

PROOF OF EVIDENCE OF CHARLOTTE YARKER MRTPI

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

Appeal in relation to Refusal of Planning Permission for:

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

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

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- Appendix 1 The Sworn Affidavit of Mr Kevin Peter Stanley
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1 Background & Experience

- 1.1 My name is Charlotte Yarker, and I am a partner in the Planning and Development team of Daniel Watney LLP. I hold a post graduate diploma in Urban Planning from Oxford Brookes University and have been a Member of the Royal Town Planning Institute for 21 years (membership number 44612). I have 23 years of experience as a town planner.
- 1.2 Prior to joining Daniel Watney LLP I was a senior planning associate at Boyer between September 2016 and March 2019 and an associate partner at Montagu Evans LLP between March 2007 and August 2016. Prior to March 2007 I held positions at Indigo Planning (now part of WSP) and in the development control department of the London Borough of Southwark.
- 1.3 I have a significant amount of experience in many areas of town planning, in particular residential development proposals in London and the South-East of England. I have also appeared as an expert witness at planning appeals and Examinations in Public.
- 1.4 I was first appointed to provide planning consultancy services on the Land South of Kenley Aerodrome (herein the Site) in November 2019 by Croydon and District Education Trust (herein the Appellant).
- 1.5 This Proof provides my professional opinion and has been prepared in accordance with the Royal Town Planning Institute's Code of Professional Conduct.

2 Introduction

- 2.1 The issues in this Inquiry reflect the Council's position in proceeding with five reasons for refusal; reasons 1, 2, 3, 4 and partially 5 set out in the Decision Notice issued 13 May 2024 (CD 4.02) in relation to the appeal site, in the jurisdiction of Tandridge District Council (herein TDC or the Council).
- 2.2 It is common ground that reasons for refusal 6 and 7 are capable of being addressed through agreed conditions. It is also common ground that technical matters regarding the loss and replacement planting of trees, with reference to reason for refusal 5 are agreed.
- 2.3 The areas of disagreement therefore relate to the alleged loss of a planning field (the Southern Land) described in reason for refusal 1.
- 2.4 The alleged inappropriateness of the development in the Green Belt causing harm to its openness described in reason for refusal 2.
- 2.5 The alleged inherent unsustainability of the site and the Council's case that it is inaccessible by all means of transport aside from the private car, plus the alleged unacceptable impact to the highway network as described in reasons for refusal 3 and 4.
- 2.6 Finally, the impact of the removal of trees during the maturity of the replacement specimen upon the character and appearance of the conservation area and the local landscape setting, which relates in part to reason for refusal 5.
- 2.7 The Council accepts that it does not have an up-to-date development plan nor a five-year housing land supply. Furthermore, on 12 December 2024 the Government published Housing Delivery Test measurements for 2023. This identifies Tandridge District as only having delivered 42% of its housing target over the past three years consequently it is a 'presumption authority'. This is not disputed.
- 2.8 This site will make a significant contribution to supply the acute need for market and affordable housing in the area. Notwithstanding this, the Council maintains the five reasons for refusal, despite the evidence which clearly indicates that the Council should have made a positive decision in this case.
- 2.9 My evidence addresses all matters raised in the five reasons for refusal. I address development plan matters and the National Planning Policy Framework (NPPF) (newly adopted 2024) (CD 7.01) for which this appeal must be decided against compared against the superseded NPPF (updated 2023) (CD 7.03) which the application was decided against. My evidence relies on the newly adopted NPPF (2024) and therefore I refer to the latest paragraph numbers rather than those which are set out in the superseded NPPF (2023). My evidence will apply the relevant policy tests and weight to be given to those policies contained in the development plan, the national framework and other material considerations.
- 2.10 The relevant matters raised in the reasons for refusal are explored in further detail in the Proofs provided by the Appellant's other expert witnesses. As appropriate, in forming my professional opinion on the above matters, I refer to those Proofs provided by the Appellant's other expert witnesses. My evidence should be read alongside the evidence of Mr Philip Bell addressing transport and highways, Ms Lucy Markham addressing heritage and Mr Stephen Kirkpatrick addressing landscaping and visual impact and that of Mr Owen Hallett addressing ecology. I rely upon their conclusions, based on their professional opinions in forming my planning judgements.

3 Appeal Background

SITE BACKGROUND

- 3.1 The detailed context of the application and this appeal are found within Sections 3–7 of the Appellant’s Statement of Case (CD 8.01) so are not repeated here, but I draw attention to specific elements that are important to the consideration of this appeal.

SITE DESCRIPTION

- 3.2 The appeal site (Land South of Kenley Aerodrome, Victor Beamish Avenue, Caterham, Surrey, CR3 5FX) forms part of the former Royal Air Force Station Kenley (RAF Kenley). The appeal site measures 4.74 hectares, of which 29.8% is previously developed land, comprising areas of former buildings, structures and hardstanding.
- 3.3 The appeal site excludes the former NAAFI building and parade ground, which is in the centre of the site, and which is owned and operated by OneSchool Global, an independent day school, for pupils aged between 7 and 18. OneSchool opened in September 2015. At present, the existing school accommodates around 140 junior and senior pupils and is open throughout the year, with associated activities and movements. Within the curtilage of the NAAFI is the parade ground which is used as a playground by the school.
- 3.4 The appeal site is located within the Kenley Aerodrome Conservation Area. At the north of the site, is grassland with a single, large and very dilapidated ‘workshop’ which is demonstrably no longer fit for any purpose and is therefore proposed to be removed, which is accepted by Surrey County Council (SCC) in its capacity of conservation consultee.
- 3.5 The appeal site has never in its history been publicly accessible. The land remains fenced off, undesignated and is not accessible by members of the public. The Southern Land within the appeal site, comprises grass covered hardstanding. It was used by OneSchool Global with the informal agreement of the Appellant as an overspill informal ‘kick-about’ area. With reference to Appendix 1 this land did not form part of the school’s planning permission (ref. 2015/179) (CD 8.05). Planning permission was not sought for a change of use. The use ceased in July 2023.
- 3.6 The school recently obtained planning permission (CD 8.06) and Listed Building Consent (CD 8.07) (LPA ref. 2024/72 and 2024/53) for the creation of a multi-use sports and educational facility and sports pitches to the front of the site currently used as a playground (within the original redline of the site) ensuring on-site provision of safe sports facilities in perpetuity of the school’s use of the site. CD 8.08 shows the site layout and sports facilities approved.

WITHDRAWN SITE ALLOCATION

- 3.7 At the time of submission of the planning application, the appeal site benefited from a draft allocation in the withdrawn Local Plan (withdrawn draft allocation HSGO6, Land off Salmons Lane West, CD 6.01).
- 3.8 This allocation was underpinned by an evidence base that concluded that the site:
- a) Should be removed from the Green Belt
 - b) Should be included within the settlement boundary of Caterham

- c) Is inherently sustainable, and identified necessary mitigation measures
- d) That the site is capable of accommodating 75 dwellings

3.9 Therefore, great weight should be placed upon the evidence base that the Council relied upon in allocating the site for residential development. Specifically Green Belt Assessment (Part 3) Appendix 1, 2018 (CD 6.32) which states:

*'The site is physically and visually well contained with the western and southern boundaries of the site being formed by Victor Beamish Avenue , and Salmons Lane West/Salmons Lane respectively, whilst the eastern boundary is well defined by trees. Its impacts could be reduced through sensitive design, landscaping and buffer zones, including ensuring the special character of the conservation area is preserved. Furthermore, the northern boundary of the site provides an opportunity for a clear separation between the built-up and open areas, and it is considered that a robust and defensible boundary could be secured in this location. Further to this, the open area to the east of Whyteleafe Hill would continue to ensure the physical separation between Caterham and Whyteleafe and such the loss of this site would not impact on the wider Green Belt's ability to serve this purpose.'*¹

3.10 Regarding the sustainability of the site, it is stated in the same document that:

*'It [the Sustainability Appraisal] considers that the site can provide sufficient housing, has satisfactory access to a GP surgery, schools, employment opportunities and public transport.'*²

3.11 The assessment of the site in CD 6.32 concludes in respect of the appeal site that:

*'Having considered all of the factors set out in section 3 of the paper "Green Belt Assessment Part 3: Exceptional Circumstances and Insetting" it is considered, as a matter of planning judgement, that this site does justify the exceptional circumstances necessary to recommend amendment of the Green Belt boundary.'*³

3.12 The Sustainability Appraisal (CD 6.46) concludes in respect of the site at paragraph 5.18.2 (page 287) it is :

'A sustainable site subject to sensitive design and identified mitigations'

3.13 A full list of evidence base documents that the Council has produced and I rely upon are set out in Section 4 of my evidence.

3.14 For completeness I will repeat the Examination in Public Inspector's findings in his report (CD 6.02) to the Council. At paragraph 75 in respect of HSGO6 (and HSG12) he states that he had:

'requested further evidence regarding HSGO6: Land off Salmons Lane West, Caterham...in respect of the effect of the proposals on designated heritage assets'

3.15 Further that he had not:

'received the requested information and therefore continue to consider these allocations unjustified'.

3.16 In the absence of the Council undertaking a required assessment of the impacts of the draft allocation upon heritage assets requested by the examining Inspector, a Heritage Statement

¹ Green Belt Assessment (Part 3) Appendix 1 (2018)

² Green Belt Assessment (Part 3) Appendix 1 (2018)

³ Green Belt Assessment (Part 3) Appendix 1 (2018)

(including a Statement of Significance) (CD 1.30, 1.31 and 1.32) assessing the significance of heritage assets regarding HSGO6 was prepared by Montagu Evans LLP and submitted with the planning application. This was reviewed by SCC's Senior Historic Buildings Officer (as statutory consultee on conservation) who agreed with the assessment of the heritage assets set out in the Statement of Significance and had no objection to the scheme. This is accepted by the Council and reason for refusal 6 is not being defended.

APPLICATION BACKGROUND

PRE-APPLICATION DISCUSSIONS

- 3.17 Details of the Appellant's engagement in pre-application discussions with the Council and SCC can be found in Section 5 of the Appellant's Statement of Case.
- 3.18 Between November 2022 and July 2023, the proposed scheme was refined and technical reports prepared. In March 2023, two public consultation events were held at OneSchool Global, Kenley.

PROPOSED DEVELOPMENT

- 3.19 This appeal relates to the development of the Land South of Kenley Aerodrome to provide 80 houses including 50% affordable housing on vacant land formerly associated with RAF Kenley. The houses would comprise of detached, semi and terraced houses, associated off-street cycle and car parking facilities. The affordable housing component will be delivered as 100% affordable rent (40 units).
- 3.20 The proposed development's delivery of 80 homes across 4.74ha of land represents 17 homes per ha) owing to the heritage and landscape sensitivities and tree constraints across the site whilst also considering making the best use of land.
- 3.21 The landscaping scheme focuses on retaining as many existing trees as possible and results in the loss of 129 trees whilst also proposing the planting of approximately 151 trees alongside new, public amenity spaces.
- 3.22 179 off-street car parking spaces would be delivered to support the development. In addition, cycle parking would be provided in accordance with the standards set out in SCC's 'Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development' guidance document. The following highways works are also proposed:
- 3.22.1 Alterations to the access junction serving the site via Victor Beamish Avenue;
 - 3.22.2 A new zebra crossing point provided with dropped kerbs and tactile paving across Salmons Lane West, connecting with the bus stop on the southern edge of Salmons Lane West;
 - 3.22.3 A new informal crossing point provided with dropped kerbs and tactile paving on Whyteleafe Hill, connecting with Salmons Lane;
 - 3.22.4 Pedestrian access improvements across Buxton Lane;
 - 3.22.5 Pedestrian crossing at Salmons Lane/Whyteleafe Road; and
 - 3.22.6 Pedestrian crossing at Salmons Lane West/Whyteleafe Road to connect with nearby schools.
- 3.23 The application was submitted in outline, with all matters reserved except for access.

PLANNING APPLICATION SUBMISSION

- 3.24 As detailed in Section 5 of the Appellant's Statement of Case, an outline planning application was

submitted and validated on 11 July 2023 with a target determination date of 10 October 2023.

- 3.25 A summary of statutory consultation responses can be found in Section 5 of the Appellant's Statement of Case with Appendix 11 providing the Appellant's response to consultee and third-party comments where relevant.
- 3.26 Paragraph 5.14 sets out the amendments that were made during the application to respond to the technical consultation responses received. The penultimate paragraphs at paragraph 5.19 onwards of the Appellant's Statement of Case sets out the steps that lead up to the Council's refusal to agree a further extension of time to enable a resolution with Sport England and SCC as highways authority and refused the application on the same day, placing the decision notice on the website prior to issue to Daniel Watney LLP. The officer's report (CD 4.01) had been drafted on 15 April 2024 and finalised on 13 May 2024, whilst discussions with consultees were ongoing.
- 3.27 The seven reasons for refusal are set out in the decision notice (CD 4.02).

