

Breeding bird features, including swifts to be integrated in design

Hazel dormouse found during construction then advice to be sought from Natural England or experienced ecologist to agree appropriate actions

Amphibian and reptile mitigation strategy

Features for hedgehogs as an integral design, to include: Ensuring the species can move across the landscape by creating gaps into fencing; Creating habitat connectivity across the landscape; Creating a wild corner with minimal management; Incorporating hedgehog homes

Protection of woodland and native hedgerow (HPI)

Habitat Management and Monitoring Plan to secure on site significant on-site habitat enhancements

Ecological Enhancement Plan to be conditioned

A Construction Environmental Management Plan to be conditioned.

- 18.8. 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 to be in general conformity with the requirements of Policy CSP17 of the Core Strategy and Policy DP19 of the Tandridge Local Plan.

19.0. Trees

- 19.1. Policy CSP18 of the Core Strategy 2008 states that, The Council will require that new development, within town centres, built up areas, the villages and the countryside is of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained.

- 19.2. Policy DP7 of the Tandridge Local Plan Detailed Policies 2014 states that where trees are present on a proposed development site, a landscaping scheme should be submitted alongside the planning application which makes provision for the retention of existing trees that are important by virtue of their significance within the local landscape. Their significance may be as a result of their size, form and maturity, or because they are rare or unusual. Younger trees that have the potential to add significant value to the landscape character in the future should also be retained where possible. Their retention should be reflected in the proposed development layout, allowing sufficient space for new and young trees to grow to maturity, both above and below ground. Where existing trees are felled prior to permission for development being sought, the Council may require replacement planting as part of any permission granted.

- 19.3. The application has been accompanied by an Arboricultural Assessment which concludes that:

21.1. The proposal involves removing only five trees, two bramble patches and a small group of blackthorns, all of which are of low arboricultural quality and limited landscape value.

21.2. Most trees will be retained and appropriately protected, meaning the site's green character will remain largely intact.

21.3. A comprehensive landscape scheme is proposed to enhance the site's overall leafiness and help integrate the new dwellings into their verdant surroundings.

21.4. The retained trees are not expected to cause unreasonable shading to the proposed dwellings, their primary living spaces, or gardens. As such, future pressure to remove or heavily prune trees due to light loss or dominance is considered unlikely.

21.5. Proposed incursions into root protection areas (RPAs) for hard surfacing are minor and fully compliant with the recommendations of BS 5837:2012.

21.6. The trees along the site's frontage are to be retained, maintaining the site's leafy appearance as experienced from the public realm.

21.7. The retained trees do not present significant constraints to construction. Their protection will be ensured through adherence to current best practices and logistical planning in line with arboricultural guidance.

21.8. Based on the site inspection and the information available, I am satisfied that the proposed development is arboriculturally sound and that retained trees' long-term health and stability can be sustainably safeguarded.

19.4. The submitted arboricultural information has been reviewed by the Council's Tree Officer who has raised no objection subject to conditions.

19.5. Overall, the development proposal is not considered to conflict with the general requirements of Policy CSP18 of the Core Strategy and Policy DP7 of the Tandridge Local Plan and would be acceptable in terms of tree issues.

20.0. Flooding/Drainage

20.1. Paragraph 171 of the NPPF 2024 states that, strategic policies should be informed by a strategic flood risk assessment and should manage flood risk from all sources. They should consider cumulative impacts on, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards.

20.2. Paragraph 181 of the Framework states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Paragraph 182 goes on to say that:

Applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity. Sustainable drainage systems provided as part of proposals for major development should:

- a) take account of advice from the Lead Local Flood Authority;
- b) have appropriate proposed minimum operational standards; and
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development.

20.3. Policy DP21 of the Detailed Policies 2014 states that, water will be retained in the natural environment as far as possible. Proposals which seek to restore natural flows in the river systems or re-establish areas of functional floodplain will be supported, particularly where they would provide opportunities for recreation, habitat restoration/enhancement or additional Green Infrastructure provision.

Water Quality, Ecology and Hydromorphology

Proposals should avoid damage to Groundwater Source Protection Zones, having regard to the Environment Agency's 'Groundwater Protection: Policy and Practice' guidance or successor documents

Development adjacent to or likely to affect underground or surface water bodies covered by the Water Framework Directive and Thames River Basin Management Plan should, where possible, make improvements to the quality, ecology and hydromorphology of these water bodies. Additionally, such proposals should contribute towards the maintenance or achievement of 'Good Ecological Status' for the affected water bodies. This may take the form of on-site measures or a financial contribution to off-site measures.

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.

