

Application: 2023/878

Location: Kenley Aerodrome, Victor Beamish Avenue, Caterham, Surrey, CR3 5FX

Proposal: Development of the site for 80no. residential dwellings including 40% affordable housing, associated landscaping, amenity space and car parking (Outline application all matters reserved aside from access)

Ward: Portley

Constraints – Article 4 (ENF/2007/29). Adjacent to Ancient Woodland (500 metres), Biggin Hill Safeguarding, Kenley Aerodrome Conservation Area, Gas Pipeline within 175m, Green Belt, Kenley Safeguarding, Listed Building – Former Dining Room and Institute at Former RAF Kenley – Grade II, C and D Class Roads, Risk of 1 in 100- and 1000-year Surface Water Flooding, Source Protection Zones 2 and 3, Tree Preservation Orders.

Decision Level: Chief Planning Officer - Delegated

RECOMMENDATION: Refuse

1.0 Summary

- 1.1 Planning permission is sought for a development comprising of 80 dwellinghouses, including 40% affordable housing, with associated landscaping, amenity space and car parking. The application has been submitted in Outline with all matters reserved aside from access.
- 1.2 As set out below, the proposal represents inappropriate development in the Green Belt, would cause harm to openness and conflict with the purposes of the Green Belt. Substantial weight is required to be afforded to each of these elements of harm. Harm would also be caused to designated heritage assets, including the Kenley Aerodrome Conservation Area, within which the site is located, the Grade II listed Former Institute and Dining Hall building which the application site surrounds, and in terms of the development's impact on the character, appearance and setting of those assets as a result of the significant tree and woodland removal proposed. The proposal also raises concerns on sustainability grounds, given its reliance on private car users to access services and on highway capacity grounds. Insufficient information has also been provided to allow the full ecological and biodiversity impact of the development proposal to be assessed. Lastly, the proposal would also result in the loss of a playing field which would not be replaced as part of the development proposal.
- 1.3 However, the identified harm has to be balanced against the benefits of the proposed scheme which would include the provision of 80 dwellings, 40% (32 units) of which would be affordable, the development achieving high renewable energy and efficiency performance and the provision of a large area of publicly accessible open space. However, as specified by NPPF paragraph 11d(ii), the tilted balance does not apply to this application because the adverse impacts significantly and demonstrably outweigh the benefits. As identified in the report, the development is considered to result in inappropriate development in the Green Belt where the very special circumstances (VSC) put forward to be considered do not demonstrably outweigh the benefits.
- 1.4 Overall, it is not considered that such matters constitute the Very Special Circumstances that would have to exist to enable the development to be found acceptable in Green Belt terms. On balance, it is therefore considered that the benefits of the scheme do not outweigh the harms that would be caused should planning permission be granted. Therefore, it is recommended that planning permission be refused.

2.0 Site Description

- 2.1 The site is located on the edge of Kenley Aerodrome and within the Kenley Aerodrome Conservation Area close to the border with the London Borough of Croydon. The site forms part of a wider area that was once a Battle of Britain airfield and comprises the land surrounding the Grade II listed former NAAFI building. To the west, on the other side of the access road (Victor Beamish Avenue), is a flat open area with a number of semi-mature trees. The northern part of the site includes redundant workshops, that are not listed, an area of hardstanding and there are some deposits of building materials. To the south of the former NAAFI building, which is now in use as a school, is a playing field.
- 2.2 The entirety of the site is located within the Metropolitan Green Belt. The site was previously considered as a potential allocation (HSG06) in 'Our Local Plan 2033'. This plan has been recommended for withdrawal (subject to ratification at Full Council) as the Inspectors' final recommendation was that the submitted plan should not be adopted due to soundness issues. It should be noted, however, that the Examination Inspector raised concerns in relation to this site. This matter is discussed in greater detail in the following sections.
- 2.3 The site forms the setting of the Grade II listed NAAFI building now in use by One School Global. Within the curtilage of the former NAAFI building is the parade ground which is used as a playground by the school. To the east of the principal school building are four portacabins which are used as teaching facilities. The site however excludes the former NAAFI building itself, which is used by One School Global, an independent day school.

3.0 Relevant Planning History

- 3.1 2015/244 - Change of use of the former NAAFI building to be used as an independent secondary school. Formation of roof over voids and internal alterations (LBC) – Granted 06.05.2015
- 3.2 2015/179 - Change of use of former NAAFI building to secondary school (Class D1). Formation of roofs to voids within existing building to centre and north of building. Formation of new access drive and parking – Approved 06.05.2015
- 3.3 2012/49 - Demolition of part of building. erection of extension and conversion of former workshop building at Kenley Aerodrome for use as a new independent secondary school. formation of parking and hardsurfacing – Withdrawn 02.07.2012
- 3.4 2009/1296 - Change of use to provide day school, incorporating use of parade ground as play area and upgrading of field to use as playing field - application to extend time limit for implementation of permission 2004/903 – Approved 09.12.2009
- 3.5 2004/1665 - Internal & external alterations (LBC) – Granted 19.10.2004
- 3.6 2004/903 - Change of use to provide day school, incorporating use of parade ground as play area and upgrading of field to use as playing field – Approved 03.06.2004
- 3.7 2003/474 - Improvements to existing site access road and junction, to adoptable standard. conversion of former workshop building (incorporating infilling of courtyard) to place of worship (class D1) with associated parking & landscaping – Approved 20.05.2003

- 3.8 2001/321 - Conversion of former NAAFI to create B1 accommodation with associated parking and landscaping (LBC) – Withdrawn 02.07.2002
- 3.9 2001/320 - Conversion of existing store buildings and former sergeants' mess and NAAFI to provide B1 accommodation with associated parking and landscaping – Withdrawn 02.07.2002
- 3.10 1999/280 - Redevelopment of site to provide 41 x 3 bed, 36 x 4 bed and 8 x 5 bed houses; 9 x 2 bed, 18 x 3 bed, 2 x 4 bed and 1 x 5 bed affordable houses and 6 x 1 bed affordable flats (total 121 dwellings) associated garaging/ parking, twin access from Buxton Lane/Hayes Lane, open space, play area and pedestrian and maintenance vehicle access to Kenley Common – Refused by the Secretary of State 29.11.2000. *(This application relates to the site abutting the northwest corner of the application site around Collard Close).*

4.0 Proposal

- 4.1 The application initially sought Outline planning permission for the development of the site for 87no. residential dwellings including 40% affordable housing, associated landscaping, amenity space and car parking (All matters reserved aside from access). The proposal has subsequently been amended to reduce the number of dwellings proposed to 80 units.
- 4.2 The 80 dwellings would now comprise of 32 affordable housing units and 48 market dwellings and would range from 2-bedroom starter units to 5-bedroom dwellings. The proposal would provide a residential density of 18.1 dwellings per hectare on this 4.4-hectare site.
- 4.3 In terms of storey heights the dwellings would range from 2 to 3 storeys with the majority of dwellings being of a two-storey design. There would also be some single storey garages provided.

Access and Highway Arrangements

- 4.4 Access will be achieved via Victor Beamish Avenue, which is accessed from Salmons Lane West. Victor Beamish Avenue also provides access to One School Global, Kenley as well as access to a gliding club and an RAF gliding facility located on the airfield. Pedestrian access would also be provided via footpaths to the north of the site.
- 4.5 The road is provided with a lit footway along the western edge of the carriage way. Victor Beamish Avenue forms a junction with Salmons Lane West to the south, to the west of the junction Salmons Lane West is a two-way road, operating a 30mph speed limit, to the east of the junction Salmons Lane West splits into two roads, Salmons Lane West and Salmons Lane. Salmons Lane West enables only westbound movements from Whyteleafe Road, while Salmons Lane enables only north-eastbound movement towards Whyteleafe Hill.
- 4.6 To the west, Salmons Lane West forms a roundabout junction with Buxton Lane and Ninehams Road. Buxton Lane enables access south towards Caterham-on-the-Hill town centre. To the east both Salmons Lane West and Salmons Lane form Junctions with Whyteleafe Hill/ Whyteleafe Road, which provides access south towards Caterham-on-the-Hill town centre and north towards Whyteleafe.

- 4.7 Victor Beamish Avenue will enable access to the proposed northern section of the site, with further cul-de-sacs towards the southern section of the site. There will also be a limited number of properties with direct access onto Victor Beamish Avenue.
- 4.8 Pedestrian access will also be achieved via Victor Beamish Avenue. The existing footway along the western side of the road will be retained, with sections of footway being provided on the western edge of the carriageway where it serves access to properties. Informal pedestrian crossing points, provided with tactile paving will be provided to enable pedestrians to cross between the footways.
- 4.9 Two pedestrian accesses into the site will be constructed from the north, enabling pedestrian and cycle access to the outskirts of Kenley Aerodrome. These accesses will be located where historic accesses to the site are located.

5.0 Statutory and Non-Statutory Consultations

- 5.1 NATS Safeguarding – No safeguarding objection to the proposal.
- 5.2 Surrey Hills AONB Planning Adviser – Consider that the site is sufficiently far from the existing Surrey Hills AONB or Natural England’s proposed AONB candidate areas, and with intervening development, for the proposed development not to spoil their setting.
- 5.3 Surrey Police - In relation to plots 37-41, which has a rear courtyard, rear courtyards are to be discouraged for the following reasons, they introduce access to the vulnerable rear elevations of dwellings where the majority of burglary is perpetrated. Ungated courtyards provide areas of concealment which can encourage anti-social behaviour. If unlit, can increase the fear of crime, I have not seen the lighting proposal for this development but strongly recommend all street lighting for adopted highways and footpaths, private estate roads, unadopted roads and car parks must comply with BS 5489-1:2020:

If there is a statutory provision that conflicts with the lighting requirement, then requirement should be discussed with the local authority lighting designer and self.

The parking provisions further into the development, plots 51-54, plots 55-59 also have rear communal parking. Again, this can introduce vulnerabilities to the rear of these dwellings. There is also limited natural surveillance for parking provision for plots 77-78. Parking bays should ideally benefit from “good” natural surveillance.

I would also welcome engagement with the developer regarding rear boundary provisions for certain proposed dwellings due to their orientation.

- 5.4 Surrey Fire & Rescue Service - Whilst we acknowledge the implications that such a development could have on our resources, we do not generally exercise our right to comment at this stage. Formal consultation will be undertaken through the Approved Building Inspector or Building Control Authority should the application be successful.

Further comments - The above application (including any schedule) has been examined by a Fire Safety Inspecting Officer and there is insufficient detail provided to assess whether it will meet with the access requirements of Approved Document B Section B5 of the Building Regulations when the initial notice is submitted.

- 5.5 Surrey County Council – Archaeology – The Assessment indicates that archaeological remains of National Significance worthy of preservation *in situ* are unlikely to be

present. As such, I consider it reasonable and proportionate to secure the archaeological evaluation, any subsequent archaeological mitigation measures and the provision of an information board by attaching conditions to any permission that may be granted:

- 5.6 London Gatwick – The proposed development has been examined from an aerodrome safeguarding perspective and it does not conflict with safeguarding criteria. We therefore have no objection to this proposal.
- 5.7 Surrey County Council – Historic Buildings Officer – There will be harm from the scheme from the loss of the Former Workshop Buildings. While the rest of the site will quite significantly change from its current character and appearance, I am not of the opinion that this will necessarily equate to harm. This is because only elements of the character and appearance of the site reveal its historic or architectural interest. Ultimately, the applicant has given careful thought and consideration to those elements highlighted as being significant.

On balance, I consider that the arrangement of the buildings along Victor Beamish Avenue and the improved connectivity throughout the site will be an improvement. There will also be a benefit from the proposed new sculpture to the north of the site. Subject to the reserved matters being acceptable, I consider the scheme to result in an overall benefit to the conservation area.

Subject to the reserved matters, I am of the opinion that the scheme overall will result in a benefit to the conservation area owing to the proposed commemorative feature, reinstatement of paths, better connectivity with the airfield and the arrangement of buildings along Victor Beamish Avenue. Such a benefit is modest, and this will need to be taken into account with regard to other matters raised by consultees.

- 5.8 Surrey County Council – Early Years Commissioning - Based on a sufficiency overview, and anecdotal evidence from providers in the area, it should be possible for the additional place requirement generated by this development to be absorbed by current providers.

However, it should be noted that the development is on the Surrey border and therefore sufficiency assessments for the neighbouring Local Authority should also be considered. In addition, the eligibility for funded entitlements for working parents, will be extended from April 2024, further in September 2024 and again in September 2025. Demand may be significantly impacted by the expansion of eligibility but the extent of this is unknown at this stage.