4 Planning Policy Background

THE DEVELOPMENT PLAN

- 4.1 Section 70 (2) of the Town and Country Planning Act 1990 (as amended) states that
- ‘in dealing with an application for planning permission...the authority shall have regard to the provisions of the development plan, so far as material to the application...and any other material considerations’.*
- 4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that
- ‘if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise’.*
- 4.3 The development plan for the site currently comprises the following:
- 4.3.1 Tandridge District Core Strategy 2008 (CD 5.01);
 - 4.3.2 Tandridge Local Plan Part 2: Detailed Policies 2014–2029 (CD 5.02);
 - 4.3.3 Caterham, Chaldon, and Whyteleafe Neighbourhood Plan 2021 (CD 5.03, 5.04 and 5.05);
 - 4.3.4 Surrey Minerals Plan 2011 (CD 5.06);
 - 4.3.5 Surrey Waste Local Plan Part 1 – Policies 2020 (CD 5.07); and,
 - 4.3.6 Surrey Waste Local Plan Part 2 – Sites and areas of search 2020 (CD 5.08).
- 4.4 At the time of submission of the planning application, the appeal site benefited from a draft allocation in the withdrawn Local Plan (withdrawn draft allocation HSG06, Land off Salmons Lane West). The resolution to withdraw “Our Local Plan 2033” was made at a Full Council meeting, held on 18 April 2024 following a six-year examination.
- 4.5 The Council is currently preparing a new Local Plan. It is common ground that the Council intends to use its existing evidence base (with reference to the withdrawn 2019 Local Plan) as a baseline for its emerging plan. However, at the Case Management Conference held on 9 January 2025 the Council’s witness advised that the Council may not progress with a new Local Plan owing to the England Devolution White Paper which could result in Surrey becoming a Unitary Authority.

MATERIAL CONSIDERATIONS

- 4.6 Officer’s report paragraph 6.4 accepts that the evidence base that informed the withdrawn Local Plan 2033 remain capable of being a material consideration for planning applications. I consider the following documents are material considerations to the determination of the appeal:

- 4.6.1 National Planning Policy Framework (2024) (CD 7.01)
- 4.6.2 Kenley Aerodrome Conservation Area Proposals Statement (CD 6.07)
- 4.6.3 Trees and Soft Landscaping Supplementary Planning Document 2017 (CD 6.08)
- 4.6.4 Tandridge Parking Standards Supplementary Planning Document 2012 (CD 6.06)
- 4.6.5 Housing Delivery Test Action Plan (2022) (CD 6.05) and Interim Policy Statement for Housing Delivery (CD 6.04)
- 4.6.6 Green Belt Assessment Review 2015 (CD 6.20)
- 4.6.7 Green Belt Assessment (Part 1) 2015 (CD 6.21)
- 4.6.8 Green Belt Assessment (Part 1) Appendix A–F 2015 (CD 6.22–6.27)
- 4.6.9 Green Belt Assessment (Part 2) Review 2016 (CD 6.28)
- 4.6.10 Green Belt Assessment (Part 2) Review Appendix 1 2016 (CD 6.29)
- 4.6.11 Green Belt Assessment (Part 2) Review Appendix 2 2016 (CD 6.30)
- 4.6.12 Green Belt Assessment (Part 3) Exceptional Circumstances and Insetting 2018 (CD 6.31)
- 4.6.13 Green Belt Assessment (Part 3) Appendix 1 2018 (CD 6.32)
- 4.6.14 Updating the Objectively Assessed Housing Needs of Tandridge 2018 (CD 6.33)
- 4.6.15 Affordable Housing Needs Assessment for Tandridge Updated 2018 (CD 6.34)
- 4.6.16 Housing Delivery Test Action Plan 2019 (CD 6.35)
- 4.6.17 Housing Delivery Test Action Plan Addendum 2019 (CD 6.36)
- 4.6.18 Housing and Economic Land Availability Assessment 2015 (CD 6.37)
- 4.6.19 Housing and Economic Land Availability Assessment 2016 (CD 6.38)
- 4.6.20 Housing and Economic Land Availability Assessment Appendix 3 2016 (CD 6.39)
- 4.6.21 Housing and Economic Land Availability Assessment 2017–18 (CD 6.40)
- 4.6.22 Housing and Economic Land Availability Assessment Appendix 3 2017–18 (CD 6.41)
- 4.6.23 Tandridge District Council Authority Monitoring Report (2021–22) (2022) (CD 6.16)
- 4.6.24 Tandridge District Council Authority Monitoring Report (2022–23) (2023) (CD 6.17)
- 4.6.25 Tandridge District Council Authority Monitoring Report (2023–24) (2024) (CD 6.18)
- 4.6.26 Housing Delivery Test Action Plan (2022) (CD 6.05)
- 4.6.27 Housing Delivery Test Action Plan (2024) (CD 6.42)

CONSIDERATION TO BE GIVEN TO THE DEVELOPMENT PLAN

- 4.7 Paragraph 9.4 of the Officers Report states that the proposed development conflicts with the development plan by virtue of its policies relating to Green Belt, built environment, and character and appearance of the site, area and landscape. The report goes on to state that there are no other material considerations that have a bearing on the planning balance hence the recommendation that permission be refused.
- 4.8 I do not accept the Council's position in relation to the remaining five reasons for refusal and consider that the proposed development complies with the development plan as a whole. My position on the five reasons for refusal is set out in Section 5 and my consideration of material considerations is contained in Section 6.

5 Addressing the Reasons for Refusal

REASON FOR REFUSAL 1 (RFR1)

- 5.1 The proposals will not result in the loss of a playing pitch as asserted by the Council. In summary, developing the Site would not involve the loss of a playing pitch because in planning law the land in question has never had a lawful use as a playing pitch.
- 5.2 In any event, even if there were a loss of playing pitch, any such loss would readily be outweighed by the benefits of providing much needed housing because: the land has never been publicly accessible or used by the public; the private law licence for the school to use the land for sports has been terminated and the school's new sports facilities means it no longer has any use for the land; the council accepts that the site is not an existing playing pitch; and the council does not refer to, or rely on, the site in any playing pitch strategy for the future because its evidence says that its small shortfall of recreational facilities can be addressed by improving existing facilities.
- 5.3 The Sworn Affidavit of Mr Kevin Stanley at Appendix 1 explains that:
- i. No works were undertaken to facilitate the occupation of the site by the school.
 - ii. The site was not used for educational purposes between the expiry of the 2009 permission and the implementation of the 2015 permission. The only use of the site occurred on an occasional basis for fundraising events by CADET.
 - iii. The only other activity that took place on the site related to essential maintenance.
 - iv. There was no attempt to use the site for educational purposes owing to the potential to find a more cost effective location for the relocation of the school.
- 5.4 The chronology set out in the Sworn Affidavit of Mr Stanley demonstrates that the Southern Land is excluded from the lawful planning and listed building consent implemented allowing the school use. The Southern Land therefore did not form part of the 2015 permission for the school, with the express reason that it was identified by Mr Stanley in 2014 as having residential development potential.
- 5.5 Mr Stanley's Affidavit explains that the use of the Southern Land for informal physical activities by students at the school happened on an informal basis between April 2016 and July 2023.
- 5.6 The alleged playing pitch use of the Southern Land therefore has not even become lawful through the passage of time, with reference to Town and Country Planning Act 1990, Section 171B.
- 5.7 The Council's draft pre-application response (CD 3.03) erroneously states that:
- 'However, the school have used the pitch constantly for a playing pitch to the degree that I consider a change of use has occurred to educational use'*
- 5.8 This is wrong. There was a material change of use of the Southern Land in April 2016 when the school used it occasionally for five-a-side football and rounders. As of July 2023 that use ceased.
- 5.9 Thus the use of the Southern Land was unauthorised and in breach of planning control. Planning permission was not sought for a change of use of the for its use as a sports facility, or even to form part of the curtilage of the school, and an enforcement notice could have been served. It was not.

- 5.10 This unauthorised use did not continue for 10 years and so no immunity from enforcement has arisen.
- 5.11 The actual use as a playing pitch has ceased and the land has reverted to its lawful use.
- 5.12 Mr Stanley's Affidavit is explicit that the use of the Southern Land occurred on a temporary basis following the opening of the school. It explains that the school has now realised its intention of securing planning and listed building consent for bespoke all weather sports facilities within its grounds.
- 5.13 Clear evidence is given by Mr Stanley that the Appellant promoted the Appeal site including the Southern Land for residential development to the Council's Call for Sites exercise that ran between 19 December 2014 and 30 January 2015. That occurred prior to the grant of the 2015 permission and demonstrates a clear intent that the Southern Land should be developed for housing.
- 5.14 The promotion resulted in the Appeal site and the Southern Land being identified by the Council as suitable and developable for residential development in its December 2015 Housing and Economic Land Availability Assessment (HELAA) (CD 6.37). This pre-dated the informal use of the Southern Land for informal physical activity. It culminated in an allocation of the Appeal site including the Southern Land in the draft Local Plan, 2019 (HSG06) for residential development having been consulted upon and assessed through the regulation stages.
- 5.15 Appendix 1 includes a letter from the Head Teacher of the School which confirms that the Southern Land is not required by the school for any educational purpose and did not meet its operational needs. This statement of fact is underpinned by the successful securing of planning and listed building consent for purpose-built, all-weather sports facilities.
- 5.16 Of relevance to the Council's reason for refusal 1, is Mr Stanley's statement of fact that the Southern Land has never been publicly accessible. The Southern Land was only ever used by the school and not by any external party at any stage.
- 5.17 Reflective of this fact, it is common ground with the Council that the Southern Land does not form part of the Council's playing field or recreational land strategy.
- 5.18 Furthermore, the Council's 2018 Playing Pitch Strategy and Action Plan (CD 6.03) states in relation to minor shortfalls identified in sports pitch provision in the district that:
- 'the shortfalls evidenced are relatively minimal when compared to other local authorities nationally. As such, for the most part, no new provision is required; it is considered that shortfalls can be met through the better utilisation of existing provision, such as via pitch re-configuration and encouraging or enabling access to unused/unavailable provision'.*
- 5.19 The Council's assessment of its stock of recreational facilities is that it is healthy and that any shortfall can be met through the better use of existing facilities. The Southern Land is accepted as common ground not to constitute an existing facility. The Southern Land is therefore not required by the Council on its own evidence for recreational facilities.
- 5.20 For these reasons the proposals will demonstrably not result in the loss of a playing pitch. Furthermore, that the Southern Land's ability to deliver housing was established well in advance of its use on an informal and temporary basis by the School for physical activity.

REASON FOR REFUSAL 2 (RFR2)

- 5.21 RfR 2 asserts that the proposed development is 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

NPPF and accordingly is contrary Policies DP10 and DP13 of the Tandridge Local Plan 2014 Part 2: Detailed Policies and the NPPF.

- 5.22 This section provides my considered opinion of the scheme in relation to Green Belt policies and guidance.
- 5.23 With reference to **paragraph 153 footnote 55** of the NPPF it is common ground that the site is grey belt and therefore the development is not inappropriate and by definition is not harmful to the Green Belt. It is my evidence that the site is also previously developed land. I also make clear it is my professional opinion that the development complies with the Golden Rules having regard to **paragraphs 156 and 158** of the NPPF, which gives significant weight to the grant of planning permission. I also conclude that any harm is outweighed by benefits that in themselves or collectively can be considered VSC.

GREEN BELT POLICY

- 5.24 **Paragraph 153** of the NPPF is clear that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances and that substantial weight should be given to any harm to the Green Belt. **Footnote 55**, however, states that such an assessment does not apply to the case of development on previously developed land or (my emphasis) grey belt land, where development is not inappropriate.
- 5.25 It is common ground with the Council that the site constitutes grey belt land. Therefore, the proposed form of development is not inappropriate when **paragraph 153** is read in conjunction with footnote 55. Accordingly substantial weight need not be given to any harm to the Green Belt including harm to openness.
- 5.26 It is my evidence that the site is also previously developed, an assessment that the Council has also made about the site in its allocation of the site for residential development in the draft Local Plan.
- 5.27 In the light of the fact that it is common ground that the site is grey belt and evidence that it is previously developed land, substantial weight need not be applied to any harm to the Green Belt with reference to **footnote 55 of paragraph 153**. RfR2 The routes to assessing the acceptability of the scheme
- 5.28 It is my evidence in the light of the NPPF that three routes exist to assessing the acceptability of the scheme.
- 5.29 Route 1 – That the development is not inappropriate with reference to **paragraph 153 and 155** given that it is common ground that the site is grey belt and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. With reference to **paragraph 156** the development proposals meet the ‘Golden Rules’ requirements. In this regard the proposals will deliver 50% affordable housing, deliver the necessary improvements to local infrastructure and provide new green spaces that are open to the public.
- 5.30 Route 2 – That the development is appropriate development with reference to **paragraph 154 (g)** namely that the development is the complete redevelopment of previously developed land that would not cause substantial harm to the openness of the Green Belt. My evidence is amplified in this regard by that of Mr Kirkpatrick regarding matters of openness.
- 5.31 Route 3 – Finally, it is my evidence that very special circumstances do exist as any inappropriateness or other harm resulting from the proposal is clearly outweighed by other considerations. In this regard my evidence is amplified by that of Mr Kirkpatrick’s regarding matters related to openness and Ms Markham’s regarding the demonstrable heritage benefits that will arise from the proposals.