Development within Flood Risk Zones 2 and 3 or on sites of 1 hectare or greater in Zone 1, and sites at medium or high risk from other sources of flooding as identified by the Council's Strategic Flood Risk Assessment, will only be permitted where:

1. The sequential and, where appropriate, exception tests as detailed in 'Technical Guidance to the National Planning Policy Framework' have been applied and passed and the proposal is a development form compatible with the level of risk;
2. For all sources of flood risk, it can be demonstrated through a site-specific Flood Risk Assessment (FRA)* that the proposal would, where practicable, reduce flood risk both to and from the development or at least be risk neutral; and
3. Appropriate flood resilient and resistant design, and mitigation and adaptation measures are included in order to reduce any level of risk identified through a site-specific FRA to acceptable levels.

* The FRA should demonstrate how flood risk is to be mitigated, development adapted and, where practicable, risk reduced including the consideration of risks from other sources where appropriate. The content and scope of the FRA should be commensurate with the scale of development and be agreed by the District Council in consultation with the Environment Agency.

- 20.4. The site is located within a Flood Risk Zone 1 area and is not considered to be at risk of fluvial flooding.
- 20.5. Given its site area (c 1.45 ha), a site-specific Flood Risk Assessment is required by the NPPF. It is noted that a Flood Risk Assessment and Drainage Strategy has been submitted with the application.
- 20.6. Consultations have been carried out with the Lead Local Flood Authority, and the following comments have been received:

The following documents submitted as part of the above application have been reviewed and should be referred to as part of any future submissions or discharge of planning conditions:

- Site Investigation Report, ST Consult, Project ID: J15961, Dated 26/06/2025;
 - Flood Risk Assessment and Drainage Strategy, Project No. 14219, Dated: 24/06/2025;
- 20.7. They concluded that the submitted details are satisfactory and subject to conditions relating to final design of surface water drainage scheme and verification report.
- 20.8. 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.

21.0. Heritage

- 21.1. Policy DP20 of the Detailed Policies 2014 states, there will be a presumption in favour of development proposals which seek to protect, preserve and wherever possible enhance the historic interest, cultural value, architectural character, visual appearance and setting of the district's heritage assets and historic environment. Accordingly:

1. Only where the public benefits of a proposal significantly outweigh the harm to, or loss of a designated heritage asset or its setting, will exceptional planning consent be granted. These benefits will be proportional to the significance of the asset and to the level of harm or loss proposed.
2. Where a proposal is likely to result in substantial harm to, or loss of, a designated heritage asset of the highest significance (i.e. scheduled monuments, grade I and grade II* listed buildings, and grade I and grade II* registered parks and gardens), granting of permission or consent will be wholly exceptional.

- 21.2. In all cases the applicant will be expected to demonstrate that:

1. All reasonable efforts have been made to either sustain the existing use, find viable alternative uses, or mitigate the extent of the harm to the asset; and
2. Where relevant the works are the minimum necessary to meet other legislative requirements.

- 21.3. With the granting of permission or consent the Council will require that:

1. The works are sympathetic to the heritage asset and/or its setting in terms of quality of design and layout (scale, form, bulk, height, character and features) and materials (colour and texture); and
2. In the case of a Conservation Area, the development conserves or enhances the character of the area and its setting, including protecting any existing views into or out of the area where appropriate.

- 21.4. Any proposal or application which is considered likely to affect a County Site of Archaeological Importance, or an Area of High Archaeological Potential (AHAP) or is for a site larger than 0.4 hectares located outside these areas, must be accompanied by an archaeological desk-top assessment. Where the

assessment indicates the possibility of significant archaeological remains on the site, or where archaeological deposits are evident below ground or on the surface, further archaeological work will be required. Evidence should be recorded to enhance understanding and where possible material should be preserved in-situ. In cases where the preservation of remains in-situ is not possible, a full archaeological investigation in accordance with a Council approved scheme of work will be required; the results of which should be made available for display at the East Surrey Museum or other suitable agreed location.

- 21.5. The applicants have submitted an Archaeological Desk-Based Assessment dated June 2025, as produced by RPS. The assessment considers that there is a potential for archaeological deposits of Mesolithic and Bronze Age date and a low potential for all other periods.
- 21.6. The County Archaeologist was consulted and raised no objection subject to a programme of archaeological work condition.
- 21.7. In terms of listed buildings, the closest listed buildings are to the west of the site, referred to as Rook Farm House which is a grade II listed building. The site is over 300m away and already has intervening structures between the site and the listed buildings and therefore it is not considered that there would be any significant harm to the setting or character of the heritage asset.
- 21.8. It is considered that the proposal is compliant with policy DP20 of the Tandridge Local Plan Part 2: Detailed Policies and guidance in the NPPF.