- 5.9 Environment Agency – No objection, subject to conditions.
- 5,10 Lead Local Flood Authority – No objection, subject to conditions.
- 5.11 Contaminated Land Officer – TDC – No objection on contaminated land grounds, subject to conditions. Also highlights the risk of Unexploded Ordnance (UXO) at the site and considers that whilst this is primarily a matter for the main contractors CDM team, a suitable framework for assessment of UXO can reasonably be secured through the planning process and to that end have included mention of UXO assessment specifically in the contaminated land condition.
- 5.12 National Highways - No objection. Given the distance from our network, we are satisfied that the development will not materially affect the safety, reliability and/or

operation of the strategic road network (the tests set out in DfT Circular 01/2022, and MHCLG NPPF 2023 paragraphs 110-113) in this location and its vicinity.

- 5.13 Environmental Health – TDC - Note that the applicant is going to use air source heat pumps (ASHP's) for heating the properties. These can be noisy and affect the residential amenity of neighbours.

Therefore, if planning permission is granted, they would suggest that a condition is added stating that noise from the use of ASHP's shall conform to the advice given in the Institute of Acoustics and Chartered Institute of Environmental Health Professional Guidance Note on Heat Pumps, which recommends a maximum sound rating level of <35 dB at any noise sensitive neighbouring premises.

- 5.14 Natural England – No objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

- 5.15 Caterham on the Hill Parish Council – Object. The Parish Council does not view the approval of outline planning as a legitimate procedural step, unless it remains within the parameters stated, and members were taken aback by the decision regarding 5 Queens Park Road.

The overall suitability for development has not been established. This is a highly complex site, and several material issues must be considered first:

The site was originally proposed for removal from the Green Belt in the draft Tandridge Local Plan, since judged unsound by the Inspector. It therefore remains designated Green Belt land and residential development is by definition harmful unless very special overriding circumstances can be demonstrated. If not, development remains in principle inappropriate.

The site forms a principal part of one of the best-preserved Battle of Britain airfields nationally. The airfield contains listed buildings and Scheduled Ancient Monuments and is a Conservation Area, responsibility for which is shared with LB Croydon. The Inspector regarded the information submitted by Tandridge for the heritage implications of development as inadequate and needing further analytical work.

Both the South London Downs National Nature Reserve and a candidate area for extending the Surrey Hills AONB are now adjacent to the site (but were not when this site was being evaluated in the draft Local Plan). Visual openness is a defining characteristic of both these designations, as it is for the Green Belt and the Conservation Area (including views to and from the airfield). The setting of the nationally important heritage assets is also defined as the visual envelope within which their historic significance may be understood and appreciated by the public. How would that be affected by a surrounding residential development?

The site cannot be considered in isolation. There are potential cumulative environmental effects in respect of the adjoining permitted residential development around the listed Officers Mess. This includes a block of flats overlooking the historic airfield. The risk is that the airfield ends up ringed with over-dense development on the Tandridge side, to the detriment of those authorities responsible for the remainder. They include LB Croydon, City of London, Historic England and Natural England. So far TDC has approached development in an entirely piecemeal way, with no evidence of strategic thinking over the future of the airfield. Where for example is a Tandridge

Planning Brief (agreed with local stakeholders) setting out the design parameters any scheme must address?

All these considerations affect the first principle of whether further residential development is appropriate here. They are thus ideally suited to an Outline application, so that the developer need not commit to the cost of a fully supported application before the basic principle has been tested. The government Planning Portal makes clear that Outline applications are to be used to gain an understanding as to whether the nature of a development is acceptable. Accordingly, an Outline application need only be supported in the first instance by a location and site plan. If the general principle is acceptable (with regard to broader issues such as those set out above) then the detailed design comes later as reserved matters. The Parish Council objects strongly to the application as it is currently presented, on the grounds that the Planning Authority has acted improperly to an extent that invalidates it.

Subsequent comments received as follows: A Member of the Chartered Institute for Archaeologists has reviewed the recently submitted Archaeology Desk-based Assessment on our behalf. The Parish Council comments as follows:

The character of Caterham has been shaped by our role as a garrison and military town for the army and air force from the 19th century. It includes an important role in the history of military aviation. RAF Kenley is a key part of public appreciation of that heritage. Collectively the Conservation Area with its listed buildings, Scheduled Ancient Monuments and many undesignated military assets is of national significance. It is one of the best surviving historic airfields nationally, was operational during both World Wars and played a pivotal role in the Battle of Britain.

The Parish Council seeks to ensure that our cultural heritage is recognised, conserved and enhanced within the development process. There is clear evidence from maps and aerial photographs that a range of undesignated 20th century military assets are likely to be survive within the site, above and below ground. They may include boundary markers, air raid shelters and disused workshops. A possible fighter aircraft crash site has also been identified. Collectively, these undesignated assets contribute to the overall national significance of the airfield.

Therefore, we do not understand the report conclusion that the archaeological potential of the site is negligible. It appears to be based on a view that 20th century military remains, rather than being significant archaeologically are modern obstructions that have probably truncated anything earlier in date. Instead, the Parish Council regards them as a principal research objective.

The process for identifying, ranking and mitigating any potential archaeological impact of development is well established. It is set out in the standards and guidance of the Chartered Institute for Archaeologists. The Parish Council is recommending an archaeological field evaluation that should include walkover and geophysical survey to inform selective trial trenches (if required). Given that the applicant is a school, there may be an opportunity for an element of community archaeology. It has previously been organised via the Inspector of Ancient Monuments at Historic England under the Lottery funded Kenley Revival Project. This aims to preserve and protect the most intact fighter airfield of WW2.

We draw the District Council's attention to our previous comments about the need for a joined-up strategic approach to conserving and enhancing the Conservation Area, rather than piecemeal fragmented planning applications. This is a case in point. The history and archaeology of this site and the adjoining Officers Mess development are

a single contiguous whole. A Written Scheme of Investigation for an archaeological field evaluation has already been submitted for the latter (application 2015/1746/Cond1). The District Council should consult the SCC archaeological planning advisory service for guidance.

Our comments concerning archaeology are without prejudice to the Parish Council's previous statutory submission. We do not believe that the principle of development has been established. Under an Outline application for access only, matters of technical detail such as this report are premature. The Parish Council seeks in particular to understand what the Very Special Circumstances justifying an otherwise inappropriate development in the Green Belt are. That includes the effect on the openness of the Green Belt (NPPF 2023 paras 148 and 149). We would welcome a dialogue with the applicant and draw the District Council's attention to para 132 of NPPF 2023 in that regard.

- 5.16 Defence Infrastructure Organisation – The MoD does not object to the principle of the development of the site subject to appropriate conditions.
- 5.17 Surrey County Council – Highways – Recommend refusal on the grounds that the development is unsustainable in transport terms and due to its impact on the performance of the public highway.
- 5.18 Whyteleafe Village Council – Object on the following grounds:
- It is envisaged that the foul water drainage will be joined to the existing sewer running through Whyteleafe Hill (Whyteleafe). Councillors would wish to be satisfied that this sewer has adequate capacity to deal with so many additional properties. There appears to be no such assurance in the application, and we note the objection raised by the Environment Agency.
 - The Caterham Flood Action Group has submitted commentary relating to the impact of rainwater on the site. This could have a critical impact on Whyteleafe in terms of where all this water will be directed. Where will the water drain? As a neighbouring Parish, we would not want water directed onto Whyteleafe Hill where the highways drains are already at full capacity and regularly blocked with leaf litter and other debris. These gullies and drains regularly overflow following heavy rainfall and can even surcharge lifting drain covers on occasion. It is important to avoid any exacerbation of this unacceptable situation.
 - In terms of surface water management, the Council would wish to be satisfied that there is adequate provision of surface water catchment within the site and that water is retained and any drainage into the surrounding ground is delayed for as long as possible in order to reduce adding to groundwater levels in the valley below. This is because parts of the settlement in Whyteleafe have a history of groundwater flooding during wetter winters.
 - The local roads are already busy and 87 new houses will generate a lot of additional traffic and parking. Combine this with deliveries and other vehicle traffic and there could be great pressure added to the road infrastructure impacting the amenity of local residents. Councillors also note the reservations raised by Surrey County Council Highways.
 - The construction phase would produce a lot of lorry traffic and we would wish to see further explanation of how this traffic will be managed particularly at peak periods when roads become very busy due to the close proximity of local schools. There is a primary and secondary school and the use of local roads

by construction vehicles should be avoided during school drop-off and pick-up times.

5.19 Sport England – Raises a statutory objection to the application because it is not considered to accord with any exceptions to Sport England’s Playing Fields Policy.

5.20 Thames Water – No objection.

5.21 Historic England – Do not wish to offer any comments.

5.22 Surrey Wildlife Trust –

Planning Stage	Recommendation
Prior to determination	Clarification regarding the suitability of trees to be removed to support roosting bats; and further survey if required; Hazel dormouse presence/likely absence surveys; Clarification of extent of reptile presence/likely absence surveys; Clarification of classification of grassland habitats; Assessment of impacts on the nearby statutory and non-statutory sites; Detailed assessment of on-site woodland; Biodiversity net gain assessment
Prior to commencement	Badger survey; Sensitive Lighting Management Plan; Invasive Species Management Plan; Landscape and Ecological Management Plan (LEMP); Construction Environmental Management Plan (CEMP)
Prior to occupation	N/A
General Recommendations	Precautions should be taken during construction to ensure no harm to terrestrial mammals; Demolition, vegetation, and site clearance should take place outside the breeding bird season or following nesting birds checks; Suggested biodiversity enhancements should be included in the final design

5.23 London Borough of Croydon – No objection.

Public Consultation.

5.24 The application has been advertised by way of site notices, a newspaper notice and letters being sent to nearby residents.

5.25 42 representations have been received, including one of support. The objections received raise concerns on the following grounds:

- Harmful impact on highway safety.
- Speeding traffic is already experienced and would exacerbate the risks. Traffic calming measures should be provided.
- The poor condition of the roads within the locality would be worsened.

- Increased pollution has been suggested generally. Pollution from traffic has been mentioned specifically.
- Loss of trees at the site would remove mitigation of air pollution.
- Would cause increased pressure on services which has inadequate school places, doctor services and dentist facilities.
- Light pollution.
- Development in the Green Belt with the Very Special Circumstances requirement not being met.
- Other previously developed land should be used rather than this site.
- Proposal would represent overdevelopment of the site.
- The site is a memorial ground and shouldn't be developed on.
- Development would be out of keeping with surrounding development.
- Loss of green space would be detrimental to the character of the area.
- Traffic generation would increase congestion.
- Adverse impact on ecology, the character and setting of the listed building and on the conservation area.
- Adverse visual impact.
- Surface water runoff issues have not been adequately addressed.
- Location is unsustainable in accessibility terms with residents having to rely on private cars to access services due to poor public transport links and the topography of the area.
- Flooding issues and lack of sewer capacity.

The letter of support indicates that they consider there is a need for additional housing in the area.

- 5.26 The representations received were predominantly from local residents but also included comments from RAF Kenley, Caterham Flooding Action Group and Chris Philp MP.

6.0 National Planning Policies and Guidance

- 6.1 The National Planning Policy Framework (NPPF) (December 2023).
Planning Practice Guidance (PPG)
National Design Guide.

Development Plan and Other Guidance

- 6.2 The Tandridge Development Plan is formed of Tandridge District Core Strategy 2008, Tandridge Local Plan Part 2: Detailed Policies 2014-2029, Caterham, Chaldon & Whyteleafe Neighbourhood Plan 2021, Limpsfield Neighbourhood Plan 2019 and Woldingham Neighbourhood Plan 2016, as well as the Surrey Waste and Minerals Plans¹. Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require decisions to be taken in accordance with the development plan, unless there are material considerations that indicate otherwise.
- 6.3 The NPPF is a material consideration in planning decisions and its policies have to be taken into account in dealing with applications from the day of its publication, [with the exception of policy in paragraph 76 relating to the five-year housing land supply] (NPPF December 2023, paragraphs 2 and 224). It is important to note that even though the
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adopted Development Plan predates the publication of the most recent NPPF, the majority of policies remain up to date. Policies will be given due weight in accordance with their degree of consistency with the NPPF (December 2023, paragraph 225).