ROUTE 1 – COMPLIANCE WITH THE GOLDEN RULES PARAGRAPH 153, 155 AND 156

- 5.1 When considering any planning application, local planning authorities should ensure substantial weight is given to any harm to the Green Belt, including harm to its openness, other than in the case of development on previously developed land or grey belt land, where development is not inappropriate (with reference to **footnote 55**). It is common ground with the Council that the site is grey belt. It is also my evidence that the site is previously developed land.
- 5.2 With reference to **paragraph 155** the development of homes (as proposed) should also not be considered inappropriate where a) the development would utilise grey belt land and not undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.
- 5.3 It is common ground that the site is grey belt. The proposed development demonstrably will not undermine the purposes of the remaining Green Belt across the area of the plan when taken together.
- 5.4 It is common ground that the Council does not have a five year land supply. With reference to the recent Housing Delivery Test Measurement 2023 published in December 2024 the Council has only delivered 42% of the housing requirement over the previous three years (CD 6.49). Consequently, it is a presumption authority. With reference to **paragraph 155 clause (b) footnote 56** there is a demonstrable unmet need for the type of development proposed as the Council has a lack of a five year land supply and its Housing Delivery Test is below 75% of the housing requirement over the previous three years.
- 5.5 The proposed development would be in a sustainable location as required by **paragraph 155 (c)**. It is in a location that is sustainable with reference to **paragraphs 110 and 115** of the NPPF. The sustainability of the site is set out in detail in the evidence of Mr Bell.
- 5.6 With reference to **clause (d) of paragraph 155 and paragraph 156** of the NPPF it is my opinion that the proposals meet the requirements of the Golden Rules. The scheme is major development involving the provision of housing on a site in the Green Belt, none of the exceptions to the application of the Golden Rules set out in **footnote 58** apply in this case. Therefore, the Golden Rules apply.
- 5.7 The proposals will deliver 50% affordable housing in accordance with the requirements of **paragraph 157 (a)**. It is common ground with the Council that the description of development should be amended to make reference to the provision of 50% affordable housing following the publication of the NPPF in December 2024.
- 5.8 With reference to the evidence of Mr Bell the proposals make the necessary improvements to identified local infrastructure identified in discussions with Surrey County Council during pre-application consultation in July 2022 and during the determination of the planning application between August 2023 and May 2024. Neither the Council nor Surrey County Council has identified further necessary improvements to local or national infrastructure post the publication of the NPPF in December 2024. It is therefore, my opinion and that of Mr Bell's that the proposals comply with **clause (b) of paragraph 156** of the NPPF.
- 5.9 The proposals provide new green spaces that are accessible to the public. Currently the Appeal Site is not accessible to the public. The proposals will deliver 16,401sqm of green pockets and naturalistic play/woodland which will be publicly accessible green space. This represents a net increase in publicly available open space. All new residents will have access to private garden space, as well as access to the on-site provision of public open space.
- 5.10 As Mr Kirkpatrick concludes, the appeal proposal complies with **clause (c) of paragraph 156** of the

NPPF. Further, the delivery of green spaces constitute an improvement and will contribute positively to the landscape setting of the development.

- 5.11 It is my evidence therefore that the proposals are grey belt and do not constitute inappropriate development in the Green Belt in accordance with the NPPF I attach significant weight to this. Additionally, the proposals also full comply with the Golden Rules, and I attach substantial weight to this in favour of the grant of permission.

ROUTE 2 INAPPROPRIATE DEVELOPMENT AND THE EXCEPTION OF PARAGRAPH 154(G)

- 5.12 Should it be concluded that the proposals do not meet the tests set out **paragraphs 153, 155 and 156**, then the proposals should be considered in the light of **paragraph 154 (g)** with references to **footnote 55**.
- 5.13 It is my evidence that the site is previously developed land and that the proposals are appropriate development applying **paragraph 154 (g)** of the NPPF. Since the submission of the Statement of Case (October 2024) the NPPF exception tests have been amended.
- 5.14 However, the Appellant's Statement of Case at paragraphs 9.11 – 9.30 remains relevant as it makes the case that the site is previously developed land. And it is my opinion that the appeal scheme accords with part (g) of the exceptions listed at **paragraph 154** of the NPPF which states that:

'limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.'

- 5.15 The NPPF provides a definition of previously developed land and states that this is land which has been previously lawfully developed and is (or was) occupied by a permanent structure and any fixed surface infrastructure including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.
- 5.16 The officer's report states that:

'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.'

- 5.17 The officer's own assessment of previously developed land is set out in paragraph 7.29 of the officer's report, stating that only 1,156sqm of the site area is previously developed land amounting to less than half of the application site. However, the corresponding map (Appendix 13 of the Appellant's Statement of Case) showing the previously developed land areas clearly demonstrate that this is not constrained to one part of the site. The areas of previously developed land are spread across the 4.4ha site. This includes Victor Beamish Avenue fixed surface infrastructure, large areas of hardstanding associated with the previous use of the entire use of the site by the MOD.
- 5.18 Contrary to the conclusions drawn by the officer in their report the site demonstrably constitutes previously developed land with reference to the definition set out in the NPPF.

- 5.19 I refer to Mr Kirkpatrick's evidence that demonstrates that the officer's assessment of previously

developed land is flawed as it fails to factor in the presence of other forms of development across the site.

- 5.20 Furthermore, the Council itself has also previously reached this conclusion in its Green Belt Assessment (GBA) which was a key evidence base document for the now withdrawn Local Plan. GBA Part 3 Appendix 1 (2018) (CD 6.32) of the evidence base recognises that:

'the site is previously developed land located on the edge of the built-up area of Caterham, a sustainable settlement designated as Tier 2 in the Council's Settlement Hierarchy and identified as a preferred location for development as part of the spatial strategy. Accordingly, the Council consider that the site is strategy compliant and would have a significant role to play in achieving sustainable patterns of development across the district.'

- 5.21 I consider the appeal scheme meets the criteria for being assessed as previously developed land with reference to the glossary definition of the NPPF. The land has been lawfully developed and was occupied by numerous permanent structures including within the curtilage of the developed land. As experienced now, the site comprises large areas of hardstanding (including Victor Beamish Avenue, an adopted highway) which were lawfully developed during the ownership and occupation of the site by the MOD. These areas of hardstanding are visible on site.
- 5.22 In accordance with **paragraph 154 (g)** this scheme comprises the complete redevelopment of redundant previously developed land, including a material change of use to residential use.
- 5.23 As with grey belt land, **paragraph 153 and footnote 55** of the NPPF mean that in the case of development on previously developed land, where development is not inappropriate substantial weight should not be given to any harm to the Green Belt including openness. This is logical: if development is appropriate and complies with the Golden Rules such that **paragraph 158** of the NPPF gives significant weight in favour of the grant of permission, it would be counterintuitive nonetheless to count Green Belt harm against the proposal even though the proposal meets the Green Belt exceptions in national policy.

PARAGRAPH 154(G) (OPENNESS)

- 5.24 Reason for refusal 2 does not specify what harm to the Green Belt would arise because of the proposed development. With reference to **paragraph 154(g)** of the NPPF, I do not consider the harm to openness caused by virtue of the appeal site's redevelopment would be substantial.
- 5.25 In considering the openness of the site, I refer to the evidence that the site is previously developed land and contains a prominent building at its centre, as well as accommodating significant areas of hardstanding and the presence of Victor Beamish Avenue through the site, which is adopted highway.
- 5.26 I refer to the evidence of Mr Kirkpatrick which demonstrates that there will not be substantial harm to the openness of the Green Belt.
- 5.27 In the light of Mr Kirkpatrick's evidence that the proposals will not result in substantial harm, I return to **paragraph 153 footnote 55** which states that substantial weight should not be applied to any harm to the openness in any event as it is common ground that the site is grey belt and the site is demonstrably previously developed (with reference to the glossary definition of the NPPF).
- 5.28 Therefore with reference to **paragraph 154** this development is not inappropriate by virtue of compliance with exception test (g).

ROUTE 3 VERY SPECIAL CIRCUMSTANCES

ISSUE 1 – EFFECTS ON OPENNESS

- 5.29 It is my evidence that substantial weight should not be given to any harm to the Green Belt owing to the fact that it is agreed grey belt land and I consider it is demonstrably previously developed land. Further, that the scheme does not cause substantial harm to the openness to the Green Belt.
- 5.30 However, should the Inspector conclude that the appeal scheme is not previously developed land, or conclude that it is grey belt land but that it does not satisfy the Golden Rules, and therefore would constitute inappropriate development, I have provided my opinion on the application of NPPF guidance on inappropriate development with regard to the appeal scheme, starting with an assessment of harm to the openness and purposes of the Green Belt, which goes beyond my assessment under **paragraph 154(g)** which only requires that the harm to openness not be ‘substantial’.
- 5.31 Reason for refusal 2 does not specify what harm to the Green Belt would arise because of the proposed development.
- 5.32 The Council’s evidence however drew a different conclusion.
- 5.33 Appendix D of the GBA Part 1 (CD 6.25) stated that:

‘this parcel has undergone quite a substantial change since the Green Belt was first designated’ and that “Kenley Aerodrome has been developed as many buildings existing on the site prior to Green Belt and therefore have been redeveloped in accordance with policy.’

- 5.34 Indeed, the GBA Part 2 states that built form now present on the site pre-dates any designations of the land as Green Belt. The change of use of the school building pre-dates the designation. The recent permission for extension and sports facilities post-dates the designation, highlighting the permanence of this operational development at the heart of the site, within the Green Belt.

ISSUE 2 – PURPOSES OF THE GREEN BELT

- 5.35 Reason for refusal 2 does not refer to any of conflict with the purposes of the Green Belt.
- 5.36 The Council has assessed the contribution that the appeal site makes to the purposes of the Green Belt through various Green Belt Assessments, intended to support the withdrawn Local Plan. These remain in the evidence base for the new Local Plan currently being prepared. There has been no material change in circumstances with regard to the Council’s dire housing need, lack of 5 year housing land supply, nor the site or site context such that a further GBA of the site would conclude any alternative conclusion and I consider the Council’s Green Belt Assessments are a material consideration to the consideration of Issue 3 and to the determination of the appeal.
- 5.37 The Examination in Public Inspector confirmed in their report at paragraph 41 that these assessments are adequate. They conclude that the Council’s approach to concluding whether there are exceptional circumstances for altering the Green Belt boundaries has been ‘systematic’ and agrees with the Council’s position that at a strategic level, there are exceptional circumstances to alter Green Belt boundaries.
- 5.38 The Appellant’s Statement of Case and the evidence submitted by Mr Kirkpatrick assesses the Appeal Scheme against the five purposes of the Green Belt which I expand upon below.

(A) TO CHECK THE UNRESTRICTED SPRAWL OF LARGE BUILT-UP AREAS

- 5.39 The Council's GBA Part 1 considered the site at GBA 040 and recommends the site for further investigation. The GBA Part 2 further investigated the site as 008 of Analysis Area 1. GBA Part 1 recognises the redevelopment of the Kenley Aerodrome land to the north and whilst not physically merging Kenley and Caterham has created the perception of such.
- 5.40 The Council's GBA Part 3 considers that given the size and location of the site, it only makes a limited contribution towards preventing sprawl from London but the wider Green Belt does prevent this sprawl.
- 5.41 The site is physically and visually well-contained, as noted in the GBA Part 3. The assessment notes that potential impacts of development on the Green Belt purposes on this site could be reduced through sensitive design, landscaping and buffer zones which are all considered and reflected in the proposed site layout.
- 5.42 Paragraph 7.17 of the officer's report states that the Council agrees that harm in respect of this purpose would be limited.
- 5.43 I consider the development of the site would not lead to the unrestricted sprawl of large built-up areas, given its size, visibility and location near neighbouring towns. I agree with the Council's assessment that the site makes a limited contribution to purpose (a) and with both the officer's report and the Council that the appeal scheme would have a limited impact on to purpose (a).

(B) TO PREVENT NEIGHBOURING TOWNS MERGING INTO ONE ANOTHER

- 5.44 The Council's GBA Part 3 considers that given the size and location of the site, it makes a limited contribution towards preventing the settlements of Caterham and Whyteleafe from merging. The GBA Part 3 is clear that the wider Green Belt, even if this site were excluded, would continue to serve purpose (b) by preventing the coalescence between Caterham, Whyteleafe and Kenley.
- 5.45 Paragraph 7.18 of the officer's report states that the Council does not consider the proposal would significantly conflict with purpose (b).
- 5.46 I agree with the Council's assessment that the wider Green Belt will continue to serve this purpose, such that the site makes only a limited contribution to purpose (b). I consider the appeal scheme would not impact on purpose (b) for the same reason.