22.0. Highways implications and safety

- 22.1. Policy CSP12 of the Core Strategy 2008 states that when managing travel demand the Council will require new development to:
 - Make improvements, where appropriate, to the existing infrastructure network, including road and rail, facilities for bus users, pedestrians and cyclists and those with reduced mobility.
 - Have regard to adopted highway design standards and vehicle and other parking standards.
- 22.2. Policy DP5 of the Detailed Policies 2014 relates to highway safety and design and states that, development will be permitted subject to meeting the requirements of all other appropriate Development Plan policies and where the proposal:
 - Complies with the relevant Highway Authority's and any other highways design guidance;
 - Does not unnecessarily impede the free flow of traffic on the existing network or create hazards to that traffic and other road users;
 - Retains or enhances existing footpaths and cycleway links;
 - Provides safe and suitable access to the site which is achievable by all and promotes access by public transport, foot and bicycle to nearby residential, commercial, retail, educational, leisure and recreational areas where appropriate; and
 - Fully funds where appropriate or contributes towards the costs of any measures required to cost effectively mitigate the significant impacts arising from the development.

- 22.3. In accordance with the Council's Local Validation Requirements and national guidance, all development proposals that generate significant amounts of movement should be supported by a Travel Plan and either a Transport Statement or Transport Assessment (proportionate to the scale of the proposed scheme and extent of the transport implications), both of which should be submitted alongside the planning application.
- 22.4. Following detailed discussions with the applicant, the County Highway Authority determined earlier this year to drop their initial objections to the application.
- 22.5. The Highways have stated that the site location is not in an ideal location from a sustainable transport perspective with long walking distances to local amenities (approximately 1.7km to Caterham on the Hill High Street, 2.6km to Caterham High Street, Croydon Road and 1.8km to the supermarket on Coulsdon Road), without appropriate cycle infrastructure and with steep gradients on the route to Caterham town centre.

Rook Lane is a busy road, with high volumes of traffic at most times of day and without any segregated cycle infrastructure, which combines with the overall distance to materially limit the propensity to travel by active modes. It is therefore considered that the sustainable transport and road safety improvements required by the above recommended conditions are necessary in order that the development could be considered acceptable in the context of the 2024 NPPF requirements under paragraphs 115 and 117, as well as the Tandridge Local Plan Policy DP5 and the objectives of the LTP4.

- 22.6. The County Highways have stated to make the proposal acceptable a number of conditions are recommended.
- 22.7. As discussed within the policy comments included in the Green Belt section, there are concerns regarding the deliverability of all of these measures and costs to make the site sustainable, alongside the other requirements of maintenance of the green space and affordable housing.
- 22.8. Some routes from the site to the centre of Caterham is not within a reasonable walking distance with long walking distances to local amenities (approximately 1.7km to Caterham on the Hill High Street, 2.6km to Caterham High Street, Croydon Road and 1.8km to the supermarket on Coulsdon Road), without appropriate cycle infrastructure and with steep gradients on the route to Caterham town centre, therefore the site is overall in a relatively remote location that is not well connected to the required services by sustainable transport infrastructure for a development of this size.
- 22.9. In addition, the appellants transport statement at paragraph 3.34 sets out the bus regularity from Mount Avenue. The recently published Inspectors Guidance on sustainability is the actual likelihood people are to use public transport over private motor vehicles. It is the view of the Council that considering the site location and distances to day-to-day amenities, in addition, the infrequent public transport timetable people are most likely to drive than use sustainable forms of transport.
- 22.10. In summary, for the reasons given, the site is considered to be in an unsustainable location in accessibility terms where walking, cycling or the use of public transport to access local services and facilities, would be a natural

choice for most of the residents. This would not encourage less reliance on the private car for a large proportion of trips. Therefore, it is considered the proposal would not be compliant to current government and local policy, advice and guidance, as per paragraph 110 and 115 of the NPPF.

23.0. Other matters

- 23.1. Renewable energy – Any reserved matters would be expected to demonstrate that the proposed development is capable of providing a 20% reduction of carbon dioxide on site and as such would comply with Policies CSP14 of the Core Strategy 2008. As this application is for outline consent only in relation to access such details would be secured at the reserved matters stage.

24.0. Very Special Circumstances

- 24.1. The applicant has indicated that should the proposed development be considered to result in inappropriate development within the Green Belt they would want the following 'very special circumstances' to be taken into account in the determination of the application. The applicants have set out these in their planning statement as follows:

- Contribution towards the housing requirements and economic and social needs of the District;
- Contributing towards the unmet affordable housing need with Tandridge;
- Contributing towards the provision of a wider housing choice;
- Meet "Golden Rules";
- Economic benefit during construction;
- Making identified improvements to the education provision in Hurst Green;
- Providing additional ecological gains.