6.4 The evidence base published alongside the emerging Local Plan 2033 does not form part of the Development Plan. The eventual non-adoption of the emerging Local Plan does not place more or less weight on the emerging Local Plan 2033 evidence base than on any other evidence base published by the Council. Until such time that evidence base studies are withdrawn, they remain capable of being a material consideration for planning applications.

6.4 Tandridge District Core Strategy (2008)

CSP1 - Location of Development
CSP2 - Housing Provision
CSP3 - Managing the Delivery of Housing
CSP4 - Affordable Housing
CSP7 - Housing Balance
CSP12 - Managing Travel Demand
CSP13 - Community, Sport and Recreation Facilities and Services
CSP14 - Sustainable Construction
CSP15 - Environmental Quality
CSP17 - Biodiversity
CSP18 - Character and Design
CSP19 - Density
CSP21 - Landscape and Countryside

6.5 Tandridge Local Plan Part 2: Detailed Policies 2014-2029 (2014)

DP1 - Sustainable Development
DP5 - Highway Safety & Design.
DP7 - General Policy for New Development
DP10 - Green Belt
DP13 - Buildings in the Green Belt
DP18 - Community, Sports & Recreational Facilities
DP19 - Biodiversity, Geological Conservation & Green Infrastructure
DP20 - Heritage Assets
DP21 - Sustainable Water Management
DP22 - Minimising Contamination, Hazards and Pollution

6.6 Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2018 to 2033 (2021)

CCW4 - Character of Development
CCW5 - Design of Development
CCW6 - Environmentally Sustainable Design
CCW10 - Locally Significant Views

6.7 Other Tandridge Guidance

Tandridge Parking Standards Supplementary Planning Document (2012)
Trees and Soft Landscaping Supplementary Planning Document (2017)
Tandridge Housing Delivery Test Action Plan (2022), including the Tandridge Interim Policy Statement for Housing Delivery.

7.0 Key Issues

- 7.1 The site is located in the Green Belt and the residential development proposed in this application would constitute inappropriate development which paragraph 152 of the NPPF provides is by definition harmful to the Green Belt and should not be approved except in very special circumstances (VSC). Paragraph 153 of the NPPF provides that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. VSC will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Other key considerations include:

- The provision of housing and affordable housing and the proposed housing mix.
- The locational sustainability of the proposed development.
- The effect on the character and appearance of the area.
- The effect on heritage assets.
- The amenities of nearby residents.
- The impact on other surrounding land uses.
- The living conditions of future occupiers.
- Traffic, highway safety, access and parking provision
- Trees and Tree Protection
- The effect on biodiversity and habitats.
- Flood Risk and Surface Water Drainage
- Contaminated Land
- Other Material Considerations.

- 7.2 Once each of these key issues have been considered, it will be necessary to undertake an exercise of weighing any harm that has been identified against any benefits of the proposal that are identified and undertake an exercise of assessing the planning balance.

7.3 Green Belt

Inappropriate Development

- 7.4 The NPPF supports the protection of Green Belts and the restriction of development within these designated areas. The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with the essential characteristics of the Green Belt being its openness and permanence.
- 7.5 The NPPF 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.
- 7.6 Policy DP10 of the Local Plan reflects 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.
- 7.7 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.

7.8 Paragraph 153 of the NPPF does indicate that some types of development can be considered as exceptions to inappropriate development, including:

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

– not have a greater impact on the openness of the Green Belt than the existing development; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Whilst limited parts of the application could potentially be considered to be previously developed land (the areas of hardstanding and the area where the workshops were located), the majority of the site would clearly not fall within the definition of previously developed land contained within the Annex to the NPPF, and, in any event, the proposed development would have a much greater impact on the openness of the Green Belt.

7.9 Therefore, none of the exceptions set out within national or local planning policy are applicable to the buildings that are proposed within this application. The erection of buildings at the site is, therefore, inappropriate development in the Green Belt

Openness

7.10 The fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open. The Framework advises at Paragraph 142 that openness and their permanence are essential characteristics of Green Belts. Planning Practice Guidance states that undertaking an assessment of the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case having regard to factors that include, but are not limited to:

- *openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;*
- *the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*
- *the degree of activity likely to be generated, such as traffic generation.*

7.11 With respect to the spatial dimension, the proposal would represent the erection of buildings where virtually none currently exist. Consequently, the development would have a substantial impact on openness in this respect.

7.12 The proposal would introduce built development volume in the form of dwellings and supporting development including public highways, driveways, gardens and boundary enclosures. These would extend across a substantial part of this currently undeveloped site. The buildings would be up to three storeys in height and, as a result of the number of buildings proposed, there would be a substantial imposition of built form whether this is considered in terms of its volume or footprint. This change would be accompanied by increased activity from prospective occupants and visitors reasonably associated with a residential use.

- 7.13 Turning to the visual impact of the development, it is the case that some of the proposed development would be screened by existing vegetation and tree planting along the southern and eastern boundaries of the site, but more open views would be available along the western boundary from existing residential properties and more particularly from the north where Kenley Aerodrome is located. Views would also be available to those using Victor Beamish Avenue, such as those accessing the school.
- 7.14 The proposal would, therefore, reduce both the visual and spatial sense of openness of this Green Belt area, causing harm that ranges from significant to moderate. The harm arising in this respect is required to be afforded substantial weight.

Purposes of the Green Belt.

- 7.15 Paragraph 143 states that the Green Belt serves 5 purposes:
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 7.16 The Planning Statement submitted with the application refers to the five identified purposes of the Green Belt and indicates, in respect of purpose a), that the application site is considered to “make a “limited” contribution towards meeting purpose (a) and that the wider Green Belt would continue to ensure this, so the harm to Green Belt is limited.
- 7.17 Caterham on the Hill is a built-up area but not a large one and, as such, the sprawl caused by this proposal at the edge of the settlement is not considered to significantly conflict with the requirement of purpose a) and the Council would agree that harm in respect of this purpose would be limited.
- 7.18 The development would be located between Caterham on the Hill and Whyteleafe and would result in a reduction in the gap between these settlements to some degree, but only on a localised basis. As such, it is not considered that the proposal would result in a perception that the neighbouring towns would be merging into one another. As such, it is not considered the proposal would significantly conflict with purpose b).
- 7.19 The applicants Planning Statement acknowledges that the Green Belt Assessment undertaken by the Council as part of the evidence base for the Local Plan 2033 states that the application site (known as site AA1) “prevents Caterham-on-the-Hill and Whyteleafe from merging with Kenley” but indicates that “the size and location of this site means it is considered to only partially meet purpose (b)” but no further explanation of this conclusion is provided.
- 7.20 In respect of purpose c) the Planning Statement suggests that the proposed development “will not erode the open countryside between Kenley ... and Caterham as there are extensive protection measures in place for the main airfield” and that overall “it is considered the site makes a limited contribution to serving purpose (c).” Nevertheless, it is considered that the development would clearly represent the further encroachment of built development into the open countryside. Therefore, conflict would arise with respect to purpose c).

- 7.21 In respect of purpose d) the Planning Statement again draws upon the Council's earlier Green Belt Assessment and states that:

"The site is not within or in close proximity to an historic town but given the site is located within a Conservation Area and in proximity of designated heritage assets, consideration is given to this purpose.

Appendix D of the Green Belt Assessment Part 1 Paragraph D.5.31 states that "*the Conservation Area is bordered on three sides by development and so long distance views to the Conservation Area are limited.*"

Appendix D of the Green Belt Assessment Part 1 Paragraph D.5.32 states "*the parcel does not complement the setting of the Kenley Conservation Area as the Conservation Area is bordered on all three sides within Tandridge by development.*" However, Part 3 considers there to be potential harm.

The current site is clearly a reflection of its former past and the outline scheme draws on this rich military heritage to preserve and enhance key characteristics of the conservation area and wider site, including the Grade II listed former Institute Building (former NAAFI).

The submitted Heritage Assessment provides a detailed view of the scheme and the degree of harm to the Kenley Aerodrome Conservation Area, assessing how the scheme preserves and enhances the setting. The Heritage Statement acknowledges that whilst there would be some residual impact on the character and appearance of the Kenley Aerodrome Conservation Area stemming from the introduction of residential development and increased suburban density, the current condition of the site offers an opportunity to enhance the setting of the designated heritage assets and key elements of the scheme contribute positively to their setting, retaining and celebrating their character and appearance.

Overall, it is considered the current site and its current condition makes a moderate contribution to serving purpose (d)."

- 7.22 The Council would not dispute that the site does contribute to serving purpose d).

- 7.23 In respect of purpose e) the Planning Statement states that:

The site is located in the Green Belt and the former use of the site as an airbase and its associated activities likely pre-date the designation of the land as Green Belt. The application site, surrounding the NAAFI listed building which is now a school, represents the recycling of redundant and derelict previously developed land and so we support the Council's recommendation to remove this site from the Green Belt so that it can fulfil this purpose.

Green Belt Summary

- 7.24 As discussed above, it is considered that the proposed development would comprise inappropriate development within the Green Belt which would have a greater impact on openness than the existing development on the site. The proposal would also cause limited to moderate harm to openness and cause moderate conflict with other purposes of the Green Belt.

- 7.25 In such circumstances, and in accordance with paragraph 152 of the NPPF, inappropriate development is, by definition, considered harmful to the Green Belt and

should not be approved except in very special circumstances. Paragraph 153 of the NPPF goes on to state that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' (VSC) will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

- 7.26 The NPPF (December 2023) 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.

Inappropriate Development and Very Special Circumstances:

- 7.27 The main basis of the applicant's submission in respect of the acceptability of the proposed development in Green Belt terms is that the application site constitutes 'previously developed land' under the terms of the NPPF. The submitted Planning Statement indicates that the applicant considers that:

"The site is clearly and demonstrably previously developed land when assessed against all definitions and clearly will not cause substantial harm to the openness of the Green Belt and will contribute to identified affordable housing need in TDC. ... the proposed development falls under Paragraph 149(g)" (now Paragraph 154 g)) "of the NPPF and is an exception to inappropriate development in the Green Belt. The scheme therefore passes national policy tests and should be approved without delay."

- 7.28 The NPPF, in Annex 2, defines previously developed land as follows:

Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This 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.

- 7.29 Whilst the views of the applicant are noted, it is considered that only a relatively small proportion of the application site actually constitutes previously developed land. These areas comprise roughly 1,075 square metres of hardstanding located abutting the northern boundary of the site and to the east of the Victor Beamish Avenue access to

the operational aerodrome, and the two remaining derelict workshop buildings around 150 metres to the north of the former NAAFI building, with areas of 395 square metres and 436 square metres. In addition, there are some areas of access roads and other small hardstandings. The rest of the site comprises woodland and soft landscaped areas, and a former playing field to the south of the NAAFI building. It is therefore considered that less than half the application site area (of 4.74 hectares) constitutes previously developed land.

7.30 Whilst it is acknowledged that the application site did historically lie within the curtilage of Kenley Aerodrome the majority of the operational development that may have previously existed has now 'blended into the landscape'.

7.31 As such, it is not agreed that the whole of the application site constitutes previously developed land as defined by the NPPF and therefore the majority of the site would not fall within the remit of paragraph 154 g) of the NPPF.

7.32 It is, therefore, considered to be necessary to establish whether any very special circumstances exist that would outweigh the harm caused to the Green Belt by the inappropriate development proposed.

7.33 The submitted Planning Statement does address this position and states that:

"However, should an alternative position be adopted by the decision maker" (sic) "and the proposed residential development constitute inappropriate development in the Green Belt and by definition causes significant harm to its openness, the application should be considered in the light of Paragraph 148" (now Paragraph 154) "of the NPPF. Therefore, a further assessment of the proposed development is provided below to demonstrate very special circumstances, where the benefits clearly outweigh the harm to the Green Belt and any other identified harm."

The Statement puts forward the following three very special circumstances in support of the proposal:

- *Previously Developed Land and Lack of Alternative Sites*
- *Character of the Scheme and the Heritage Benefit*
- *Socio-Economic Benefit*

7.34 The Previously Developed Land issue has been discussed above and is not considered to be of significance in respect of the majority of the application site. The Lack of Alternative Sites is commented upon below in the Housing Supply section.

7.35 The Character of the Scheme and the Heritage Benefit issue is also discussed below in the Impact on Heritage Assets section.

7.36 The Socio-Economic Benefit of the proposal through the provision of housing, as a result of employment during the construction period and as a result of an increase in subsequent local household expenditure and demand for services are acknowledged. The additional population would increase spending in the local economy and would provide support for local shops and services, supporting a prosperous economy. This is a key objective of the NPPF would represent economic benefits that would carry moderate weight.