(C) TO ASSIST IN SAFEGUARDING THE COUNTRYSIDE FROM ENCROACHMENT

- 5.47 Appendix D of GBA Part 1 describes Kenley Aerodrome as containing some large, detached buildings (some of which are listed) related to its former use as a RAF base, 'impacting on its rural feel'.
- 5.48 The GBA Part 2 Appendix 2 explains that Analysis Area 1 provides separation between Caterham on the Hill and Whyteleafe. However, on the basis of its character, scale and relationship with the urban areas it is not considered to safeguard from encroachment upon the countryside.
- 5.49 The officer's report at paragraph 7.20 notes the judgement in the Planning Statement 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'

- 5.50 However, it assesses that the Appeal Scheme would clearly represent the further encroachment of built development into the open countryside, with resultant conflict with purpose (c), against the findings of the Council's evidence base. The site displays only limited characteristics of open

countryside given the prominent NAAFI Building at the site's centre, the various structures on the site and the range of development beyond the boundary of the site.

- 5.51 In response to purposes (a), (b) and (c), as commented on in the GBA Part 3, the northern boundary of the site provides an opportunity for a clear separation between the built-up and open areas, and it is considered that a robust and defensible boundary could be secured in this location. Further to this, the open area to the east of Whyteleafe Hill would continue to ensure the physical separation between Caterham and Whyteleafe and such the loss of this site would not impact on the wider Green Belt's ability to serve this purpose.

(D) TO PRESERVE THE SETTING AND SPECIAL CHARACTER OF HISTORIC TOWNS

- 5.52 The GBA Part 2 considered that the site contributes to towards preserving the setting and special character of Kenley Aerodrome Conservation Area. The GBA Part 3 notes that the site forms part of the Kenley Aerodrome Conservation Area and therefore development in this location has the potential to result in harm to its special character.

- 5.53 The assessment notes that potential impacts of development on the Green Belt purposes on this site could be reduced through sensitive design. Landscaping and buffer zones including ensuring the special character of the conservation area is preserved.

- 5.54 I consider that site and its current condition makes a moderate contribution to serving purpose (d) which is not disputed by the Council (paragraph 7.22 of the officer's report). The appeal scheme from the outset has been heritage-led in its design and I consider the proposed development preserves and enhances the historic past of the site and surrounding area in a sustainable way. I refer to the evidence of Ms Markham in relation to heritage matters which amplifies my evidence.

(E) TO ASSIST IN URBAN REGENERATION, BY ENCOURAGING THE RECYCLING OF DERELICT AND OTHER URBAN LAND

- 5.55 The officer's report makes no assessment of the site against purpose (e). I am not aware of that the designation of this land as Green Belt specifically assists in urban regeneration by the recycling of derelict and other urban land. The Council has not adduced evidence to this effect and I am not of the opinion that the site meets this purpose.

ISSUE 3: ANY OTHER HARM

- 5.56 Reason for refusal 2 lists that as well as harm to the Green Belt by virtue of inappropriateness and due to the harm to openness that would arise, there would also be significant harm to the character and appearance of the site, area and landscape.

- 5.57 Appendix D of the GBA Part 1 noted that:

'this parcel has undergone quite a substantial change since the Green Belt was first designated' and that 'Kenley Aerodrome has been developed as many buildings existing on the site prior to Green Belt and therefore have been redeveloped in accordance with policy.'

- 5.58 Indeed, the GBA Part 2 observes that built form present on the site today pre-dates any designations of the land as Green Belt. The change of use of the school building and its associated developments post-date the designation. The recent permission for extension and sports facilities also post-dates the designation, highlighting the permanence of operational development at the heart of the site, within the Green Belt.

- 5.59 The layout of the proposed built form would reflect the former regimented, domestic and military

character of the Appeal site. Existing vegetation would be substantially retained and the verdant character of the site would be conserved.

- 5.60 This significant change to character and appearance does not necessarily equate to harm in the current residential and brownfield context of the Appeal site. There would be some loss of greenspace. However, the removal of the derelict workshop, dilapidated roads, piles of rubble, trees in poor condition and security fencing along both sides of Kenley Avenue would enhance the appearance of the Appeal site and make it more welcoming for visitor.
- 5.61 The character of Victor Beamish Avenue would be enhanced through retention of its roadside trees and removal of roadside security fencing. Other internal roads would be lined by attractive tree/shrub vegetation with area of amenity grassland. The off-site listed school building and associated playground trees would continue to provide contributions to the sense of time-depth and the verdant character of the site.
- 5.62 The pattern and grain of the proposed buildings would relate well with surrounding areas of off-site housing, including built development areas to the west and northwest. The relatively high density of housing within the northern part of the site would reflect the historically substantial amount of built form of varied scale in this part of the site. Building density in the southern part of the site would be lower density than that proposed to the north of the NAAFI in line with the former emerging site allocation. The historic domestic and military character of the southern part of the site would be re-established. Victor Beamish Avenue would be retained along its historic alignment, reflecting the underlying north-south arrangement of roads in the wider landscape.
- 5.63 Overall, it is my opinion the scheme will not significantly harm the character and appearance of the site, area and landscape. The development would be well integrated and reflect the site and surroundings historic and celebrated past.

ISSUES 4 AND 5: VERY SPECIAL CIRCUMSTANCES (OTHER CONSIDERATIONS AND BENEFITS THAT OUTWEIGH THE TOTALITY OF HARM)

HOUSING AND THE 5 YEAR HOUSING LAND SUPPLY POSITION

- 5.64 It is undisputed that the UK is facing a national housing crisis. **Paragraph 61** of the NPPF states the Government's objective to significantly boost the supply of homes with the overall aim to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community.
- 5.65 **Paragraph 124** of the NPPF states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land.
- 5.66 The Council does not have an up-to-date development plan in place to ensure the delivery of new homes and there is a very acute and persistent housing supply shortfall.
- 5.67 I have clearly set out the significant and continued failure of this authority to demonstrate a five year land supply and identified the Council's persistent failure to deliver housing in accordance with its obligations. I attach substantial weight to the delivery of housing in this case.

AFFORDABLE HOUSING

- 5.68 The Caterham, Chaldon and Whyteleafe Neighbourhood Plan Monitoring at Appendix 10 of the AMR

for 2021/22 (November 2022) confirmed that the Neighbourhood Plan area delivered no affordable homes over the period. The Caterham, Chaldon and Whyteleafe Neighbourhood Plan Monitoring of affordable housing in the neighbourhood plan area at Appendix 6 of the AMR 2023/24 (May 2024) does not report the delivery of any affordable housing within the Neighbourhood Plan Area which includes the appeal site.

- 5.69 The Council has persistently failed to deliver sufficient affordable housing across the district. This lack of delivery is acute in the Neighbourhood Plan area in which the site is located. I attach substantial weight to the delivery of affordable housing (50%) in this case.

OTHER BENEFITS

- 5.70 The County Council in its capacity as conservation consultee identifies heritage benefits of the scheme in relation to the introduction housing along Victor Beamish Avenue, connectivity through the site and the introduction of a commemorative feature. The heritage benefits and the statutory weight that applies to these are set out Ms Markham's evidence.
- 5.71 The proposals will enable public access through the site delivering access to open spaces within the site, which is currently inaccessible.
- 5.72 I attach moderate weight to the heritage benefit.
- 5.73 The proposal will replace dead and unsalvageable trees with new specimens. The ecological and biodiversity benefits of the proposals are set out in Mr Hallett's evidence. I attach moderate weight to the conservation (ecological) proposals of the scheme.
- 5.74 Finally, it my professional opinion that the proposed development will clearly make the contributions (Golden Rules) described at **paragraph 156** of the NPPF. I will not rehearse these again.
- 5.75 I consider that should any potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal be identified, this is clearly outweighed by other considerations. Therefore, very special circumstances exist and planning permission should be granted.

CONCLUSIONS

- 5.76 Route 1 – The proposals constitute development major development involving the provision of housing subject to a planning application. Therefore, the Golden Rules apply, with reference to **paragraph 156 (a)–(c)**.
- 5.77 The proposals will deliver 50% affordable housing.
- 5.78 The proposals will deliver necessary improvements to local infrastructure.
- 5.79 The proposals will result in the provision of green spaces that are accessible to the public.
- 5.80 Route 2 – It is common ground that the site is grey belt. It is also my evidence that the site is previously developed land with regard to the glossary of the NPPF. Therefore, decision makers are directed not to afford substantial weight to any harm to the Green Belt including its openness (**paragraph 153, footnote 55**).
- 5.81 Route 3 – Very special circumstances exist owing to the fact that the scheme will deliver housing in a presumption authority that cannot demonstrate a five year land supply. This includes the provision of 50% affordable housing. The proposals will result in a heritage benefit, ensuring that the character and appearance of the conservation area is preserved and the special character of the listed building

is preserved. In summary:

- 5.82 I consider, that the Council's chronic shortage of housing land supply and delivery deficits weigh significantly in favour of this appeal.
- 5.83 I consider, that the consistently identified affordable housing shortfall weigh significantly in favour of this Appeal scheme which will deliver 50% affordable housing, some 40 homes.
- 5.84 I consider the Government's direction on housing delivery which is reflected in the NPPF carries substantial weight.
- 5.85 I consider the delivery of much needed housing in the absence of an emerging Local Plan (or any meaningful progress in preparing a Local Plan) that accords with the newly adopted NPPF, and previous failure to deliver a sound Local Plan despite five years at examination should be given significant weight.
- 5.86 Moderate weight should also be given to the benefit of the scheme to the conservation area, identified by Surrey County Council's Senior Historic Buildings Officer, and amplified in the evidence of Ms Markham.
- 5.87 The scheme will also result in conservation and biodiversity benefits as set out in Mr Hallett's evidence.

REASON FOR REFUSAL 3 (RFR3)

RFR3 ISSUE 1: UNSUSTAINABLE LOCATION IN TRANSPORT TERMS

- 5.88 GBA Part 3 Appendix 1 (2018) of the evidence base recognises that:

'the site is previously developed land located on the edge of the built-up area of Caterham, a sustainable settlement designated as Tier 2 in the Council's Settlement Hierarchy and identified as a preferred location for development as part of the spatial strategy. Accordingly, the Council consider that the site is strategy compliant and would have a significant role to play in achieving sustainable patterns of development across the district.'

- 5.89 The Council's Sustainability Appraisal, submitted with the now withdrawn Local Plan for examination, assessed the site for the proposed site allocation. It assessed that the site was in a reasonably well-connected area of the district in respect of employment opportunities and services. It concludes that this is:

'a sustainable site, subject to sensitive design and identified mitigation'.

- 5.90 The only comment on potential mitigation on transport related matters is:

'improved pedestrian and cycle access and links would further improve site connection with the surrounding area'.

- 5.91 Mr Bell's evidence sets out the improvements proposed including improvements to pedestrian access. Namely:
- i. A new zebra crossing point provided with dropped kerbs and tactile paving across Salmons Lane West, enhancing pedestrian access to the bus stop on the south side of Salmons Lane West. This is a material improvement over the application submission, which only proposed an informal crossing;

- ii. A new informal crossing point provided with dropped kerbs and tactile paving on Whyteleafe Hill, connecting with Salmons Lane. This will aid pedestrians routing north towards Whyteleafe Station;
- iii. A pedestrian crossing at Salmons Lane West/Whyteleafe Road to aid connections towards nearby schools; and
- iv. A crossing on Buxton Lane to aid pedestrians routing south towards local facilities.

5.92 In this assessment the proposals include all of the appropriate mitigation measures identified by the Council in its Sustainability Appraisal and by the County during the assessment of the application at the pre-application stage and during its assessment of the application at the determination stage. The Appellant has not been made aware of any further measures that could improve the sustainability of the site.

5.93 Contrary to the reason for refusal which suggests 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'

5.94 The independent assessor in the GBA and the Sustainability Appraisal, states that the site is sustainable⁴. (CD 6.46).

'A sustainable site, subject to sensitive design and identified mitigations'

5.95 This is repeated in the draft pre-application response appended to the Council's Statement of Case (CD 3.03).

'The scheme would also fulfil the objectives of sustainable development, and I give very significant weight to the benefits of the proposal'

REASON FOR REFUSAL 4 (RFR4)

5.96 I refer to the evidence of Mr Bell that the impact of development traffic is negligible, with the performance of existing junctions on the surrounding road network only reducing by a marginal level. Queuing could increase by up to one vehicle, whilst driver delay would be limited.

5.97 This demonstrably does not constitute an unacceptable impact to the highway network. Furthermore, it does not meet the test of **paragraph 116** of the NPPF. The policy states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact upon highway safety, or the residual cumulative impact on the road network *following mitigation*, would be severe, considering all reasonable future scenarios.

5.98 The Council's reason for refusal has no basis.

REASON FOR REFUSAL 5 (RFR 5)

5.99 The Council now only maintains reason for refusal 5 in relation to the impact of the loss of trees upon the conservation area and local landscape during the maturity of the replacement trees.

5.100 It is common ground that the trees proposed are capable of replacement. The area of disagreement relates to the impact to the conservation area and the local landscape during the period of maturity

⁴ 5.18.2: Policy HSG06 - Land off Salmons Lane West, Caterham Tandridge District Council – Local Plan 2033: Sustainability Appraisal Incorporating Strategic Environmental Assessment Volume 2: Options Assessment

of the trees.