- 24.2. The applicant has put forward that it would contribute to meeting market and housing needs making best use of land close to a Category 1 settlement. It is likely that any such contributions would be mitigating the development's own impacts, which would be a standard requirement for any major proposal.

- 24.3. The same applies to the assertion that biodiversity improvements would be a VSC, which again is a mandatory requirement under the Environment Act provisions. It is recognised that there would be improved public access onto and through the site but this mostly would benefit the residents of the development of the site itself as opposed to any of the existing community.

- 24.4. In essence, the main tenant of the applicant's VSC is the contribution to unmet housing needs. The relative contribution is small compared to the need. When this is considered with the concerns over the sustainability of location and lack of information over what infrastructure improvements would be forthcoming and not meeting the "Golden Rules", it does not present a compelling VSC package. It is for the decision maker to determine but from a policy perspective the proposed development is not supported by VSC that would clearly outweigh the harm to the Green Belt.

- 24.5. The Council accepts that it doesn't have a 5-year housing land supply and has an acute affordable housing need across the district. However, while attaching significant weight to the provision of 30 units and affordable housing it is not considered that would clearly outweigh the permanent harm to the Green Belt in both spatial and visual terms, particularly given that it is considered that the proposal would not result in a sustainable development.

25.0. Planning Balance

- 25.1. Officers are of the view that the proposal would result in inappropriate development in the Green Belt for which the applicant has failed to demonstrate 'very special circumstances'. The proposed development would adjoin the large built-up area of Caterham at the most western part and at a considerable distance from everyday amenities. It is not considered that walking and cycling routes would be the most convenient routes to access these. It is considered unlikely that there would be a modal shift to more sustainable routes for travel and therefore this is considered an unsustainable location for the scale of development proposed.
- 25.2. On balance, it is concluded that despite the acknowledged benefits of the scheme, principally relating to the provision of market housing and affordable housing, delivery of BNG, the proposal would represent inappropriate development and would not accord with the NPPF as a whole and the benefits of the development would not clearly outweigh the harm to the Green Belt and concerns over the delivery of infrastructure improvements which would not meet the "Golden Rules" as set out in paragraph 155 of the NPPF.
- 25.3. The recommendation to refuse is made in light of the National Planning Policy Framework (NPPF) and the Government's Planning Practice Guidance (PPG). It is considered that in respect of the assessment of this application significant weight has been given to policies within the Council's Core Strategy 2008 and the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with paragraph 232 of the NPPF. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.
- 25.4. All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.

RECOMMENDATION:

REFUSE

1. The proposal represents inappropriate development in the Green Belt that would result in significant harm to openness both spatially and visually. The proposal would not comply with the requirements of paragraphs 143, 154 and 156 of the NPPF 2024. The site has also been considered against para 155, however the proposal would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. It would fail to check the sprawl of the large built-up area and would fail to safeguard the open countryside from encroachment. Very special circumstances do not exist to override the very substantial weight that must be afforded to the harm to the Green Belt, character of the area and less than substantial harm to a heritage asset. Accordingly, no very special circumstances exist, either individually or cumulatively, to clearly outweigh the harm by reasons of inappropriateness and other identified harm. As such, the proposal is contrary to the provisions of Policies DP10 and DP13 of the Tandridge Local Plan Part 2: Detailed Policies and the provisions of the National Planning Policy Framework (2024) as a whole.
2. The site is located in an unsustainable location with limited active travel opportunities, and where the only realistic means of transport to everyday amenities would be the private car. This is contrary to the aims of the National Planning Policy Framework 2024 (NPPF), in particular paragraph 117, the

Informatives

1. The development has been assessed against Tandridge District Core Strategy 2008 – Policies CSP1, CSP12, CSP14, CSP15, CSP17, CSP18, CSP19, and CSP21, Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP10, DP12, DP13, DP19, DP21, and DP22, and material considerations. It has been concluded that the development would constitute inappropriate development in the Green Belt and that there are no very special circumstances that would outweigh that harm.
2. This decision relates to drawings numbered PL-01 rev. P1 (Site Location Plan), PL-04 rev. P1 (Street Scene), PL-03 rev. P1 (Site Block Plan) and PL-02 rev. P1 (Illustrative Site Plan) all submitted on 20th May 2025.
3. The Local Planning Authority has acted in a positive and proactive way in determining this application, as required by the NPPF (2024), and has assessed the proposal against all material considerations including the presumption in favour of sustainable development and that which improves the economic, social and environmental conditions of the area, planning policies and guidance and representations received.