- 7.37 Furthermore, the Council's Interim Policy Statement for Housing Delivery – September 2022 (IPSHD) is a material consideration, and the following matters also require appropriate consideration:

Housing Need and Requirement

- 7.38 For plan-making, paragraph 61 of the NPPF (December 2023) explains that strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance.
- 7.39 Interim calculations, based on the standard methodology as prescribed by DLUHC and an interim Housing Market Area comprising the whole of Tandridge District, show the minimum annual local housing need for TDC is estimated to be 639 dwellings.
- 7.40 NPPF (December 2023) paragraph 61 explains that the outcome of the standard method is *an advisory starting-point for establishing a housing requirement for the area.*'
- 7.41 Tandridge District has major policy constraints, including Green Belt covering 94% of the District, two Areas of Outstanding Natural Beauty (National Landscapes), and extensive areas subject to flooding, and significant infrastructure capacity constraints (for example around the M25 J6 and other parts of the strategic road network) within the District all of which can reasonably be expected to significantly reduce the housing requirement.
- 7.42 Such a reduction was accepted at the Examination for 'Our Local Plan 2033'. A final conclusion on Objectively Assessed Need (OAN) was not reached due to cessation of the Examination, however OAN was calculated as ranging between 266 and 470, depending on the choice of annual population projections, substantially less than the estimated Local Housing Need of 639 resulting from the standard method. The Inspector concluded that the housing requirement should be less than OAN, as defined in the 2012 NPPF, due to a number of factors, including the degree of major policy constraints within the District:

'It is clear to me that there are specific policies of the Framework which indicate that development should be restricted in Tandridge and that in principle, the Plan would be sound in not meeting the OAN in full.' (Inspectors Report, Annex 1 - ID16, paragraph 44).

- 7.43 Whilst subsequent revisions to the NPPF have introduced the concept of local housing need, the Council nevertheless fully anticipates that the likely future housing requirement will similarly be lower than the local housing need due to the presence of the constraints outlined above.

Housing Supply

- 7.44 Currently, the five-year housing land supply calculation requires the use of the unconstrained housing need figure which is based on the standard methodology. When this unconstrained housing need figure is used, the Council accepts that it does not have a five-year housing land supply (5-YHLS).
- 7.45 However, for the reasons already set out regarding the housing requirement, a five-year housing land supply figure based on the unconstrained housing need figure is not appropriate in the case of Tandridge District.

- 7.46 Nevertheless, the Council is committed to bringing forward new housing sites in line with criteria set out in its Interim Policy Statement for Housing Delivery which was adopted as part of the Housing Delivery Test Action Plan.
- 7.48 The Council published a Housing Delivery Test Action Plan (HDTAP) in September 2022, which is a material consideration in the assessment of planning applications. As part of the HDTAP, the Council adopted the Interim Policy Statement for Housing Delivery which sets out a list of criteria for new housing sites. In addition to assessing applications against the Development Plan and national policy and guidance, this application has been assessed in relation to the criteria. The proposed site is not considered to be aligned with the criteria set out in the Interim Policy Statement, which is a material consideration for this application. The IPS states that applications are invited to come forward that meet the specified criteria. Criterion (ii) is housing sites included in the “emerging Local Plan” where the Examiner did not raise concerns. The Inspector did raise concerns in respect of the application site (HSG06), noting that he considered the allocation unjustified as further evidence had not been provided with regards to the concerns he raised regarding heritage.

Specifically, the Inspector’s Report, at paragraph 75, stated:

In respect of the proposed allocations, in ID16 I asked the Council to provide further evidence in respect of HSG02: Chapel Road and HSG04: Woodlands Garage, Chapel Road, Smallfield as both sites fall within Flood Zone 3B (the functional floodplain) and the evidence before me was insufficient to demonstrate that both elements of the Exception Test (NPPF102) have been passed. I also requested further evidence regarding HSG06: Land off Salmons Lane West, Caterham and HSG12: Land at the Old Cottage, Station Road, Lingfield in respect of the effect of the proposals on designated heritage assets. I have not received the requested information and therefore continue to consider these allocations unjustified.

Within Annex 1 – ID 16, paragraph 52, it is further stated that:

HSG06: Land off Salmons Lane West, Caterham (submitted Plan estimated site yield 75 dwellings)

The proposed allocation falls within the Kenley Aerodrome Conservation Area and the settings of a number of designated heritage assets. In order for me to be able to reach a view on the soundness of the proposed allocation, please provide me with your assessment of the significance of the heritage assets for which there is potential for the allocation to cause harm, and an assessment of the effect of the proposed allocation on the significance of the heritage assets.

- 7.49 The Council is committed to bringing forward new housing sites in line with criteria set out in its Interim Policy Statement for Housing Delivery. This Statement indicates that:

“This is an interim Policy Statement for Housing Delivery providing a consistent approach for Development Management for the determination of housing applications in Tandridge District going forward and will include consideration of the matters set out below.

The primacy of the protection of the Green Belt, Surrey Hills Area of Outstanding Natural Beauty (AONB) and the High Weald AONB, candidate areas for AONB status will be the key planning consideration in determining planning applications under this interim Policy.

Infrastructure constraints, such as local, strategic and national route highway capacity constraints and foul or surface water drainage constraints, will be key planning consideration in determining planning applications under this interim Policy.

Applications will be invited to come forward that meet the following criteria and are in accordance with the Council's development plan and with the National Planning Policy Framework (NPPF) and with national planning guidance:

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 ...; ..."

The Statement further states, amongst other things, that:

"All development proposals will be expected to comply with the requirements of the NPPF and the policies of adopted development plan, that is the Core Strategy (15th October 2008), Tandridge Local Plan Part 2: Detailed Policies 2014-2029 (July 2014), all adopted Neighbourhood Plans and Supplementary Planning Guidance where relevant.

Planning permission will only be granted for a limited period of 2 years to ensure the rapid development of the sites.

When considering planning applications for residential development on a specific site, the cumulative impact of development (and particularly wider highway capacity and safety considerations) will need to be taken into account.

Applications should be accompanied by Master Plans setting out how the site will be developed, the location of infrastructure, how the site will function, its visual appearance, how it relates to the surrounding area, and the adjacent transport network including roads, footways, cycleways and bridleways."

- 7.50 In respect of the application proposal it is considered that whilst the development may accord with some aspects of the Interim Policy Statement it does conflict with other aspects. Whilst part of the site may be considered to constitute previously developed land, a significant proportion does not. It is also acknowledged that the site was included in the emerging Local Plan, but the Examiner did raise concerns about the heritage issues. The development is also considered to raise concerns regarding highway capacity issues. As such, the development proposal is not considered to accord with the requirements of the Interim Policy Statement.

Housing Mix

- 7.51 The proposal would result in a net increase of 80 residential units on the site. Policy CSP7 requires that development of five or more dwellings should contain an appropriate mix of dwelling sizes having regard to the needs to the particular area. The Council's Strategic Housing Market Assessment SHMA (2015) identifies a need for 1, 2, 3 and 4+ bedroom dwellings to be provided at rates of 10%, 26%, 35% and 29% respectively.

- 7.52 The proposed development includes the following:

	Total	% of total
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2 Bedroom	12	15
3 Bedroom	57	71.25
4 Bedroom	7	8.75
5 Bedroom	4	5
Totals	80	

- 7.53 Whilst not aligning entirely with the requirement that is set out within the SHMA, it is considered that the total housing provision would align with the requirements of the District to an acceptable degree and, therefore, accord with the abovementioned policy requirement.

Affordable Housing

- 7.54 Policy CSP4 states that a target of 50 affordable dwellings per year was set between 2007 and 2012 but that this would be reviewed thereafter. A target of up to 34% affordable dwellings was set within individual developments, where applicable, with up to 75% of the affordable housing on a site being social rented. However, the Policy states that the precise proportions will be agreed with the Council having regard to the specific needs at the time and within the area.
- 7.55 The proposal would result in the provision of 32 affordable residential units on the site comprising of 9 x 2-bed terraced houses and 23 x 3-bed houses. All of the affordable housing would consist of affordable rented units. It is considered relevant to note that the affordable housing offer in this application equates to 40% of the proposed units and that this exceeds the Development Plan Policy requirement under CSP4.
- 7.56 No specific reference to the provision of affordable housing as a very special circumstance in Green Belt terms has been made by the applicant however with only a brief reference to this issue being made in the Summary of the Planning Statement indicating that: *“The delivery of 34 affordable housing units,”* (now 32 units due to the reduction in overall unit numbers) *“exceeds the adopted local policy requirement for 34% affordable housing and in the context of the above, will contribute significantly to addressing the identified extremely serious affordable housing land supply and delivery deficits. This equates to four additional affordable homes than the Council has anticipated in the draft site allocation.”*

Overall Assessment of Very Special Circumstances

- 7.57 In this case, it is considered that substantial harm would arise from the inappropriate development proposed and the associated reduction in openness in Green Belt terms. There would also be conflict with the purposes of the Green Belt. These are three important elements contributing to the substantial weight that should be afforded to the actual and definitional harm to the Green Belt.
- 7.58 A Court of Appeal judgment (*SSCLG & Others v Redhill Aerodrome Ltd* [2014] EWCA Civ 1386) has confirmed that the interpretation given to any other harm in what is now paragraph 153 of the Framework is such that it is not restricted to harm to the Green Belt. There would be significant harm to the landscape character of the area given the location of the application site in this case.
- 7.59 The other considerations are weighted as follows: significant weight for the provision of both market and affordable housing; moderate weight for the socio-economic benefits; and limited weight to enhanced access to the site and surrounding countryside. The previously developed land issue put forward by the applicants is considered to attract limited weight, given that the majority of the application site is not

considered to fall within the NPPF definition. Similarly, the character of the scheme and the heritage benefits issues put forward are not considered to have been fully detailed in this Outline submission and therefore can only attract, at best, limited if any weight.

- 7.60 Regard has been had to all other benefits. However, these do not clearly outweigh the harm identified. Consequently, the very special circumstances necessary to justify the proposed development do not exist. The proposed development would therefore conflict with Local Plan Detailed Policies DP10 and DP13, and the requirements of chapter 13 of the Framework which have been summarised above.

Other Issues

The Locational Sustainability of the Proposed Developments.

- 7.61 Policy CSP1 states that, in order to promote sustainable patterns of travel and in order to make the best use of previously developed land, development will take place within the existing built up areas of the District (the Category 1 settlements listed in the development plan) and be located where there is a choice of mode of transport available and where the distance to travel to services is minimised subject to the third paragraph of this policy.
- 7.62 The application site is located within the Green Belt but is in relatively close proximity to Caterham. There are bus stops nearby with services 409 (Selsdon – East Grinstead); 411 (Warlingham – Caterham – Reigate) and 657 (Whyteleafe Station- St Bede’s School). Whyteleafe South, Whyteleafe and Upper Warlingham railway stations are located to the east some 1.6 km, 2.5km and 2.7 km from the site.
- 7.63 The application has been accompanied by a Transport Assessment which has been reviewed by Surrey County Council – Highways who have commented as follows:

Table 3.3 within the Transport Assessment (TA) demonstrates that local amenities, in particular including food retail, are mostly located in excess of a half-hour return journey by foot and walking this route during the site visit undertaken by the CHA demonstrated that the actual journey times are longer than those indicated in the TA, partly due to the additional time spent attempting to cross over roads along the route. Given overall distance to local amenities and the lack of dedicated cycle infrastructure, residents are far more likely to make regular journeys to local amenities by car.

The TA provides details of likely mode share using 2011 Census journey to work data for the Middle Super Output Area (MSOA) of Tandridge 003 in Table 5.2. This data supports the above assessment in that it demonstrates only a 7% mode share for walking and 1% for cycling. It should be noted that the site is at the northern end of the MSOA and that the majority of people within the dataset would live closer to the local amenities than residents of the proposed development would. As such, it is likely that the actual mode share of the proposed development would likely include even lower figures for walking and cycling.

The TA states that residents of the proposed development would not be reliant on the private car on the basis of the 15% mode share for rail indicated by the 2011 Census Data. This does not account for how residents would be travelling to and from the railway station, however. Paragraph 3.21 acknowledges that the residents are not likely to travel by foot to the railway station and claims that they will instead cycle however this is considered equally unlikely given the lack of suitable infrastructure between the development and the station, particularly along Salmons Lane, and that

return journeys would be uphill. It can therefore be reasonably concluded that the 15% of residents expected to commute by rail would be most likely to travel to the station by private car.