- 5.101 I refer to the evidence of Ms Markham regarding the impact during the maturity of the trees upon the character and appearance of the conservation area. This concludes that in the long term, once the new trees reach maturity, the contribution of trees to the conservation area would be enhanced.
- 5.102 I also refer to the evidence of Mr Kirkpatrick which confirms that it is important to emphasise that the replacement tree stock would make a strong contribution to the well-vegetated character of the appeal site long before the full replacement canopy spread is achieved. Further, that the proposed location of trees within the spaces defined by buildings will provide the trees with an enhanced visual presence and bring residents and visitors into close proximity with them. The location of trees within the proposed recreational greenspace and along footpaths and streets would also allow people to feel closer to nature. I consider that the replacement trees would have a strong visual presence with 5 to 10 years, depending on their location and design intent.
- 5.103 It is common ground that the principle of the removal of the trees proposed is acceptable. It is also common ground that the number of the trees that are proposed to be replaced is acceptable.
- 5.104 The area of disagreement regarding reason for refusal 5 relates only to the impact of the loss of the existing trees and their replacement during the maturation period. The alleged harm during this period claimed by the Council will detrimentally affect the character and appearance of the conservation area and the local landscape. These narrow matters are addressed in the proofs of evidence of Ms Markham and Mr Kirkpatrick respectively.
- 5.105 It is my opinion that given the principle of the acceptability of the loss of identified trees and their replacement is accepted by the Council's tree officer that the Appeal scheme is inherently acceptable regarding the matter of trees. In the light of the pressing and urgent need for housing and all material planning considerations regarding the acceptability of the Appeal proposals, it is demonstrably not reasonable that the impact of the loss and acceptable replacement of trees should be considered to have an unacceptable impact upon the character and appearance of the conservation area and the local landscape only during the maturation period of the trees.
- 5.106 My evidence is amplified by the fact that it will deliver a permanent benefit to the character and appearance of the conservation area, as set out in Ms Markham's evidence.

6 Material Considerations

- 6.1 I have already explained my view that the appeal scheme accords with the development plan when taken as a whole and therefore, on that basis, and having regard to Section 38(5) and Section 38(6), the appeal should be allowed.
- 6.2 Turning to **paragraphs 2, 11(c), 12 and 48** of the NPPF, if the Inspector is minded to take the view that the appeal scheme conflicts with the development, there are material considerations including numerous substantial benefits which in my view should be afforded degrees of weight such that they would allow the plan not to be followed, and permission granted.

HOUSING NEED

- 6.3 It is common ground that there is a pressing housing need in the district that the identified housing land supply and ongoing delivery deficits weigh significantly in favour of this appeal that I award this substantial weight, the greatest weight on the scale I describe above.

AFFORDABLE HOUSING NEED

- 6.4 There is a significant and identified affordable housing shortfall in the district. The delivery of affordable housing must weigh significantly in favour of this appeal, delivering 50%, some 40 units of affordable housing.

HERITAGE AND LANDSCAPE BENEFIT

- 6.5 Moderate weight should be given to the benefit of the scheme to heritage assets as identified by Surrey County Council and referred to in the evidence of Ms Markham and evidenced by the Council's decision not to defend reason for refusal 6.
- 6.6 Regarding the impact upon the local landscape, I refer to the evidence of Mr Kirkpatrick. Mr Kirkpatrick's evidence states that it is important to emphasise that the replacement tree stock would make a strong contribution to the well-vegetated character of the appeal site long before the full replacement canopy spread is achieved.
- 6.7 Further, that the proposed location of trees within the spaces defined by buildings will provide the trees within an enhanced visual presence and bring residents and visitors into close proximity with them. The location of trees within the proposed recreational greenspace and along footpaths and streets would also allow people to feel closer to nature. I consider that the replacement trees would have a strong visual presence with 5 to 10 years, depending on their location and design intent.

NATIONAL PLANNING POLICY FRAMEWORK

- 6.8 Several aspects of the NPPF are material to the determination of this appeal which I have set out at below and afford substantial weight.

PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

- 6.9 **Paragraph 11(d)** of the NPPF states that a presumption in favour of sustainable development should be applied and that, for decision making, this means "where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date,

granting permission” (the tilted balance) unless either limb **11(d)(i)** or **11(d)(ii)** applies.

- 6.10 **Limb 11(d)(i)** is that the application of policies in the NPPF that protect areas or assets of particular importance (including land designated as Green Belt provide a strong reason for refusing the development proposed (**NPPF paragraph 11d(i)**).
- 6.11 **Limb 11(d)(ii)** is that 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designated places and providing affordable homes, individually or in combination (**NPPF paragraph 11d(ii)**).
- 6.12 Neither **limb 11(d)(i)**, nor **11(d)(ii)** is applicable in this case and so the tilted balance is not disengaged. With reference to my evidence regarding reason for refusal 2 ‘Route 1’ it is my evidence that the proposals are appropriate as it is common ground that the site is grey belt and the Appellant has also demonstrated that the proposals meet the Golden Rules. Thus, the proposals comply with Green Belt policy. There are also no adverse impacts of granting planning permission when assessed against the policies of the NPPF.
- 6.13 With reference to my evidence regarding reason for refusal 2 ‘Route 2’ it is my evidence that the site is also previously developed land and the proposals would not cause substantial harm to the openness of the Green Belt, so the proposals are appropriate development within **paragraph 154(g)** of the NPPF. The proposals also meet the Golden Rules as required by **paragraph 156** of the NPPF and so comply with Green Belt policy. There are also no adverse impacts of granting planning permission when assessed against the policies of the NPPF.
- 6.14 With reference to my evidence regarding reason for refusal 2 ‘Route 3’ it is my evidence very special circumstances apply to justify inappropriate development and thereby also complies with Green Belt policy.
- 6.15 Thus, with reference to **paragraph 11 (d)(ii)** of the NPPF in the absence of any relevant, up-to-date development plan policies (as defined by **footnote 8**) this means that a decision should be made in accordance with a presumption in favour of sustainable development in the application of any of the three routes identified.
- 6.16 However, I consider that the greatest weight should be afforded to the assessment of the site as ‘grey belt’ (which is common ground with the Council) and compliance with the Golden Rules is demonstrated.
- 6.17 The Appeal scheme complies fully with the requirements of the Golden Rules in the delivery 50% affordable housing, delivering necessary improvements to local infrastructure and providing new green spaces. The Appeal scheme demonstrably complies with **paragraph 156** of the NPPF and therefore should be given significant weight in accordance with **paragraph 158** of the NPPF.
- 6.18 Regarding the matter of sustainability, I will take the opportunity to reiterate the Council’s original assessment of the site in its Sustainability Appraisal and Green Belt Assessment, both of which formed the evidence base for the draft Local Plan and concluded that the site is sustainable. Nothing has changed that would rationally result in an alternative assessment of the site regarding its sustainability.

7 Third Party Representations

- 7.1 The third party representations made during the pre-application and application process have been addressed in full in the Statement of Common Ground(s). Remaining matters have been addressed in evidence and these relate to the outstanding matters raised by Surrey County Council as highway authority.
- 7.2 However, one new representation was made to the Council's consultation of this appeal. The representation relates to the alleged lack of availability of education places in the area of the appeal site and its potential effect upon school place availability.
- 7.3 This matter had not been raised by the Council at any stage, and no mitigation measures have been sought by the Council in relation to education places. Nonetheless, the Appellant instructed an independent assessment of the availability of statutory education places within the catchment area of the site.
- 7.4 The findings are at Appendix 2 of my evidence. In summary, there are ample primary and secondary school places to accommodate the child yield of the development.

8 Summary and Conclusions

- 8.1 The Appeal scheme proposes 80 dwellings (40 of which are proposed to be affordable) in an area of significant housing need. The Council has less than two years of housing land supply.
- 8.2 Tandridge does not have an up-to-date statutory development plan. Some saved policies of its 2008 Core Strategy remain in force but none of these deal with the district's acute housing need.
- 8.3 The Council attempted to adopt a development plan in 2019 which sought to address the district's pressing housing need. As part of this Local Plan preparation process the Council identified the Appeal site as being suitable for residential development.
- 8.4 The Council duly assessed the Appeal site through its evidence base, most notably its HELAA, Green Belt Assessment, Sustainability Appraisal and Landscape Assessment.
- 8.5 The assessment of the site through the call for sites and statutory regulation stages culminated in a draft allocation of the Appeal site in the submission draft of the Local Plan, 2019. The site was the subject of assessment by an Examination in Public Inspector who's only comment in relation to the site related to the failure of the Council to have undertaken a conservation appraisal (this has been remedied during the application process and the Appeal proposals have been found to deliver a heritage benefit).
- 8.6 The Council has not prepared any further or alternative evidence base documents and has not made a meaningful start preparing a replacement development plan. There has been no change in development plan or national planning policy, or other material considerations that should have led the Council to arrive at an entirely different assessment as to the suitability of the site for residential development.
- 8.7 The site demonstrably does not contain a playing field, the affirmation of Mr Stanley clearly explains the way in which the Southern Land was temporarily used by the school that lies in the centre of the site for a period of less than 10 years.
- 8.8 The Head Teacher of the school has confirmed the Southern Land's redundancy to the school's needs. Finally, it is common ground with the Council that the Southern Land does not form any part of the Council's playing pitch strategy and is not identified in any policy document as being required for playing pitch uses. Indeed, the Council's own evidence base confirms that the district does not have a shortage of playing pitches.
- 8.9 Since the determination of the planning application and the lodging of the Appeal, the Government has published a revised NPPF. This does have a material effect on the assessment of the suitability of the site for residential development, but insofar as it introduces another 'route' to the grant of planning permission of the site given its Green Belt status.
- 8.10 That development is not inappropriate with reference to **paragraphs 153 and 155** if it is grey belt and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. With reference to **paragraph 156** the development proposals that meet the 'Golden Rules' requirements should be given significant weight in favour of the grant of permission.
- 8.11 It is common ground with the Council that the site is grey belt. The development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area

of the plan. Finally, the proposals will comply with the Golden Rules; delivering 50% affordable housing, delivering the necessary improvements to local infrastructure and providing new green spaces that are open to the public.

- 8.12 Furthermore, the Appeal proposals also comply with the previous Green Belt tests. That the development is appropriate development with reference to **paragraph 154 (g)** namely that the development is the complete redevelopment of previously developed land that would not cause substantial harm to the openness of the Green Belt.
- 8.13 And that very special circumstances do exist as any inappropriateness or other harm resulting from the proposal is clearly outweighed by other considerations, namely the significant weight that should be applied to the delivery of housing on the site (and 50% affordable housing) and the moderate weight of the resulting heritage and biodiversity benefits.
- 8.14 Surrey County Council has performed a volte face in its assessment of the suitability of the site for residential development. Surrey County Council did not object to the draft allocation of the site at any stage (including Examination). The County Council did not identify the site as inherently unsustainable when consulted in June 2022 as part of the pre-application process. Indeed, the officer identified mitigation measures that the scheme should deliver. These were proposed as part of the planning application and described in detail in Mr Bell's evidence.
- 8.15 Neither the Council nor the County Council has identified any further mitigation measures during the Appeal process.
- 8.16 It is the evidence of Mr Bell that the Appeal proposals fully accord with Section 9 of the NPPF which provides the planning policy framework for assessing the sustainability of development and impacts upon the road network.
- 8.17 Other reasons for refusal related to heritage, arboriculture and ecology have been addressed during the Appeal process. The Council maintains a narrow objection regarding the impact upon the local landscape and the character and appearance of the conservation area during the maturity of the replacement trees. This matter is addressed in full in the evidence of Mr Kirkpatrick and Ms Markham respectively.
- 8.18 In the light of this assessment of the site, its history and continued suitability to accommodate residential development **paragraph 11 (d)(ii)** should be applied. In the absence of any relevant, up-to-date development plan policies (as defined by **footnote 8**) this means that a decision should be made in accordance with a presumption in favour of sustainable development.
- 8.19 There would be no adverse impacts arising from the grant of planning permission that would significantly or demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole. In fact, the situation is quite the reverse. The development of the site would make a contribution to delivering housing in a district with an acute need, as the Council intended it should during the preparation of the Local Plan between 2016 and 2019. Additionally, the Appeal proposals would deliver acknowledged heritage benefits, public open space and ecological improvements.
- 8.20 The Appeal proposals would also accord with other policies of the NPPF, including the desire expressed at **paragraph 61** to see a significant boost in the supply of homes and the objective to deliver an appropriate mix of housing types for the local community.
- 8.21 Thus, subject to a deed of undertaking pursuant to Section 106 of the 1990 Act and to relevant conditions, I respectfully request that planning permission be granted for the Appeal scheme.

