

PLANNING PROOF OF EVIDENCE SUMMARY OF CHARLOTTE YARKER MRTPI

Land South of Kenley Aerodrome, Victor Beamish Avenue,
Caterham, Surrey, CR3 5FX

Appeal in relation to Refusal of Planning Permission for:

“Development of the site for 80no. residential dwellings including 50% affordable housing, associated landscaping, amenity space and car parking (outline application all matters reserved aside from access)”

Prepared by Charlotte Yarker MRTPI of Daniel Watney LLP, on behalf of Croydon and District Education Trust.

LPA Reference: TA/2023/878

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1 Planning Evidence Summary

- 1.1 My name is Charlotte Yarker. I am a Partner in the Planning and Development at Daniel Watney LLP. I am a member of the Royal Town Planning Institute. I am appearing at this inquiry on behalf of the Croydon and District Education Trust (the Appellant). I was first approached by the Appellant to provide planning consultancy services in relation to the Appeal site in November 2019.
- 1.2 The Council has a chronic shortfall in housing land supply. It cannot demonstrate two years of housing land supply.
- 1.3 Tandridge does not have an up-to-date statutory development plan. Some saved policies of its 2008 Core Strategy remain in force but none of these deal with the district's acute housing need.
- 1.4 The Council attempted to adopt a development plan in 2019 which sought to address the district's pressing housing need. As part of this Local Plan preparation process the Council identified the Appeal site as being suitable for residential development and it was allocated for residential development.
- 1.5 This draft Local Plan was incapable of being found sound and eventually withdrawn by the Council on the advice of the Examination Inspector. No meaningful progress has taken place on preparing an alternative plan since.
- 1.6 In the absence of an up-to-date development plan and no material changes in national planning policy or any other material considerations and a worsening housing land supply position, the Appellant prepared a planning application for the residential development of the site.
- 1.7 In the interim the Council has not prepared any further or alternative evidence base documents and has not made a meaningful start preparing a replacement development plan. There has been no change in development plan or national planning policy, or other material considerations that should have led the Council to arrive at an entirely different assessment as to the suitability of the site for residential development.
- 1.8 My evidence is accompanied by a sworn affidavit which addresses the Council's hitherto unexpressed allegation that the proposals would now result in the loss of a playing field. This confirms that the temporary use of the Southern Land for physical activity only occurred on that basis for less than 10 years and that the temporary use no longer serves any purpose for temporary physical activity by students of the school located in the centre of the site.
- 1.9 Furthermore, it is common ground that no part of the site forms part of the Council's playing field strategy. The Council's evidence base confirms that as a district it has sufficient supply of playing fields.
- 1.10 Since the determination of the planning application and the lodging of the Appeal, the Government has published a revised NPPF. This does have a material effect on the assessment of the suitability of the site for residential development, but insofar as it introduces another 'route' to the grant of planning permission of the site given its Green Belt status.
- 1.11 In my evidence I identify three 'routes' to assessing the acceptability of the Appeal proposals in the Green Belt.
- 1.12 **Route 1** – That development is not inappropriate with reference to paragraph 153 and 155 if it is grey belt and would not fundamentally undermine the purposes (taken together) of the remaining Green

Belt across the area of the plan. With reference to paragraph 156 the development proposals that meet the 'Golden Rules' requirements should be given significant weight in favour of the grant of permission.

- 1.13 It is common ground with the Council that the site is grey belt. The development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. Finally, the proposals will comply with the Golden Rules; delivering 50% affordable housing, delivering the necessary improvements to local infrastructure and providing new green spaces that are open to the public.
- 1.14 Furthermore, the Appeal proposals also comply with the previous Green Belt tests.
- 1.15 **Route 2** – That the development is appropriate development with reference to paragraph 154 (g) namely that the development is the complete redevelopment of previously developed land that would not cause substantial harm to the openness of the Green Belt.
- 1.16 **Route 3** – And that very special circumstances do exist as any inappropriateness or other harm resulting from the proposal is clearly outweighed by other considerations, namely the significant weight that should be applied to the delivery of housing on the site (and 50% affordable housing) and the moderate weight of the resulting heritage and biodiversity benefits.
- 1.17 I refer to the evidence of Mr Bell which demonstrates full compliance with Section 9 of the NPPF regarding the promotion of sustainable transport and impacts upon the road network. I also refer to the mitigation measures that Surrey County Council originally required when consulted on the Appeal proposals which would be secured as part of the development proposals.
- 1.18 Neither the County Council nor the Council have identified any further necessary mitigation measures in relation to the sustainability of the site during the application or the Appeal process.
- 1.19 Other reasons for refusal related to heritage, arboriculture and ecology have been addressed during the Appeal process.
- 1.20 The Council maintains a narrow objection regarding the impact upon the local landscape and the character and appearance of the conservation area during tree maturity. I refer to the evidence of Mr Kirkpatrick and Ms Markham, respectively, on this matter.
- 1.21 In the light of this assessment of the site, its history and continued suitability to accommodate residential development paragraph 11 d) ii should be applied. In the absence of any relevant, up-to-date development plan policies (as defined by footnote 8) this means that a decision should be made in accordance with a presumption in favour of sustainable development.
- 1.22 It is my evidence that there would be no adverse impacts arising from the grant of planning permission that would significantly or demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.
- 1.23 The Appeal proposals would also accord with other policies of the NPPF, including the desire expressed at paragraph 61 to see a significant boost in the supply of homes and the objective to deliver an appropriate mix of housing types for the local community.
- 1.24 Thus, subject to a deed of undertaking pursuant to Section 106 of the 1990 Act and to relevant conditions, I respectfully request that planning permission be granted for the Appeal scheme.

Daniel Watney

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