It should further be noted that there is limited parking availability at the nearby railway stations and that the proposed development would likely result in vehicles parking on the public highway in potentially unsuitable locations. Were the proposals to be granted consent against this recommendation, further consideration should first be given to assessing this issue. This is particularly the case for Whyteleafe South Station, which is the nearest to the site.

The proposed improvements to bus stop infrastructure are welcomed and appropriate however table 3.1 in the TA shows that the available services run only hourly, reducing the likelihood of any significant mode share for bus journeys being achieved. This conclusion is supported by the Census data presented in table 5.2, which shows a 6% mode share for bus, minibus and coach.

They therefore conclude that the site is located in an unsustainable location in transport terms, where the only realistic means of transport would be the private car, due to the distance to local amenities, the lack of suitable pedestrian and cycle connections to those amenities, and the limited availability of accessible public transport services.

The Effect on Character and Appearance of the Area

- 7.64 The NPPF states that the creation of high quality, beautiful and sustainable 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. It goes on to state that planning decisions should ensure that developments will function well, add to the overall quality of the area, be sympathetic to local character and history (whilst not discouraging innovation) and establish a strong sense of place. It also states that development that is not well designed should be refused.
- 7.65 Policy CSP18 of the Core Strategy requires that new development should be of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. 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.
- 7.66 Policy DP7 of the Local Plan Part 2: Detailed Policies requires development to, inter alia, respect and contribute to the distinctive character, appearance and amenity of the area in which it is located, have a complementary building design and not result in overdevelopment or unacceptable intensification by reason of scale, form, bulk, height, spacing, density and design.
- 7.67 Policy CSP21 of the Tandridge District Core Strategy 2008 advises that the character and distinctiveness of the Districts landscapes and countryside will be protected for their own sake and that new development will be required to conserve and enhance landscape character.
- 7.68 The application has been submitted in Outline and, whilst indicative details have been provided, the details of the design and layout of the development have not been submitted for detailed consideration.

- 7.69 Overall, it is considered that the development would, however, have a localised visual impact but, from where it would be seen the development would have a noticeable and substantial visual impact on the character at the fringe of Caterham-on-the-Hill. This would conflict with the abovementioned policies, particularly Policy DP21, albeit the extent of harm arising in this respect is considered to be likely to be limited.

The Effect on Heritage Assets.

- 7.70 Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 confirms that, in considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, and Section 72 (1) of the same Act confirms that, in the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 7.71 Section 16 of the NPPF, 'Conserving and enhancing the historic environment', advises that heritage assets range from sites and buildings of local historic value to those of the highway significant, such as World Heritage Sites. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. The NPPF advises that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The NPPF adds that LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposed (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.
- 7.72 Policy DP20 of the Local Plan (2014) relates to 'Heritage Assets' and sets out that 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 or historic environment. With the granting of permission or consent, criterion C requires that the works proposed should be sympathetic to the heritage asset and /or its setting in terms of quality of design and layout and material and in the case of Conservation Area, should conserve or enhance the character of the area and its setting.

Conservation Area

- 7.73 The site lies within the Kenley Aerodrome Conservation Area which was designated on 7th December 2005. The conservation area straddles the boundary between the London Borough of Croydon and Tandridge District Council with its protection requiring the designation of two separate yet abutting Conservation Areas. The area within Croydon was designated on 9th January 2006.
- 7.74 The application site lies within Sub Area 2 – Institute Building and former Parade Ground as defined within the Conservation Area Proposals Statement.
- 7.75 The area is described as follows:

The second area, also in Tandridge, is the area that surrounds the former Institute building (the NAAFI) and workshop building. This area comprises open ground, part of which formed the former parade ground. The Institute building is also Listed as Grade II. Planning Permission has been granted to use the building for educational purposes. The workshop building is not listed. Planning Permission has been granted to use it as a meeting room. Work has started on the conversion but unfortunately the building has suffered a partial collapse during the works. The area immediately around the workshop building has piles of hardcore and other material deposited. The wider surrounds of this building consists of large areas of hardstanding, which under the current consent would be available for car parking. The land south of the former parade ground area at the southern end of the site close to the main entrance has been top-soiled in preparation for being laid to grass.

At the northern end of this area there is a small area of Ministry of Defence Land that is used by Air Training Corps. This area contains several temporary buildings of a neutral character. Beyond this area to the north is the main Airfield (in Croydon)

There is no public access to the area, but it is visible through the entrance onto Salmons Lane West and from the existing and new residential properties to the west.

The Council's main objectives for this area is to preserve the Institute building and to ensure that any reuse of the building and the surrounding land, including any new development that might be acceptable under Green Belt policy, would preserve and enhance the appearance of the area. The owners of the area around the Institute Building (a church group) will be asked to tidy the land and ensure that the area is properly landscaped as part of the authorised development. The Council is in discussion with the owners regarding the reconstruction of the unlisted workshop building and any required works should preserve and enhance the quality, character and appearance of the area.

The former married quarters areas to the west, which were excluded from the Green Belt as part of the Tandridge District Local Plan are currently being redeveloped with new housing and are not included within the Conservation Area.

- 7.76 The Proposals Statement also includes a section providing development guidelines. This guidance states:

Both respective Council's planning policies as well as Planning Policy Guidance Note 15 Planning and the Historic Environment (PPG15) will be taken into account when considering development proposals in the area. The emphasis will generally be on the controlled and positive management of change, ensuring that any new development accords with the area's special architectural or historic interest.

Therefore all planning applications for development proposals in the Kenley Aerodrome Conservation Areas must preserve and enhance the area's character and appearance, and consider views into and out of the area. Development on nearby sites should also take into account the effect on the Conservation Areas.

The Conservation Areas contain limited sites suitable for future redevelopment mainly because the site lies within the Green Belt. It is not considered that the main part of the airfield is suitable for development other than uses associated with the functioning of the airfield and proposals for improving public access. The only areas suitable for reuse are in areas 1 and 2 (Tandridge) where the main constraints will be protection

and enhancement of the listed buildings and their settings, and the overall character and integrity of the Conservation Areas.

Both Council's recognise that designation as a Conservation Area should not stifle positive change, however emphasis is placed on protecting the character of the aerodrome and those buildings which contribute to the character of the area. New development should not necessarily aim to slavishly copy details of adjacent buildings. Instead, both Councils will expect that new development within the area displays a sensitivity to its visual and historical context in terms of massing, materials and detail, with carefully designed contemporary structures and carefully considered interpretations of traditional styles, using quality sustainable materials. Great skill and imagination is necessary to design buildings that do not resort to pastiche but are nevertheless sympathetic to the character of the area.

The design quality, site appraisal and consideration of context for new development proposals should be illustrated within a Conservation Area Design Statement, submitted with planning application drawings.

Listed Buildings

- 7.77 The development site surrounds the Former Dining Room and Institute at former RAF Kenley, which is a Grade II listed building and was first listed in January 2001. The listing description states:

“Institute and dining room. 1932 design by the Air Ministry's Directorate of Works and Buildings. Stretcher bond brick to cavity walls, concrete floors, slate roof on steel trusses. PLAN: a long narrow principal range in two storeys, with short returned wings to the front, facing the former parade ground, and containing the dining rooms for 591 airmen (ground floor) and corporals (first floor), with reading rooms and games areas. Entrance at each end of wings containing large staircase wells. To the rear, mainly on one floor, but with a two-storey staff accommodation building, are the kitchens, boiler room and general services.

EXTERIOR: glazing-bar sashes (boarded) to brick voussoirs and stone sub-sills. The parade ground front is symmetrical, with a recessed five-bay centre having 12-pane above 16-pane sashes. The short wing returns have a 12-pane sash above a pair of flush doors to a plain overlight, in stone pilaster surround with cornice. The outer ends of these wings have a closed pediment with small ventilation slit, above a full-height Portland stone panel containing a 16-pane sash above an oculus with square grid, all with moulded surrounds, and to a sill on brackets above plain apron panel; these wings also have a small plinth in stone. The return ends are identical, with a closed-pediment gable above 8/12/8-pane sashes above central doors flanked by small eight-pane sashes, the ground-floor openings with moulded stone architraves and cornice. The forward projecting wings have a 12-pane sash at first floor, and four small lights to the ground floor. The rear wall of this main block has a closed pediment gable near the left-hand end, with a single 12-pane, then eight 12-pane sashes at first floor, above the various service buildings. Eaves are to a flat soffit and moulded cornice or gutter, and the gabled ends have 'rusticated' quoins forced by recessing one in every five courses. Hipped roofs to all units of rear service range, which comprise five-bay two-storey block with central entry to service yard and flanking lower wings.

INTERIOR: dog-leg stairs with steel balusters, otherwise no internal detail of note.

HISTORY: The careful proportions of this building reflect the impact of Air Ministry

consultation with the Royal Fine Arts Commission. In contrast to the Battle of Britain sector stations at Biggin Hill and Northolt, Kenley has lost most of its buildings but boasts the most complete fighter airfield associated with the Battle of Britain to have survived. A large part of Kenley Common, managed by the Corporation of London, was converted for use as an aerodrome for the Royal Flying Corps in 1917 and enlarged through an Act of Parliament in 1939. The 800-yard runways and perimeter tracks completed in December 1939 (extended by a further 200 yards in 1943) and all 12 of the fighter pens under completion in April 1940 have survived: this is a uniquely important survival, and one that relates to a military action of world historical importance. At the end of March 1939, the Air Ministry had agreed to Sir Hugh Dowding's proposals for all-weather runways and perimeter tracks for critical fighter bases prone to waterlogging, mostly those in 11 Group in the south east of England. In the following month it was agreed that fighter stations should have dispersals for three squadrons of 12 aircraft each, subsequent to which fighter pens with blast-shelter walls and internal air-raid shelters were erected on key fighter airfields: the designs, in which Dowding had taken a close interest since trials in August 1938, had already been established by Fighter Command Works.

Despite the demolition of the perimeter pillboxes in 1984, the survival, character and importance of Kenleys' flying field as a uniquely well-preserved Battle of Britain site is thrown into sharper relief when it is realised that it was subject, on the 18th of August, to one of the most determined attacks by the Luftwaffe on a sector airfield, photographs of which - including an attack on a fighter pen - were afterwards printed in Der Adler magazine. During this raid, three personnel were killed and three hangars and several aircraft destroyed. 39 personnel were killed and 26 wounded on the 30th of August, raids on the following day damaging the operations block. Its scars can still be read in the form of post-war repair work to the officers' mess, prominently sited on the west side of the aerodrome, and which now stands as the most impressive surviving building dating from the rebuilding of the station between 1931 and 1933. The last surviving hangar and the control tower were destroyed by fire in 1978, and the sector operations block was demolished in 1984.

(Operations Record Book, PRO AIR 28/419, includes series of block plans showing completion of new airfield layout in late 1939; Peter Corbell, Kenley, in W.G. Ramsey (ed), The Battle of Britain Then and Now, (5th edition, London, 1989); Peter Flint, RAF Kenley. The Story of the Royal Airforce Station, 1917-74 (Lavenham, 1985); Alfred Price, Battle of Britain: The Hardest Day (London, 1979))

Listing NGR: TQ3317857315

- 7.78 To the northeast of the application site is the Former Officers Mess at former RAF Kenley which is also Grade II listed.
- 7.79 Overall, it is considered that the proposed development would have an adverse impact on the setting of the former NAAFI building due to the proximity of new residential development around it and the potential scale of the development. Whilst it is acknowledged that historically there would have been built development around the listed building such development would have been in the form of single storey barrack blocks and similar relatively small-scale single storey structures in the form of ancillary buildings associated with the operational use of the aerodrome. These structures would have been clearly subservient to the scale of the NAAFI building and would not have had an appearance, scale and massing that would compete with the two-storey NAAFI building.

- 7.80 The proposal would, however, not result in any direct harm to the character and setting of the former Officers Mess building.

Non-Designated Heritage Assets

- 7.81 The proposed development would result in the loss of one (possibly two) former workshop building which appears to be in a semi-derelict state. In line with the guidance in paragraph 209 of the NPPF a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage assets as a result of the loss of the non-designated heritage assets.
- 7.82 The total loss of the workshop(s) will have an impact on both the conservation area and the Grade II listed NAAFI building and will result in harm at the lower end of the less than substantial scale.