9 Declaration

- 9.1 I confirm that, insofar as the facts stated in my Proof of Evidence are within my own knowledge, I have made clear which they are and I believe them to be true, and that the opinions I have expressed represent my true and complete professional opinion.
- 9.2 I confirm that my Proof of Evidence includes all the facts which I regard as being relevant to the opinions which I have expressed and that attention has been drawn to any matter which would affect the validity of those opinions.
- 9.3 I confirm that my duty to the Inspector and the Secretary of State as an expert witness overrides any duty to those instructing or paying me, that I have understood this duty and complied with it in giving my evidence impartially and objectively, and that I will continue to comply with that duty as required.
- 9.4 I confirm that I am neither instructed, nor paid under any conditional fee arrangement.
- 9.5 I confirm that I have no conflicts of interest of any kind other than already disclosed in my Proof of Evidence.
- 9.6 I confirm that my Proof of Evidence complies with the requirements of the Royal Town Planning Institute, as set down in the Ethics and Professional Standards Advice for RTPI Members (2017).

Signed:



Charlotte Yarker MRTPI

Partner, Daniel Watney LLP

Daniel Watney

FOR MORE INFORMATION PLEASE CONTACT US

T: +44 (0)20 3077 3400

E: info@danielwatney.co.uk

Daniel Watney LLP

165 Fleet Street, London EC4A 2DW, United Kingdom

www.danielwatney.co.uk

APPENDIX 1 – THE SWORN AFFIDAVIT OF MR KEVIN PETER STANLEY

1st Affidavit of Kevin Peter
Stanley
Exhibit:
Dated: 31 January 2025

**AFFIDAVIT
OF KEVIN PETER STANLEY**

I, **KEVIN PETER STANLEY**, of Starrocks, Starrock Lane, Coulsdon, Surrey **do solemnly and sincerely affirm** as follows:

- 1) I make this affidavit for the purposes of giving information in planning appeal APP/M3645/W/24/3354498 in relation to ground 1 of the Council's decision notice dated 13 May 2024.
- 2) That ground states that the proposal will result in the loss of a 'playing field', on land located immediately to the south of the OneSchool Global Kenley Campus run by the Oakhill Education Trust (the "**School**").
- 3) For the purposes of this affidavit, I will refer to this 'playing field' land as the "**Southern Land**", and the entire application site, including the Southern Land, as the "**Application Site**".
- 4) I have been an adviser to the Appellant, Croydon and District Education Trust ("**CADET**"), since January 2010. My responsibilities include advising on asset management and development and I am duly authorised to make this affidavit on its behalf.
- 5) I was also a Trustee of the Oakhill Education Trust (Reg. 1067583) from 1997 until May 2016. My responsibilities there were advising on matters relating to finance and operation of the School, as well as direct involvement in planning proposals for the School's relocation of premises, as set out below.

- 6) CADET and Oakhill Education Trust are both Registered Charities with the same aims and purposes. In 2004 the pupils that were educated by CADET joined with those of Oakhill. Apart from the property holding of the NAAFI building, CADET is thus effectively redundant in respect of its charitable purposes regarding the School.
- 7) Except where I state otherwise the facts and matters set out in this affidavit are within my own knowledge and they are true. Where facts and matters are not within my own knowledge, they are based on information which has been supplied to me. The source of the information is identified, and that information is true to the best of my knowledge information and belief.

PLANNING HISTORY

The 2004 Application - Expired

- 8) The School was originally located in Carshalton, Surrey and in 2010, due to increasing space constraints at the Carshalton premises, I and my fellow trustees, with the agreement of the CADET Trustees, undertook a feasibility study to relocate the School to the former Royal Air Force NAAFI building within the current Application Site.
- 9) CADET acquired the Application Site and Southern Land from Cala Homes in 2003.
- 10) The CADET Trustees had previously obtained planning permission in 2004 (TA/2004/1665 LBC and TA/2004/903) for the use of the NAAFI building as a school, together with the use of surrounding land. This permission was renewed in 2009 (TA/2009/1296) and authorised:

“Change of use to provide day school incorporating the parade ground as play area and upgrading of field to use as a playing field (application to extend time limit to 2004/903) “

11) This permission was extant at the time of my initial involvement with CADET however, it was never implemented. I can confirm that the works approved by the 2004 application renewed in 2009 were not implemented.

- i. No works were undertaken to facilitate the occupation of the site by the school.
- ii. The site was not used for educational purposes between the expiry of the 2009 permission and the implementation of the 2015 permission. The only use of the site occurred on an occasional basis for fundraising events by CADET.
- iii. The only other activity that took place on the site related to essential maintenance.
- iv. There was no attempt to use the site for educational purposes owing to the potential to find a more cost-effective location for the relocation of the school.

12) Google Earth images of the Sothern Land and the School from 2009 to 2014 demonstrate that the 2009 permission was not implemented, these images are reproduced at “**Exhibit KS1**”. From these images it is evident that the site, including the Southern Land, were not being used for educational purposes.

The 2012 Application - Withdrawn

13) Our feasibility study revealed that the conversion of the former NAAFI building (namely implementing the 2009 permission) would be very expensive, and we thus commissioned work on a fresh planning application, which was submitted in 2012 with LPA reference: 2012/49 (the **2012 Application**):

“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.”

- 14) These proposals were not supported by the Council and the application was eventually withdrawn by me on 30 December 2013.

The 2015 Application - Extant Permission

- 15) I continued the site search for alternative premises without success, and in the absence of any more cost-effective options, Oakhill made the decision in September 2014 to again pursue the conversion of the NAAFI building for use as the school, including the use of the parade ground as part of the application.
- 16) We decided to exclude the Application Site, including the Southern Land, from this application as this was identified by me as having development potential for residential development, following the Council's need for a new Local Plan in accordance with the 2012 National Planning Policy Framework.
- 17) I instructed Mr Huw James of ECE Planning Limited to prepare a planning application for the use of the NAAFI building and parade ground for a change of use to a school. I reviewed the planning application documents for the submission of the application for the change of use of the NAAFI building to an educational use.
- 18) Details of the planning application and associated listed building consent application are set out below. I note that they included the use of the former parade ground as a play and sports facility but did not include any part of the Application Site or Southern Land which was not being used for any purpose as the 2009 permission was not implemented.

Listed Building Consent

- 18.1. On 3 February 2015 a listed building consent application (2015/244) was submitted to Tandridge District Council for:

“Change of use of the former NAAFI building to be used as an independent secondary school. Formation of roof over voids and internal alterations (listed building consent)”

18.2. The application was granted by the Council on 6 May 2015. A copy of the consent is now produced and shown to me marked “**Exhibit KS2**”.

18.3. On 26 May 2015, we submitted by our planning consultants a request for approval of details pursuant to conditions 2 and 3 of consent 2015/244.

18.4. On 3 September 2015 the Council discharged conditions 2 and 3. The remaining conditions attached to consent 2015/244 were compliance conditions.

Planning Permission

18.5. On 6 March 2015 a planning application (2015/179) was submitted to Tandridge District Council for:

“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.”

18.6. This application was approved on 6 May 2015 by Tandridge District Council. A copy of the permission is now produced and shown to me marked “**Exhibit KS3**”.

18.7. On 22 July 2015 we submitted by our planning consultants request for approval of details pursuant to conditions 6 and 7 of permission 2015/179. These were approved by the Council on 20 August 2015.

18.8. On 19 August 2015 we submitted by our planning consultants request for approval of details pursuant to condition 3 of permission 2015/179. These were approved by the Council on 3 September 2015.

18.9. The remaining conditions attached to permission 2015/179 were compliance conditions which I can confirm were complied with.

19) In September 2015 planning permission 2015/179 and listed building consent 2015/244 were lawfully completed in accordance with the approved plans, the imposed compliance conditions having been, and continue to be, complied with. The School relocated to these new premises at this time.

20) I can therefore confirm that the lawfully implemented planning and listed building consent applications that currently authorise the School are 2015/244 and 2015/179. This is because the 2009 permission was not ever implemented for the reasons I set out in paragraph 11 of this document.

The Southern Land ('Playing Field')

21) In the spring of 2016, CADET allowed the School to use the Southern Land for informal recreational use. By this time I had ceased my involvement with the day-to-day running of the School, but I was aware of this use through my continued role with CADET.

22) This consent was expressly given to the School for its sole use, on the understanding that it was temporary and that CADET had redevelopment plans for the Application Site inclusive of the Southern Land. This arrangement was made on an informal basis with the permission of CADET.

23) Now produced and shown to me marked "**Exhibit KS4**" is a letter from the Head Teacher of the School confirming the basis of the use of the Southern Land.

- 24) Prior to the use of the Southern Land by the School I instructed Huw James of ECE Planning to submit the Application Site to the Council's Housing Economic Land Availability Assessment (HELAA) call for sites. The consultation period for this ran between 19 December 2014 and 30 January 2015.
- 25) In December 2015 the Council included the Application Site and the Southern Land (reference CAT040) in its Housing Economic Land Availability Assessment (Appendix 3 Deliverable and Developable Sites)¹. A copy of an extract of the Assessment is now produced and shown to me marked "**Exhibit KS5**".
- 26) Thereafter the Application Site was promoted, on my instruction, by Tim Rodway of Rodway Planning at each Regulation Stage of the Local Plan consultation process, between January 2016 and January 2019 culminating in draft allocation HSG06 for 75 dwellings, including the Southern Land, in the January 2019 submission draft of the Local Plan.
- 27) No consent, either express or implied, has ever been given to any other party for the use of the Southern Land for sports or recreational purposes, nor has such use ever occurred.
- 28) Access to the Southern Land is restricted. The only party that has ever had access to the Southern Land is the School, and it has not been used by any members of the public or any other party with or without consent.
- 29) The use of the Southern Land as an informal recreation area by the School ended in July 2023, when it ceased to use the area and developed its own plans for sports pitches for its own exclusive use, that it could properly lay out, maintain and control, rather than the informal arrangement it had with CADET for the Southern Land.

¹ [Housing and Economic Land Availability Assessment](#)

30) Accordingly, on 17 January 2024 the School submitted a planning and listed building consent application for:

“Removal of 4no. temporary buildings and the extension of the existing building to create a multi-use sports and educational facility to the eastern elevation, together with sports pitches to the front of the site and amended vehicular access arrangements.”

31) This application was approved by Tandridge District Council on 14 August 2024. I also note the confirmation of the Head Teacher that there is no need for the use of the Southern Land by the school.

32) To my mind, there can be no doubt that the Southern Land has never constituted ‘playing fields’. Since at least December 2014 it has been CADET’s intention to promote the Southern Land for housing.

33) The Southern Land was not and has never been part of the land used by the School pursuant to its extant 2015 planning permission; nor has it ever been formally maintained by CADET as such.

AFFIRMED by **KEVIN PETER STANLEY**

At: 48 Chancery Lane, London WC2A 1JF

On the 31st day of January 2025

Before me: *MARIC HEALING*

Of: 48 Chancery Lane, London WC2A 1JF

Solicitor/~~Commissioner~~ for Oaths

Signed: 

Signed: 

Exhibits of Kevin Peter Stanley
Exhibit: KS1
Dated: 31 January 2025

**EXHIBIT KS1 TO THE AFFIDAVIT
OF KEVIN PETER STANLEY**

This is the exhibit marked "KS1" to the affidavit of Kevin Peter Stanley affirmed on
31 January 2025

AFFIRMED by **KEVIN PETER STANLEY**

At: 48 Chancery Lane, London WC2A 1JF

On the 31st day of January 2025

Before me: **MARK HEALING**

Of: 48 Chancery Lane, London WC2A 1JF

Solicitor/~~Commissioner for Oaths~~



Signed:.....



Signed:.....

KS EXHIBIT 1 – 2009

File View Add Tools Help

  Historical Imagery < **May 30, 2009** > 



KS Exhibit 1 - 2011



Historical Imagery < Aug 22, 2011 > >|



KS Exhibit 1 - 2012



Search Google Earth



Historical Imagery < Mar 28, 2012 > >|



KS Exhibit 1 – 2013



Search Google Earth



Historical Imagery < Jul 19, 2013 > >|



KS Exhibit 1 – 2014

Historical Imagery < Jul 26, 2014 > >|



KS Exhibit 1 – October 2015



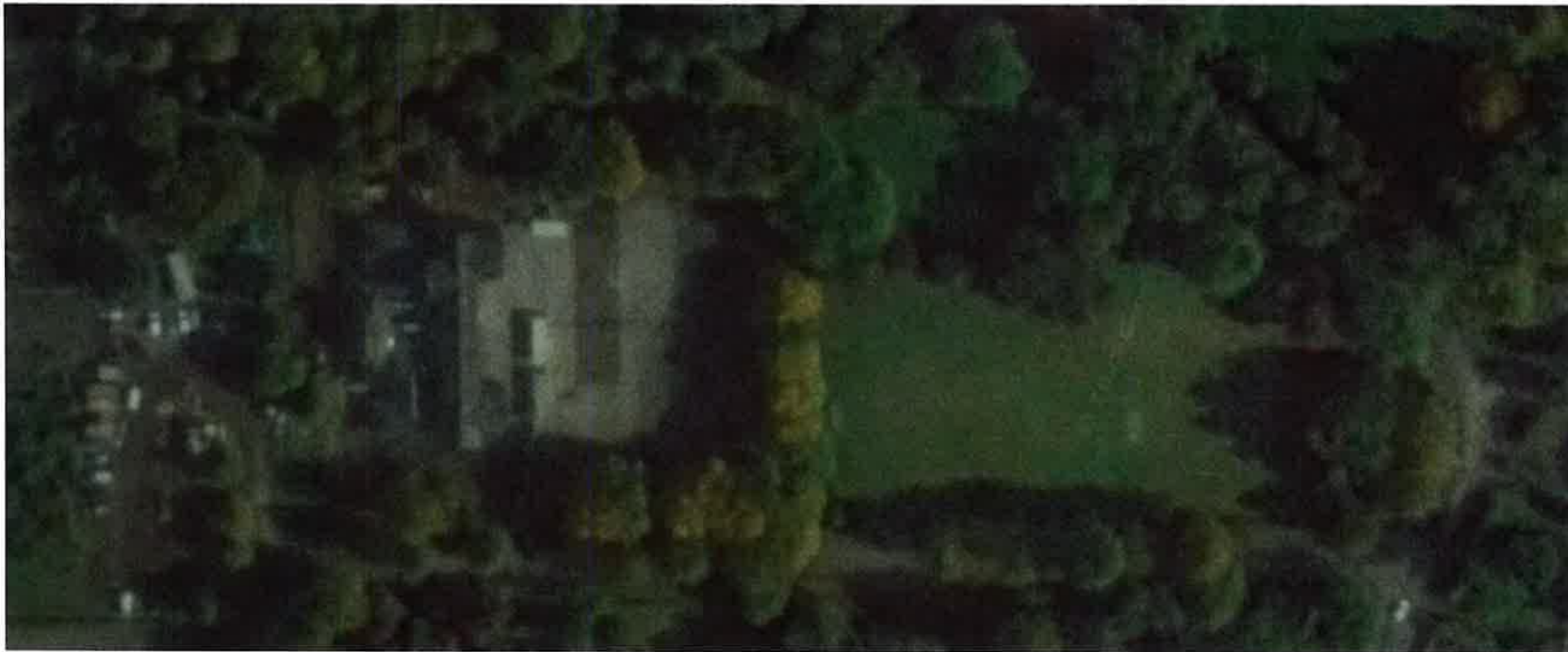
Search Google Earth



Historical Imagery



Oct 8, 2015



Exhibits of Kevin Peter Stanley
Exhibit: KS2
Dated: 31 January 2025

**EXHIBIT KS2 TO THE AFFIDAVIT
OF KEVIN PETER STANLEY**

This is the exhibit marked "KS2" to the affidavit of Kevin Peter Stanley affirmed on
31 January 2025

AFFIRMED by **KEVIN PETER STANLEY**

At: 48 Chancery Lane, London WC2A 1JF

On the 31st day of January 2025

Before me: **MARK HEALING**

Of: 48 Chancery Lane, London WC2A 1JF

Solicitor/~~Commissioner for Oaths~~



Signed:.....



Signed:.....

TANDRIDGE DISTRICT COUNCIL

Planning (Listed Building and Conservation Areas) Act 1990

This decision does not convey any approval that may be required under the Building Regulations or the separate grant of planning permission

Mr. Huw James
ECE Planning Ltd
Brooklyn Chambers
11 Goring Road
Worthing
West Sussex
BN12 4AP

On behalf of Oakhill Education Trust

The TANDRIDGE DISTRICT COUNCIL as District Planning Authority under the provisions of Part I of the Planning (Listed Buildings and Conservation Area Act 1990) hereby **GRANTS** Listed Building Consent for: -

Change of use of the former NAAFI building to be used as an independent secondary school. Formation of roof over voids and internal alterations

At

Kenley Aerodrome, Victor Beamish Avenue, Caterham CR8 5FX

in accordance with the application registered by the Council on the 03 February 2015 subject to the following conditions: -

1. The works hereby permitted shall start before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the removal of any door or architrave from the building a record of the existing doors and architraves shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a record is made of features that contribute towards the understanding of the building in accordance with policy 141 of the National Planning Policy Framework (NPPF) and Policy DP20 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

3. Prior to the removal of any door or architrave from the building, details of the proposed form of the relevant areas shall have been submitted to and agreed in writing by the Local Planning Authority.

- The south western staircase and doors leading from it
- The new main entrance including the walls, windows and doors leading from it
- All external doors

Reason: To ensure representative examples of historic doors and architraves are retained and displayed in an appropriate setting and new doors reflect historic precedent so that the alteration to the character and appearance of the building elsewhere is mitigated sufficiently to accord with Policy 134 of the National Planning Policy Framework (NPPF) and Policy DP20 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

4. Within twelve months of the first occupation of the building the restoration of the main north entrance hall, the south western staircase, the original kitchen north of the dumb waiter and the western room on the first floor shall have been completed in accordance with the details agreed with the Local Planning Authority.

Reason: To ensure the execution of the works to mitigate the impact on the historic character of the building to a degree that the scheme as a whole accords with Policy 134 of the National Planning Policy Framework (NPPF) and Policy DP20 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

This decision refers to drawings numbered IA-100-G and IA101-D scanned on 29 April 2015, drawings numbered IA-611-E, IA-612-B, IA-006-A and IA-711-B scanned on 30 April 2015, drawings numbered IA-520-C and IA-521-C scanned on 6 May 2015 and the Schedule of Heritage Conservation Proposals Revision A scanned on 29 April 2015. The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

The development hereby granted has been assessed against Tandridge Local Plan Part 2: Detailed Policies 2014 – Policy DP20 and material considerations, including third party representations. It has been concluded that the development, subject to the conditions imposed, would accord with the development plan and there are no other material considerations to justify a refusal of permission.



Dated 06 May 2015

for P.W Mason
Chief Planning Officer

NB: *Please also see attached notes*

Exhibits of Kevin Peter Stanley
Exhibit: KS3
Dated: 31 January 2025

**EXHIBIT KS3 TO THE AFFIDAVIT
OF KEVIN PETER STANLEY**

This is the exhibit marked "KS3" to the affidavit of Kevin Peter Stanley affirmed on
31 January 2025

AFFIRMED by **KEVIN PETER STANLEY**


At: 48 Chancery Lane, London WC2A 1JF

On the 31st day of January 2025

Before me: *MARK HEALING*

Of: 48 Chancery Lane, London WC2A 1JF

Solicitor/~~Commissioner for Oaths~~

Signed: 

Signed: 

TANDRIDGE DISTRICT COUNCIL

Town & Country Planning Act 1990

Mr. Huw James
ECE Planning Ltd
Brooklyn Chambers
11 Goring Road
Worthing
West Sussex
BN12 4AP

On behalf of Oakhill Education Trust

The TANDRIDGE DISTRICT COUNCIL as District Planning Authority under the provisions of Part III of the Town and Country Planning Act 1990 hereby **GRANTS** planning permission for: -

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.

At

Kenley Aerodrome, Victor Beamish Avenue, Caterham CR8 5FX

in accordance with the application registered by the Council on the 03 February 2015 subject to the following conditions: -

1. The development hereby permitted shall start not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This decision refers to drawings numbered IA-100-G and IA101-D scanned on 29 April 2015 and drawings numbered IA-611-E, IA-612-B, IA-006-A and IA-711-B scanned on 30 April 2015. The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

Reason: To ensure that the scheme proceeds as set out in the planning application and therefore remains in accordance with the Development Plan.

3. **Prior to the implementation of any works thereby affected** samples of any new bricks to be used in the repair/reconstruction of the external surfaces of the building will have been submitted to and approved in writing by the District Planning Authority. The development shall be carried out in accordance with these approved details.

Reason: To enable the District Planning Authority to exercise control over the type and colour of materials, so as to enhance the development and to ensure that the new works preserve the

special interest of the listed building in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policies DP7 and DP20 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

4. Before the development hereby approved is occupied the proposed vehicular and pedestrian access points to Victor Beamish Avenue and the internal access road shall be constructed in accordance with the approved plans and permanently maintained as such.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with the objectives of the National Planning Policy Framework 2012, Policy CSP12 of the Tandridge Core Strategy 2008 and Policy DP5 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

5. No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for cars and cycles to be parked, for the loading and unloading of vehicles, and for vehicles to turn so that they may enter and leave the site in forward gear. The parking and turning area shall be used and retained exclusively for its designated purpose.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with the objectives of the National Planning Policy Framework 2012, Policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 of the Tandridge Local Plan: Part 2: Detailed Policies 2014.

6. **No development shall start** until an arboricultural method statement, appropriate and specific to the approved scheme, to include details of all works within the root protection area, or crown spread of any retained tree, has been submitted to and agreed in writing by the District Planning Authority. Thereafter, all works shall be carried out and constructed in accordance with the approved details and shall not be varied without the written consent of the District Planning Authority.

Reason: To prevent damage to trees in the interest of the visual amenities of the area in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 Detailed Policies 2014.

7. **No demolition, site clearance or building operations shall start** until tree protection details, relating to all stages of development, for the protection of all trees, hedges and shrubs to be retained on site has been submitted to and approved in writing by the District Planning Authority. These details shall observe the principles embodied within BS 5837:2012 (Trees in relation to design, demolition and construction – Recommendations), shall be implemented prior to any works commencing on site, shall be retained during the course of development, and shall not be varied without the written agreement of the District Planning Authority.

In any event, the following restrictions shall be strictly observed unless otherwise agreed by the District Planning Authority:

- a) No bonfires shall take place within the root protection area (RPA) or within a position where heat could affect foliage or branches.
- b) No further trenches, drains or service runs shall be sited within the RPA of any retained trees.
- c) No further changes in ground levels or excavations shall take place within the RPA of any retained trees.

Reason: To prevent damage to trees in the interest of the visual amenities of the area in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policies DP7 and DP20 of the Tandridge Local Plan: Part 2 Detailed Policies 2014.

8. No trees, hedges or shrubs shall be pruned, felled or uprooted during site preparation and construction works except the removal of trees T1 - T10 as detailed in the submitted Tree Report (Landscape Vision Ltd ref: LV236TR1 dated January 2015) without the prior written consent of the District Planning Authority. Any retained trees hedges or shrubs which are removed, or, in the opinion of the District Planning Authority, are dying, becoming diseased or damaged shall be replaced by plants of such size and species as may be agreed in writing with the District Planning Authority.

Reason: To prevent damage to trees in the interest of the visual amenities of the area in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

9. **Before the development hereby approved is occupied** the air source heat pump as specified in the application details shall be installed and this system shall thereafter be retained in accordance with the approved details.

Reason: To ensure on-site renewable energy provision to enable the development to actively contribute to the reduction of carbon dioxide emissions in accordance with CSP14 of the Tandridge District Core Strategy 2008.

Informatives

1. Trees on this site are protected under Tree Preservation Order 2, 1999 (Tandridge). In the opinion of the Council's Tree Officer, the removal of trees T11 & T12 cannot be considered "necessary to implement a planning permission" within the meaning of paragraph (1)(a)(vii) of Regulation 14 of the Town & Country Planning (Tree Preservation) (England) Regulations 2012. If removal of those trees is proposed, or if any other works to trees on the site are proposed, consent will need to be sought from the District Planning Authority by submitting an Application for Tree Works in the usual manner. Guidance on the application process, together with the application form, is available on the Council's website: http://www.tandridge.gov.uk/Planning/trees/tree_preservation_orders.htm
2. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.
3. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

4. A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.
5. The applicant's attention is drawn to the advice as set out by Surrey Wildlife Trust in its comments received on 20 April 2015.

The development hereby granted has been assessed against Tandridge District Core Strategy Development Plan Document 2008 Policies CSP1, CSP11, CSP12, CSP13, CSP14, CSP15, CSP17, CSP18, Tandridge Local Plan Part 2: Detailed Policies 2014 –Policies DP1, DP5, DP7, DP10, DP13, DP18, DP19, DP20 and material considerations, including third party representations. It has been concluded that the development, subject to the conditions imposed, would accord with the development plan and there are no other material considerations to justify a refusal of permission.

The Council confirms that in assessing this application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework.



Dated 06 May 2015

**for P.W Mason
Chief Planning Officer**

NB: Please also see attached notes

Exhibits of Kevin Peter Stanley
Exhibit: KS4
Dated: 31 January 2025

**EXHIBIT KS4 TO THE AFFIDAVIT
OF KEVIN PETER STANLEY**

This is the exhibit marked "KS4" to the affidavit of Kevin Peter Stanley affirmed on
31 January 2025

AFFIRMED by **KEVIN PETER STANLEY**

At: 48 Chancery Lane, London WC2A 1JF

On the 31st day of January 2025

Before me: *MARK HEALING*

Of: 48 Chancery Lane, London WC2A 1JF

Solicitor/~~Commissioner for Oaths~~

Signed: .....

Signed: .....

17 January 2025

To Whom it may concern

Dear Sir or Madam,

Use of land at land off Salmons Lane West, Caterham outside One School Global's ownership

I am writing in my capacity as Head Teacher of One School Global, Kenley, to confirm that the parcel of land immediately to the south of the school's boundary does not form any part of the school's playing field or recreational facilities.

It was used by the school on a temporary basis between 2016 and 2023 for five aside football games and occasional Rounders for students of the school. It was used infrequently, and eventually found to be a health and safety risk because of the uneven ground.