Scheduled Ancient Monuments

- 7.83 Scheduled Ancient Monuments are located on and around the aerodrome, with the nearest being a Spigot Mortar Emplacement to the northeast of the application site and to the south of the Former Officers Mess. In addition, there are eleven World War II fighter pens located around the aerodrome. However, the proposed built form would be relatively distant from those heritage assets with substantial areas of woodland and other soft landscaping in the intervening space. As such, it is considered that the development would have no direct impact on the Scheduled Ancient Monuments themselves.

Summary of the Impact of the Proposal on Heritage Assets

- 7.84 It is considered that the proposal would clearly have an impact on the character and appearance of the conservation area and the character and setting of the Former Dining Room and Institute.
- 7.85 The application has been reviewed by the Senior Historic Buildings Officer at Surrey County Council who has provided detailed comments on the development proposed. His general comments (on the amended scheme for 80 units) are as follows:

“The scheme before us has all matters reserved except the fact it is for 80 houses and the access has been provided. The applicant and I have engaged in a lot of pre-application discussion to establish the significance of the site and identify those elements which are important for preserving and enhancing its significance. I am content that the applicant has in principle responded to many of the points I have raised.

Owing to the nature of the application, the applicant will still need to submit details for the appearance, access, landscaping, layout and scale of buildings on the site. As such, I have only taken into account here those matters which specifically relate to the access of the site and the number of dwellings. I have split my comments into the northern area (the area immediately to the north of the NAAFI building), the western area (the units to the west of Victor Beamish Road) and the southern area (the units to the south of the NAAFI building).

Northern Area

Aside from the Former Workshop (discussed below) there is very little left of this part of the site and as a result there is greater potential for change, provided this change fits in with the overall landscaping of the site. Being able to understand its relationship

with the airfield as well as the link with the southern and western areas are highly desirable elements. For the scheme to succeed it is vital that the northern area be understood as relating to and be accessible from the airfield itself and some of the buildings toward the north of the site should have principal elevations facing toward the airfield. These matters should be taken into account as part of the reserved matters.

The scheme will lead to the loss of the undesignated Former Workshop Building. A building recording condition to level 3 which will be needed to interpret the structure, provide drawings of its layout and elevations and photographs of the building as a whole as well as any specific features of note in line with paragraph 211 of the NPPF. In terms of the impact of its demolition, this should be considered harm to an undesignated heritage asset through its total demolition and harm to the conservation area from the loss of a building which makes a positive contribution to understanding its historic interest. It should be noted that even though the building makes a positive contribution to the conservation area, its loss should not be considered substantial harm because of its dilapidated state as I have set out above.

The heritage statement makes note of the fact the garden area to the north has the 'potential to accommodate commemorative features, artwork and /or sculpture, in response to the site's history and its contribution to World War II.' I would consider this to be a heritage benefit, but at present cannot find it on any of the drawings and am not convinced it would be enforceable should the applicant decide not to proceed with this element. ...

Western Area

The proposals for the western area of the site are well considered and have responded to concerns I raised about the alignment of buildings in this location. As can be seen in figures 1 and 2 the buildings mostly reflect the historic linear appearance of the buildings which faced directly on to Victor Beamish Avenue. I am little disappointed that two of the houses will not directly face Victor Beamish Avenue (18 and 19) but I consider this preferable to a previous scheme I saw for the site. I only wish to note here that the applicant has responded to my concerns. I will have to consider the design of these buildings as part of the reserved matters stage.

Southern Area

Historically, this was an open landscaped area with accommodation in three barrack blocks. As a result, the well landscaped space around these had an open communal use for troops to make use of while resting with footpaths connecting all of the area with the airfield to the north. The aerial photographs also show that one of the barrack blocks faced directly on to Victor Beamish Avenue to create a sense of place. Any building on Victor Beamish Avenue should have its principal elevation facing the highway owing to its status as a gateway for the wider airfield. There should also be good connectivity throughout the area with the rest of the airbase.

Since the previous scheme this element of the proposal has improved significantly. Key changes include the removal of units to provide more open space, better connectivity through the site and the re-orientation of units 3-10 so they face directly onto Victor Beamish Avenue. I am pleased to say that this has responded to the points I raised in my initial consultation response. I consider that the proposed residential units and improved interconnectivity of the site has the potential to enhance the conservation area, subject to reserved matters.

Overall Balance and Reserved Matters

As outlined above, there will be harm from the scheme from the loss of the Former Workshop Buildings. While the rest of the site will quite significantly change from its

current character and appearance, I am not of the opinion that this will necessarily equate to harm. This is because only elements of the character and appearance of the site reveal its historic or architectural interest. Ultimately, the applicant has given careful thought and consideration to those elements highlighted as being significant.

On balance, I consider that the arrangement of the buildings along Victor Beamish Avenue and the improved connectivity throughout the site will be an improvement. There will also be a benefit from the proposed new sculpture to the north of the site. Subject to the reserved matters being acceptable, I consider the scheme to result in an overall benefit to the conservation area.

7.86 In conclusion, the Historic Buildings Officer has stated:

I have assessed this application in line with paragraphs 201 and 205 of the NPPF. Subject to the reserved matters, I am of the opinion that the scheme overall will result in a benefit to the conservation area owing to the proposed commemorative feature, reinstatement of paths, better connectivity with the airfield and the arrangement of buildings along Victor Beamish Avenue. Such a benefit is modest and this will need to be taken into account with regard to other matters raised by consultees.

7.87 Whilst these comments are noted, it is considered that the lack of detail regarding some significant elements of the proposal, such as the nature of the commemorative feature(s), the nature of the reinstatement of paths, and how connectivity to the aerodrome will be facilitated, along with the absence of details of the design and materials of the proposed development, make it difficult to conclude that the proposal will not result in any harm to heritage assets.

7.88 The NPPF is clear that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations (paragraph 195).

7.89 Paragraph 205 goes on to confirm that: "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance." Paragraph 206 further states that: "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

7.90 The application has been accompanied by a Statement of Significance and a Heritage Impact Assessment. The latter states that: "*Whilst we acknowledge that there would be some residual impact on the character and appearance of the Kenley Aerodrome Conservation Area stemming from the introduction of residential development and increased suburban density, owing to the loss of open green space and demolition of the former Workshops, we consider that this impact will be minimal given the limited interest of the former Workshops and can be appropriately mitigated through a comprehensive landscaping strategy, the restoration of historic vistas and the re-introduction of residential/ domestic uses in areas formerly occupied by similar uses and recording of the former Workshops prior to demolition.*" It is further stated that: *If the decision-maker considers that there is residual harm to the conservation area or listed building (which is not our judgment), then there are weighty public benefits*

through the delivery of housing and 40% affordable housing to weigh against this harm”.

- 7.91 Overall, it is considered that the development proposal would result in harm to the character and appearance of the conservation area and to the setting of the listed building. This harm would be considered to be ‘less than substantial’ and therefore the guidance provided in paragraph 208 is relevant which states that: *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”*
- 7.92 As noted above, the applicants have indicated that they consider public benefits would result through the delivery of housing and 40% affordable housing.
- 7.93 Whilst it is acknowledged that the provision of 80 dwellings, including 40% affordable housing units, is a public benefit it is not considered that this benefit can currently be concluded to outweigh the potential harm to heritage assets that could result from the proposal. It is considered that insufficient information accompanies this Outline planning application to allow the local planning authority to conclude that the development would conserve or enhance the character and appearance of The Kenley Aerodrome Conservation Area and would not adversely impact the setting of the Grade II listed Former Dining Room and Institute building.
- 7.94 As such, it is concluded that the development would not accord with the requirements of Policy DP10 of the Tandridge Local Plan and the guidance contained within Section 16 of the National Planning Policy Framework

Archaeology

- 7.95 The application has been accompanied by an Archaeological Desk-Based Assessment. The Assessment considers there to be a low potential for Heritage Assets of archaeological significance due to the development and redevelopment of the site during and after the First and Second World Wars. It is agreed that the potential for archaeology predating the early 20th century is low for this reason, however, the above and below ground remains present within the site are all likely to date to the period of operation of this frontline airfield and therefore should be considered to be non-designated Heritage Assets of Local significance. The effects of the development on these assets needs to be considered as required under the National Planning Policy Framework (para 209).
- 7.96 The specialist advice received confirms that the Assessment indicates that archaeological remains of National Significance worthy of preservation *in situ* are unlikely to be present. As such, it is considered reasonable and proportionate to secure an archaeological evaluation, any subsequent archaeological mitigation measures and the provision of an information board by attaching the conditions to any permission that may be granted. On this basis, no objection is raised on archaeology grounds.

The Amenities of Nearby Occupiers.

- 7.97 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 adverse effect. Criterion 6-9 of Policy DP7 of the Local Plan Part 2: Detailed Policies seek also to

safeguard amenity, including minimum privacy distances that will be applied to new development proposals.

- 7.98 The above policies reflect the guidance at Paragraph 135 of the NPPF, which seeks amongst other things to 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 of development.
- 7.99 The residential development would be situated closest to existing dwellings in Collard Close, Halton Road, Hillhurst Gardens and Rosebriars located to the west of the site, in Salmons Lane to the east and in Salmons Lane West to the south. The minimum separation distance between dwellings would be around 17 metres, but in most cases would be likely to exceed the minimum privacy distance of 22 metres specified in Policy DP7 of the Local Plan. Given that the detailed layout of the proposed development has not been specified it is considered that any issues relating to potential overlooking and loss of privacy could be addressed at the Reserved Matters stage, should permission be granted. On this basis, it is considered that the proposed residential development could be designed to have no impacts in terms of loss of light and privacy/overlooking. However, some degree of loss of outlook would be likely to occur from the rear gardens and rear elevations of some existing dwellings located close to the western boundary of the development site.
- 7.100 The occupation of 80 dwellings would also be likely to result in a much greater degree of activity at the site and within the immediate locality. In terms of vehicle movements, the submitted Traffic Impact Assessment (albeit based on a development of 87 units rather than the 80 now proposed) estimates that the development would generate 47 movements in the morning peak hour and 49 in the evening peak hour. All of these movements would have to utilise the existing junction at Victor Beamish Avenue and Salmons Lane West. However, whilst there would be additional traffic movements, in the context that the additional movements would feed onto Salmons Lane West which is already well used, the impact on the nearby residents arising from this would not be likely to be materially harmful.
- 7.101 The construction process would inevitably have a temporary impact on living conditions within nearby properties as a result of the proposed ground works, the movement of vehicles and the erection of the buildings. However, this would be temporary and controllable through the imposition of a condition relating to a Construction Environment Management Plan. As such, the impact of the construction process would not be a sound reason to object to the proposal.
- 7.102 For the reasons outlined, the proposal is considered acceptable in terms of the potential impact upon the residential amenities and privacy of existing properties and therefore no objection is raised in this regard against Policy DP7 of the Local Plan (2014) and Policy CSP18 of the Core Strategy (2008).

The Impact on Other Surrounding Land Uses.

- 7.103 The proposed development is unlikely to have any direct adverse impact on the school site which the development would surround, although there could potentially be some issues in terms of new residential units overlooking children's play areas or noise issues impacting on residential amenity as a result of children's play.
- 7.104 Concerns were raised by RAF Kenley that the proposal would result in a significant impact to aircraft approaching both the paved and grass runways at the aerodrome,

but this issue is considered to have been addressed through amendments to the proposed housing layout and height of development within the safeguarding zones.

- 7.105 The Chairman of Surrey Hills Gliding Club which operates from the aerodrome has raised concerns regarding traffic and parking on Victor Beamish Avenue. He indicates that access is required for glider trailers and other large vehicles, such as the winch being towed, the large HGV fuel lorries, City of London vehicles and grass cutting tractors with their large and wide towed cutters and if on-street parking in Victor Beamish Avenue occurs such access would be restricted, and this would adversely impact on the activities of the Gliding Club.

The Living Conditions of Future Residents.

- 7.106 Policy DP7 requires that development provide acceptable living conditions for occupiers of the new dwellings. The NPPF also states that development should create place “with a high standard of amenity for existing and future users.”
- 7.107 In terms of internal accommodation, the proposed dwellings would be required to satisfy the minimum dwelling sizes set out in the Government’s Technical housing standards - Nationally Described Space Standards 2015.
- 7.108 However, as the application has been submitted in Outline form, with no details of the layout or design of the dwellings, it is not possible to give consideration to the living conditions of future residents at this stage.