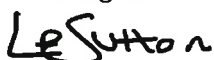
In accordance with One School Global policy the land was not ever available for use by the wider community.

In 2024 we received planning and listed permission for purpose built sports facilities within the grounds of the school. These are state of the art facilities which will enable the school to deliver all its physical education curriculum within the grounds of the school.

The school has no existing or future requirement for the use of land to the south of its boundary for outdoor activities for students of the school. The facilities required to deliver the physical education part of the curriculum are now provided entirely within the school's grounds.

I trust that this letter provides the necessary factual information regarding the school's use of the land to the south of the southern boundary of the school.

Kind regards



Mr Sutton

Exhibits of Kevin Peter Stanley

Exhibit: KS5

Dated: 31 January 2025

**EXHIBIT KS5 TO THE AFFIDAVIT
OF KEVIN PETER STANLEY**

This is the exhibit marked "KS5" to the affidavit of Kevin Peter Stanley affirmed on
31 January 2025

AFFIRMED by **KEVIN PETER STANLEY**

At: 48 Chancery Lane, London WC2A 1JF


On the 31st day of January 2025

Before me: **MARK HEALING**

Of: 48 Chancery Lane, London WC2A 1JF

Solicitor/~~Commissioner for Oaths~~

Signed: 

Signed: 

HELAA Reference Number	CAT 040
Address	Land off Salmons Lane West
Site Size	4.45
Approximate Developable Area	3.00
Estimated Site Yield	75
Green Belt	Within Green Belt
Suitability	The site is a former military barracks north of Caterham. It excludes a listed building, but contains the land around it. The site is largely flat and suitable access can be achieved from the road. The site is considered to be suitable in principle, although is within the Green Belt so this designation would need to change in order for the site to be developed.
Available	The site has been submitted by an agent on behalf of the landowners.
Achievable	Development of the site is considered to be achievable.
Status	Developable - Can be developed after 5 years



APPENDIX 2 – EDUCATION IMPACT TECHNICAL NOTE PREPARED BY GREENGAGE

EDUCATION IMPACT TECHNICAL NOTE

INTRODUCTION

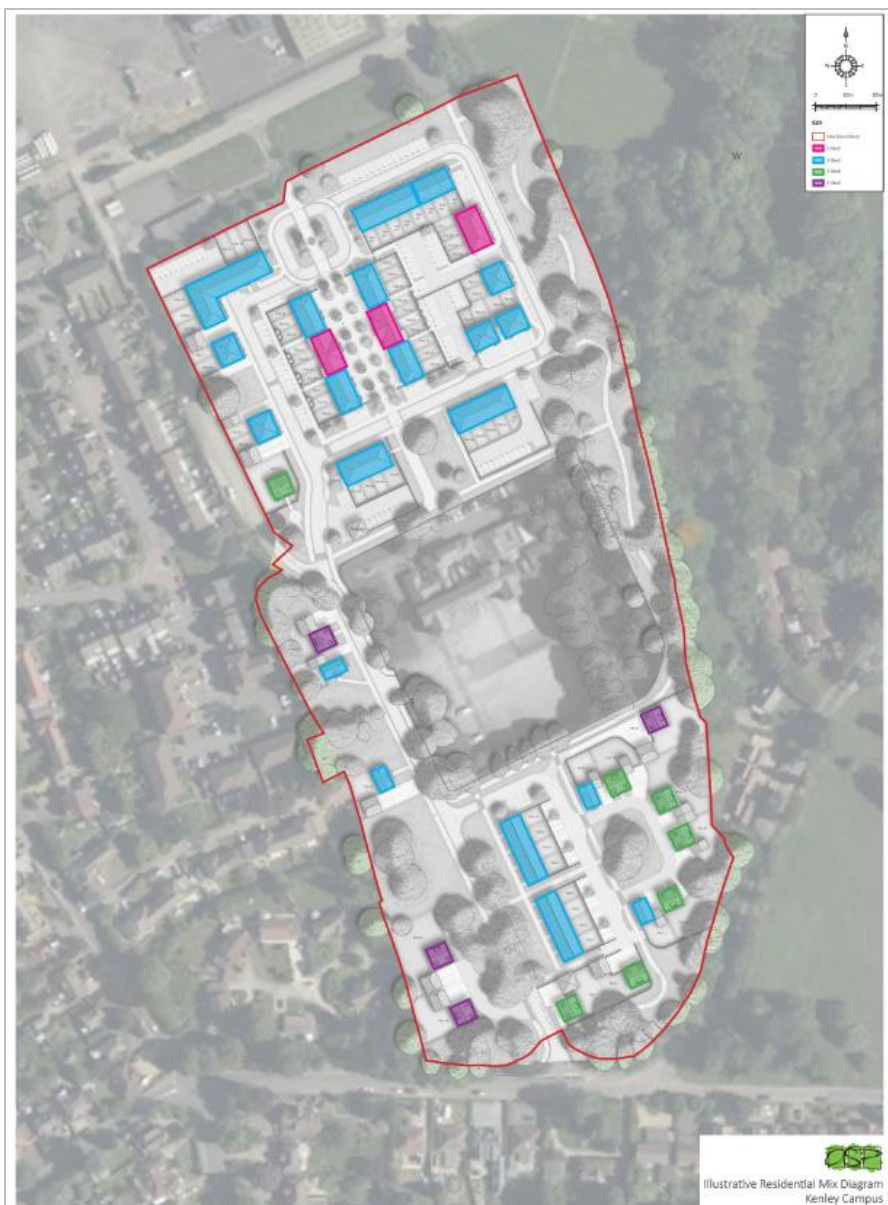
Greengage Environmental Ltd have been commissioned to provide an Education Impact Technical Note, in support for the inquiry for the refused outline planning application for Kenley Campus, Tandridge.

The review focusses on the capacity of schools within the surrounding area.

Proposed Development

The Proposed Development seeks to construct 80 homes, of which 40 (50%) are affordable. The scheme is to consist of 2-5 bed properties. The site layout can be seen in Figure 1.

Figure 1 Illustrative Residential Mix



BASELINE

The relevant geographical scope of the assessment is as follows:

- Ward: Portley & Queens Park Ward;
- Local Authority: Tandridge; and
- County: Surrey.

The Department of Education (DfE) states that statutory walking distances are two miles for children under eight years and three miles for children aged eight and over and further elaborates that ‘Best practice suggests that the maximum each way length of journey for a child of primary school age to be 45 minutes and for secondary school age 75 minutes, but these should be regarded as the maximum’¹. These walking distances have been used to inform the radius for the assessment.

Primary Schools

10 public primary schools within a two-mile radius of the Proposed Development have been identified, from a review on online mapping. The surplus capacity of each school is identified using the most recent 2022/2023 data from the DfE².

Table 1 Primary Schools within a two-mile radius

Primary school	Distance	No. on roll	School places	Net capacity	Surplus (%)
Audley Primary School	0.5 miles 11 minute walk	211	210	-1	-0.5
St Francis' Catholic Primary School	0.5 miles 12 minute walk	166	180	14	7.7
Whyteleafe School	1 mile 20 minute walk	417	420	3	0.7
Hillcroft Primary School & Nursery	1 mile 23 minute walk	410	420	10	2.4
Marden Lodge Primary School	1.4 miles 33 minute walk	193	210	17	8
Kenley Primary School	1.6 miles 32 minute walk	196	231	35	15.2

Keston Primary School	1.7 miles 39 minute walk	420	420	0	0
The Hayes Primary School	1.9 miles 41 minute walk	414	420	6	1.4
New Valley Primary School	2 miles 44 minute walk	182	210	28	13.3
Coulsdon C of E Primary School	2 miles 45 minute walk	206	210	4	2
Total		2,815	2,931	116	5

The table above demonstrates that there is the currently the capacity for 116 primary school age pupils across the 10 primary schools.

Secondary Schools

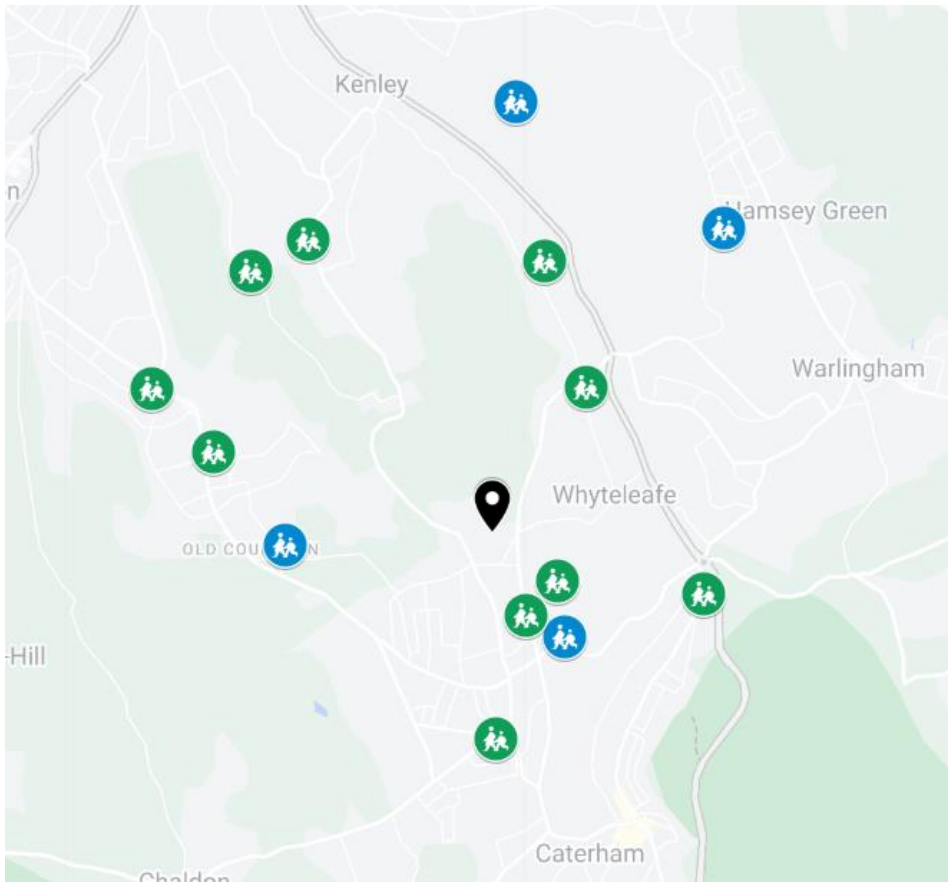
Public secondary schools within a three-mile radius of the Proposed Development are listed below, identified from a review on online mapping. This search found four secondary schools. The surplus capacity of each school is also identified using data from the DfE from 2022/2023.

Table 2 Secondary Schools within a three-mile radius

Secondary school	Distance (miles)	Number on roll	School places	Net capacity	Surplus (%)
De Stafford School	0.7 miles 17 minute walk	828	900	72	8
Oasis Academy Coulsdon	1.2 miles 27 minute walk	924	900	-24	-2.6
Warlingham School & Sixth Form College	2.1 miles 48 minute walk	1,421	1,480	59	4
Riddlesdown Collegiate	2.6 miles 59 minute walk	2,057	2,040	-17	-0.8
Total		5,230	5,320	90	2.1

According to the DfE data there is currently the capacity for 90 children across these four secondary schools.

Figure 2 Schools Identified from Assessment



(Key: Black=Site, Green=Primary, Blue=Secondary)

IMPACT

Child Yield

Child yield for the Proposed Development is based on specific multipliers applied to the proposed numbers of units, from the DfE Pupil Yield Dashboard³. This is shown in the table below, equating to a total child yield of 43 children aged 5-17.

These child yield calculations have been compared to the primary and secondary school capacities identified in the section above.

Table 3 Child Yield

Age (years)	Factor		Child Yield
	Affordable	Market	
5-11 years	0.6	0.18	31
12-17 years	0.22	0.07	12

Total	-	-	43
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Primary Schools

It is predicted that the Proposed Development will result in a child yield of 31 primary school age children. The baseline assessment identified that there is currently the capacity for 116 primary school pupils in the 10 primary schools identified in the baseline assessment. It is therefore considered that there will be sufficient capacity to accommodate these children at the existing primary schools.

Secondary Schools

It is predicted that the Proposed Development will result in a child yield of 12 secondary school age children. The baseline assessment identified that there is the capacity for 90 pupils across the four secondary schools within three-miles of the site. Accordingly, it is considered that there is likely to be sufficient capacity to accommodate these children at existing secondary schools.

CONCLUSION

In conclusion, the Proposed Development is predicted to result in a child yield of 43 children. Based on the most recent available data, the review has confirmed that there is sufficient capacity within primary and secondary schools in the area surrounding the Proposed Development.

Signed:



James Bumphrey

Director

For and on behalf of Greengage Environmental Ltd

REFERENCES

¹ Department for Education (2024) *Home to school travel and transport guidance*.

² Department for Education, (2023); *School capacity in England: academic year 2022 to 2023* - GOV.UK¹

³ Department for Education (2021) *Pupil Yield Data Dashboard*,