Traffic, Highway Safety, Access, Parking Provision and Other Related Facilities

- 7.109 Policy CSP12 states that 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 whilst also having regard to adopted highway design standards and vehicle and other parking standards. It also states that “the Council will support the enhancement and better management of the regional transport spokes”. The NPPF states that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”
- 7.110 The application has been reviewed by the Principal Transport Development Planning Officer at Surrey County Council who has commented as follows: The TA demonstrates that the Nineham Road arm of the above junction is expected to perform with an RFC value of 0.94 in the 2028 AM peak hour without the impacts of the proposed development, which would then further worsen performance at the junction. This represents operating at 94% of the maximum theoretical capacity of this arm of the junction, which is well above the generally recommended maximum preferable RFC of 0.85 (or 85%) to ensure that some resilience is retained.
- 7.111 The TA shows a worsening to an RFC value of 0.95 on this arm of the junction in the AM peak hour. While this only represents a worsening of 0.01 (or 1%), the fact that this arm is so close to maximum theoretical capacity makes any further worsening represent a potentially significant impact to the safe and effective operation of the public highway.
- 7.112 The above concern is worsened in the context of the additional mode share data presented within Table 5.2. While use of vehicle trip rates from TRICS is a generally acceptable method of forecasting trip generation for development proposals,

rationalisation using local data such as that provided by the Census can provide a better local insight into the actual likely levels of vehicle movements to be generated by the proposals.

7.113 The figures which the TA applies to modelling the impacts at local junctions are 45 and 48 trips in the AM and PM peak hours, respectively (calculated here by combining the trip numbers detailed in Table 6.1). Using the mode split data provided in Table 5.2, however, the likely car trip generation alone would be 64 and 54 trips in the AM and PM peak hours, respectively. This is based on applying the Census mode share data to the total person trips forecasted by TRICS.

7.114 Given that trips made by rail would most likely start with a car trip to the railway station, as explained above, there is a strong argument that the rail mode share should be added to the expected car trip generation, which would then result in a total of 79 and 66 vehicle movements in the AM and PM peak hours, respectively. The table overleaf summarises the different total site trip generation figures which can be reached on this basis:

Time Period	Applied to modelling	Based on share data (car only)	Based on mode share data (car plus rail)
AM peak hour	45 vehicle movements	65 vehicle movements	79 vehicle movements
PM peak hour	48 vehicle movements	54 vehicle movements	66 vehicle movements

7.115 On the basis of the above, it is considered that the actual potential impacts of the proposed development on highway capacity may in fact be worse than suggested by the modelling data provided. It is however recognised that the trips to rail are not likely to route through the Salmons Lane West, Buxton Lane and Ninehams Road roundabout junction.

7.116 As a result the Local Highway Authority object to the proposal on the grounds of the impact of the development on the performance of the public highway.

7.117 The applicants have confirmed that they would agree to provide a formalised pedestrian crossing point on the local highway network, but no specific details have been provided at this stage.

7.118 As such, it is considered that the proposed development would conflict with the requirements of Core Strategy Policy CSP12 in respect of traffic generation and impact on the functioning of the local highway network.

Highway Safety

7.119 Policy CSP12 of the Core Strategy also advises that new development proposals should have regard to adopted highway design standards and vehicle/other parking standards. Criterion 3 of Policy DP7 of the Local Plan also requires new development

to have regard to adopted parking standards and Policy DP5 seeks to ensure that development does not impact highway safety.

7.120 The applicant has indicated that the development would have parking provision to accord with the Car Parking Standards in terms of both cars and cycles. A 5.5m wide access would be provided which would be suitable for a large refuse collection vehicle.

7.121 As such, it is not considered that the proposal would conflict with relevant development plan policy requirements in respect of parking provision and highway safety within the site.

Trees and Tree Protection

7.122 Core Strategy Policy CSP 18 (Character and Design) requires that:

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.

7.123 Paragraph 13 of Policy DP7 of the Local Plan states:

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.

7.124 Further guidance on the consideration of trees in relation to development is provided within the Tandridge Trees and Soft Landscaping SPD (2017).

7.125 The application site is located within the Kenley Airfield Conservation Area so all trees above a certain size are protected and in addition the site is almost entirely encompassed by Tree Preservation Order No. 2, 1999, which is an 'area' order covering all the trees that were present on 16th April 1999 when the order was made.

7.126 The submitted information indicates that the site currently accommodates some 270 trees, and the Arboricultural Impact Assessment shows 50 individual trees and tree groups/partial groups to be removed to facilitate development. However, the Proposed Site Layout – Tree Removal Plan (Drg No. P110) establishes that the actual quantity of trees to be removed as being 132, out of 270 – around 49% of the total tree cover.

7.127 The Council's Principal Tree Officer has provided the following advice:

"... it must also be acknowledged that the large number of lower quality tree losses, will cumulatively have a very negative impact on the landscape and the character of the conservation area. It will no doubt be a consideration within the planning balance as to whether this impact is acceptable in the context of the development as a whole.

In terms of the provision for soft landscaping I am reasonably satisfied that sufficient space has been provided for new planting. However, not to a degree that would in any way make up for the huge tree losses, particularly as there is unlikely to be a great deal of space to accommodate larger species trees. I would suggest that in any detailed application further provision is made for large species tree planting, with adequate space to mature both above and below ground. Planting on frontages will also be important, in pursuance of paragraph 131 of the NPPF which requires all new streets to be tree lined unless there are clear, justifiable and compelling reasons why this would be inappropriate.

Conclusions & Recommendations

With all the above in mind I am of the view that in its current form the application fails to recognise the constraints imposed by the most important existing trees, which are important by virtue of their significance within the local landscape, contrary to Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014, Policy CSP18 of the Tandridge District Core Strategy 2008, and Key Consideration 2 and 4 of the Tandridge District Trees and Soft Landscaping Supplementary Planning Document.

I am very glad to see that T87 and G123 have now been retained in the indicative layout, and as such I have no specific objections in terms of the principle of development against the loss of important individual trees, considering the outline nature of the application with all matters reserved save for access. However, I do remain concerned with regards to the volume of tree losses overall, and consideration should therefore be given to my comments ... above regarding scope for tree planting, and whether on a broader scale the character of the conservation area will be negatively affected.”

- 7.128 The specialist advice is considered to be sound, and there is no known reason to reach a different conclusion. The development is therefore considered to have an unacceptable impact on protected trees and woodland and thus the development would conflict with Policies CSP18 and DP7. Whilst it is acknowledged that the most important trees on the site are now shown to be retained it is the sheer scale of tree and woodland removal proposed that is considered to be objectionable and this would also have a serious negative impact on the character and appearance of the Kenley Aerodrome Conservation Area.

Ecology, Biodiversity and Habitats.

- 7.129 The NPPF states that planning decisions should contribute to and enhance the natural environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 7.130 Policy CSP17 of the Core Strategy requires development proposals to protect biodiversity and provide for the maintenance, enhancement, restoration and, if possible, expansion of biodiversity, by aiming to restore or create suitable semi-natural habitats and ecological networks to sustain wildlife in accordance with the aims of the Surrey Biodiversity Action Plan.
- 7.131 Policy DP19 of the Local Plan Part 2: Detailed Policies 2014 advises that planning permission for development directly or indirectly affecting protected or Priority species will only be permitted where it can be demonstrated that the species involved will not be harmed or appropriate mitigation measures can be put in place. The sites is within a designated Biodiversity Opportunity Area which are regionally identified priority areas

of opportunity for restoration and creation of Priority Habitats and should be considered as areas of opportunity, not a constraint.

- 7.132 The application has been accompanied by a Biodiversity Check List and an Ecology Assessment. The submitted Assessment details the habitat surveys that were carried out in June 2021 and May 2023 in order to ascertain the general ecological value of the site and to identify the main habitats and associated plant species. It is indicated that the proposals will retain the eastern area of woodland and a large number of scattered trees, and that new tree and hedgerow planting, creation of wildflower meadow and areas of landscape planting within the development proposals will provide continued foraging and navigational opportunities for bats as well as providing nesting opportunities for birds.
- 7.133 The Ecology Assessment concludes that, with the implementation of the safeguards and recommendations set out within this report, it is considered that the proposals accord with planning policy with regard to nature conservation at all administrative levels.
- 7.134 The application has been reviewed by Natural England and the Surrey Wildlife Trust. Natural England have raised no objection to the proposal. Surrey Wildlife Trust have provided detailed comments highlighting that further ecological information would be required prior to determination of the application. The issues identified include further information regarding the potential impact of tree removal on bat habitats, the requirement for a sensitive lighting management plan, further survey work relating to the potential presence of hazel dormouse and reptiles, the requirement for an invasive species management plan, the requirement for a further assessment of the impact of the proposal on statutory and non-statutory sites, the need to assess whether any areas of lowland mixed deciduous woodland Habitat of Principal Importance are present on the site, the provision of greater detail on the classification of any grassland habitats to be lost and an assessment of what Biodiversity Net Gain could be delivered on the back of the development proposal.
- 7.135 The submitted information does not currently allow the Council to conclude that there will be no adverse impacts on the South London Downs NNR and on Coulsdon Court Wood & Betts Mead and Kenley Aerodrome Sites of Borough Importance or on protected species, including reptiles, bats and dormouse or on protected flora. Therefore, given the lack of detailed information regarding the potential impact of the development on ecology and biodiversity and any potential Biodiversity Net Gain that could mitigate the loss of any existing habitat it has not proved possible to confirm that the proposal would accord with the requirements of Policy CSP17 of the Core Strategy and Policy DP19 of the Tandridge Local Plan.

Flood Risk and Surface Water Drainage

- 7.136 Policy DP21 of the Tandridge District Local Plan Part 2: Detailed Policies 2014 advises that proposals should seek to secure opportunities to reduce both the cause and impact of flooding. Development proposals within Flood Risk Zones 2 and 3 or on sites of 1 hectare or greater in Zone 1 will only be permitted where, inter alia, the sequential test and, where appropriate, exception tests of the NPPF have been applied and passed and that it is demonstrated through a 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.

- 7.137 The impact of climate change on the global environment is recognised and flooding from surface water runoff is one of the main consequences. The planning system is expected to play a critical role in combating the effects of climate change by pursuing sustainable development and use of Sustainable Urban Drainage Systems (SuDS).
- 7.138 In terms of flood risk, the site is located within Flood Zone 1. The east of the site is noted from the Strategic Flood Risk Assessment as being at risk from groundwater flooding for subsurface structures and there are areas of low to medium risk of surface water flooding.
- 7.139 The application has been accompanied by a Flood Risk Assessment and a Sustainable Drainage System statement. These documents have been reviewed by the Environment Agency, the Lead Local Flood Authority (Surrey County Council) and Thames Water and no objections have been raised to the amended proposals, subject to the imposition of appropriate conditions on any permission granted.
- 7.140 Whilst comments from The Caterham Flood Action Group (FLAG) that, despite the fact that the applicant has confirmed that the sewer connection from the proposed development would not be discharging into the storm sensitive sewers of Caterham on the Hill and Old Coulsdon but instead would connect to Thames Water sewers on Salmons Lane and Whyteleafe Hill, they remain concerned about the additional foul flow down a steep road that becomes a river during rainfall and that, in addition to foul/fluvial flooding, Whyteleafe suffers from ground water flooding, when the Bourne rises to the surface (historically every seven years) are noted, it is considered appropriate to be guided by the specialist advice that has been received. On this basis, it is considered that were planning permission to be granted conditions can be imposed to address the statutory and development plan requirements with respect to surface water drainage. Therefore, no objection is raised to the proposal on flooding grounds and no conflict with the requirements of Policy DP21 of the Tandridge Local Plan has been identified.

Contaminated Land

- 7.141 Policy DP22 states that proposals for development on land that is or may be contaminated will be permitted provided that there will be no unacceptable risk to health or the environment and provided adequate remedial measures are proposed which would mitigate the effect of any contamination and render the site suitable for use. Where there is evidence of a high risk from residual contamination the applicant will be required to show as part of the application how decontamination will be undertaken. Contamination is also addressed within Core Strategy Policy CSP15.
- 7.142 The applicant's submissions have included a Desk Study, Geotechnical and Geoenvironmental Interpretive Report (Produced by CGL Ref: CG/39415). The Council's Specialist Advisor with respect to contaminated land has reviewed this submission and indicates that the level of potential contamination could be quite high but considers this would not be a barrier to development, subject to the imposition of appropriate conditions should planning permission be granted.
- 7.143 The document has also been reviewed by the Environment Agency and they have commented as follows: "We have reviewed the ... Report .. and note that contamination has been identified on site in the form of elevated PAHs and TPH's, however it is noted that no testing has been conducted to assess the potential presence for PFAS. PFAS is a potential contaminant of concern on the site, given the sites history and association with the adjacent Aerodrome. It is also appears that the complete report has not been submitted as part of this application and as such a complete assessment of the report

cannot be made.” However, they conclude that subject to the imposition of appropriate conditions relating to the submission of a strategy for dealing with contamination risks, surface water drainage, foul drainage, piling and the disposal of soil, they would not object to the proposal.

- 7.144 It is considered appropriate to be guided by the specialist advice that has been received and there is no known reason to conclude that the advice provided is not sound. On this basis, it is considered that conditions can be imposed to address the statutory and development plan requirements with respect to contaminated land and pollution protection. Therefore, subject to those conditions, it is considered that the proposal should be found to be acceptable and in accordance with the abovementioned policies.
- 7.145 The issue of unexploded ordnance has also been raised, given that the site was heavily bombed during the Second World War, but again it is considered that this matter could be appropriately addressed by way of planning conditions should planning permission be granted.

Other Material Considerations.

Renewable Energy

- 7.146 Policy CSP14 requires the reduction of carbon dioxide (CO₂) emissions by means of on-site renewable energy technology, with a development of 10 or more dwellings achieving a 20% reduction of carbon dioxide emissions through the provision of renewable energy technologies. In this regard the applicant has submitted an Energy and Sustainability Statement, prepared by Ecolytik, which sets out that the Energy Hierarchy for the proposed development. This prioritises a fabric first approach, followed by supplying energy efficiently and subsequently the application of low and zero carbon technologies onsite. Through the measures outlined for each stage of the Energy Hierarchy, it is anticipated the proposed development can achieve over 50% reduction in regulated CO₂ emissions over the Part L 2021 baseline. This is a preliminary estimation of the outline scheme, and it is indicated that a detailed assessment would be carried out in reserved matters stage.
- 7.147 It is also indicated that the proposed sustainability strategy involves integrating a variety of sustainability measures into the scheme with the aspiration of meeting and exceeding policy requirements. Air source heat pumps with no onsite emissions are proposed for all homes to maintain good air quality across site, and that other measures would include water efficiency fittings, a holistic SuDS strategy, landscape and ecology enhancements, and prioritising the use of construction materials with high recycled content.
- 7.148 These intentions are noted and, subject to an appropriate condition, it is considered that the development would accord with the abovementioned policy requirement.

Open Space and Play Space

- 7.149 Policy CSP13 states that new or improved facilities to meet the needs of all sections of the community will be encouraged and that the Council will apply the standard of 1.27 ha per 1000 population to the provision of playing space for all ages.
- 7.150 The applicant has indicated that: “A variety of publicly open spaces feature within the proposed landscape which provide opportunities for play and seating. Publicly open

space will cover 0.88ha of the 4.74ha site. A series of playable trails and informal play spaces are incorporated throughout the landscape as shown on the site masterplan submitted within the Landscape Design and Access Statement. Details of the play equipment will be confirmed at reserved matters stage. All dwellings will come with a sizeable back garden for private enjoyment. The layout of the scheme has been designed with well-landscaped streets and public areas. Full details can be found in the Landscape Design and Access Statement.”

7.151 This provision is considered to be adequate to meet the policy requirements.

Loss of Existing Playing Field

7.152 The application site does include a grass playing field, which is located to the south of the former NAAFI building (now in use as a school) which can be seen in recent aerial photographs (2022) to be marked out to provide a football pitch with 2no. smaller football pitches overlaid across it. There is also the presence of a rounders pitch as well as a training grid to the north.

7.153 The applicants’ dispute that the area is a ‘playing field’ and suggest that the area was until 1999 owned by the Ministry of Defence until it was sold to Cala Homes. In 2003 the site was acquired by the applicants. They indicate that the land in question has been “used informally as a ‘kick-about’ area for the school children of One School Global and not as their formal sports ground. They further state that: “it remains fact that One School Global (located immediately to the north of the site in the former Royal Air Force NAAFI building) was the only former and occasional user of the southern part of the proposed residential site described by Sport England as a delineated pitch, and only in fine weather”, that “This use was granted by the landowner as a gesture of neighbourly goodwill whilst the site was being assessed by the Local Planning Authority and latterly an Inspector as a residential allocation in the draft Local Plan” and that “The site has never been suitable for formal or all weather use as a playing pitch as it is poor quality grassland laid over rubble and the foundations of military buildings.”

7.154 Sport England have been consulted on the application and have raised a statutory objection as they consider that: “The proposal will result in the loss of the existing playing field at the site. Sport England notes that the playing field has been marked out and used for football and rounders. The pitch does not conform to FA recommended size guidelines and measures 66m x 41m. Given the constraints of the playing field site, Sport England considers that only a 7 x 7 FA recommended sized pitch can be accommodated (61m x 43m inc 3m run/off) in this area.”

7.155 They further state that: “We have consulted the Football Foundation/FA on the application, and we have received the following comments. The FF comments that the Playing Pitch Strategy (PPS) for Tandridge from 2018 states that based on demand at the time, there was relatively minimal capacity existing on youth and mini pitches. However, with the increased participation numbers in the last couple of years within the area is likely to have had an impact on the demand and capacity of the pitches. The PPS is now considered out of date. Therefore, with no update PPS there is no current evidence for the loss of grass pitches. The plans show the loss of a grass pitch therefore we would expect mitigation for this via replacement of the grass pitch provision to equal or better scale and quality, or contribution into alternative appropriate facilities to mitigate the loss (i.e. 3G pitch provision) within the area” and they also note that there is no proposal to replace the playing field as part of the application.

7.156 Sport England therefore consider that the proposal would conflict with the requirements of paragraph 103 of the NPPF which states that:

“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.”

7.157 Sport England have also confirmed that they do not consider that the argument that the playing field is of a poor quality is significant as they consider the facility could be upgraded if required and the quality of the current pitch would not be a reason to allow the loss of the facility.

Presumption in Favour of Sustainable Development

8.1 The NPPF (December 2023, paragraph 11) states that a presumption in favour of sustainable development should be applied. Paragraph 11 of the NPPF (2023) further states that for decision making, this means that ‘where there are no relevant development plan policies, or the policies which are the most important for determining the application are out-of-date, granting permission’ (also known as the ‘tilted balance’) unless:

- the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

8.2 Footnote 7 confirms that the policies referred to are those in the Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 187 of the Framework) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 72); and areas at risk of flooding or coastal change.

8.3 The Council is currently unable to demonstrate a 5-YHLS and the delivery of housing has been below 75% of the housing requirement for the past three years. Therefore, for residential applications the ‘tilted balance’ needs to be applied within the District.

8.4 However, as specified by NPPF paragraph 11d(ii), the tilted balance does not apply to this application because the adverse impacts significantly and demonstrably outweigh the benefits. As identified in the report, the development is considered to result in inappropriate development in the Green Belt where the very special circumstances (VSC) put forward to be considered do not demonstrably outweigh the benefits (listed within the VSC section of this report).

Conclusion

9.1 The assessment of the proposals against the Green Belt purposes concludes that there are clear conflicts. Given the character of the application site, it is considered

that the development would result in spatial and visual impact on the openness of the Green Belt. The proposal would also conflict with at least two out of the five purposes of including land in the Green Belt.

- 9.2 The harm to the Green Belt is considered to be substantial and this harm should be afforded very substantial weight. As a result, it is necessary to establish whether there are any 'very special circumstances'. The NPPF states at paragraph 153 that VSC will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any 'other harm' resulting from the proposal, is clearly outweighed by other considerations.
- 9.3 The 'Overall summary of VSC and Planning Balance' has set out all of the harms on one side and all of the benefits and other material considerations on the other side of the balance and officers have concluded that all of the harms are not clearly outweighed by all of the benefits. 'very special circumstances' do not exist in this case.
- 9.4 It is considered that the application of policies in the National Planning Policy Framework provides a "clear reason for refusing" the development proposal under NPPF paragraph 11(d)(i). It is concluded that the proposals are in conflict with the Development Plan Policies in so far as they relate to the Green Belt, built environment, and character and appearance of the site, area and landscape. There are no other material considerations that have a bearing on the planning balance. As a result of the nature and quantum of these concerns it is recommended that outline planning permission is refused for the reasons set out at the end of this report.
- 9.5 The recommendation is made in light of the National Planning Policy Framework (NPPF) and the Government's Planning Practice Guidance (PPG). It is considered that in respect of the assessment of this application significant weight has been given to policies within the Council's Core Strategy 2008 and the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with the NPPF 2023. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.
- 9.6 All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.

RECOMMENDATION:

REFUSE

Reasons for Refusal:

1. The proposal would result in the loss of a playing field, which would not be replaced as part of the proposal and would therefore conflict with Policy CSP13 of the Policy DP 18 of the Tandridge District Core Strategy 2008, Tandridge Local Plan - Part 2: Detailed Policies 2014, Sport England's Playing Fields Policy and Guidance Document and with Paragraph 103 of the National Planning Policy Framework (December 2023).
2. The proposed development is considered to be inappropriate development in the Green Belt, given that it would fail to comply with any of the defined exceptions at paragraphs 154 and 155 of the National Planning Policy Framework (December 2023). The cumulative benefits of the scheme which have been presented as Very Special Circumstances (VSCs) are insufficient to outweigh the substantial harm to the Green Belt, by virtue of inappropriateness and due to the harm to openness that would arise, in addition to the significant harm to the character and appearance of the site, area and landscape. Accordingly, the proposed development is considered to be contrary

to Policies DP10 and DP13 of the Tandridge Local Plan 2014 Part 2: Detailed Policies and the NPPF (December 2023) .

3. The site is located in an unsustainable location in transport terms, where the only realistic means of transport would be the private car, due to the distance to local amenities, the lack of suitable pedestrian and cycle connections to those amenities, and the limited availability of accessible public transport services. This is contrary to the aims of the NPPF (December 2023) and the Surrey Local Transport Plan 4 (2022) and the Tandridge Local Plan (2008 and 2014). Policy CSP1 Tandridge Local Plan (2008), Policies DP1
4. The proposals would result in an unacceptable impact to highway capacity, in particular at the roundabout junction of Salmons Lane West, Buxton Lane and Ninehams Road, contrary the aims of the NPPF (December 2023) and the Surrey Local Transport Plan 4 (2022) and the Tandridge Local Plan (2008 and 2014). to Policy DP5 of the Tandridge Local Plan - Part 2: Detailed Policies 2014
5. The proposed development would result in the felling of a significant number of protected trees subject to Tree Preservation Order protection or protected due to their location within the Kenley Aerodrome Conservation Area. The indicative layout details provided would not allow for the retention of existing trees that are important by virtue of their significance within the local landscape and would not appear to allow sufficient space for appropriate replacement planting and as such the proposal would conflict with the requirements of Policy CSP 21 of the Tandridge District Core Strategy 2008, Policy DP7 of the Tandridge Local Plan - Part 2: Detailed Policies 2014 and paragraph 180 of the National Planning Policy Framework (December 2023).
6. Insufficient information has been provided to allow a full assessment of the potential harm of the proposed development on designated and non-designated heritage assets, including the Kenley Aerodrome Conservation Area within which the application site is located and the Grade II listed former Dining Room and Institute building which the application site surrounds. Proposed 'mitigation' measures have not been detailed and it has not been demonstrated that the public benefits of the proposal would significantly outweigh the less than substantial harm that would result to the character and appearance of the conservation area, the impact on the character and setting of the listed building and through the loss of the non-designated former workshop buildings as a result of the development. As such, the proposal would conflict with Policy DP20 of the Tandridge Local Plan - Part 2: Detailed Policies 2014 and paragraphs 205, 206, 208 and 209 of the National Planning Policy Framework (December 2023).
7. Insufficient information has been provided to demonstrate that the proposed development would conserve and enhance the natural environment and deliver an appropriate level of biodiversity net gain. As a result, the proposal would conflict with the requirements of Policy CSP17 of the Tandridge District Core Strategy 2008, Policy DP19 of the Tandridge Local Plan - Part 2: Detailed Policies 2014 and the National Planning Policy Framework (December 2023).

Informatives:

1. This decision relates to drawings and documents numbered 21125/C04B, C05, C06A, C07A, C08A, C09A, C10A, C100, C104C, P101, P110, 21174-3, 21174-4, 2193-00-GF-DR-L-00100 and 00101.

	Signed	Dated
Case Officer	PL	15.04.2024
Checked ENF		
Final Check	FN	13.05.2024